

# RECORD OF DECISION

## for the Gateway West Transmission Line Project

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Lead Agency:  
U.S. Department of the Interior  
Bureau of Land Management  
Wyoming State Office

Case File Number:  
WYW-174598; IDI-35849

**November 12, 2013**



Wyoming State Office



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

**BLM/WY/PL-13/034+5101**

*The photograph used for the cover was taken near Kemmerer, WY, from Dempsey Ridge Road north of Coke Mountain and east of the Tunp Range facing south. The transmission lines and towers depicted in this photograph are computer-generated simulations.*

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Wyoming State Office  
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**November 12, 2013**

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## ACRONYMS AND ABBREVIATIONS

ACEC	Area of Critical Environmental Concern
ACHP	Advisory Council on Historic Preservation
AO	Authorized Officer
BA	Biological Assessment
BLM	Bureau of Land Management
BMP	best management practice
BO	Biological Opinion
BOR	Bureau of Reclamation
CAA	Clean Air Act
CAFO	concentrated animal feeding operation
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	carbon monoxide
CWA	Clean Water Act
DOI	Department of the Interior
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency
EPM	environmental protection measure
ESA	Endangered Species Act
FERC	Federal Energy Regulatory Commission
FLPMA	Federal Land Policy and Management Act
Forest Service	U.S. Department of Agriculture, Forest Service
Gateway West	Gateway West Transmission Line Project
HEA	Habitat Equivalency Assessment
HPTP	Historic Properties Treatment Plan
I	Interstate
IDANG	Idaho Army National Guard
IPUC	Idaho Public Utilities Commission
kV	kilovolt
MFP	Management Framework Plan
MP	milepost
MW	megawatt
NCA	National Conservation Area
NEPA	National Environmental Policy Act
NF	National Forest
NHPA	National Historic Preservation Act
NHT	National Historic Trail
NO <sub>x</sub>	nitrogen oxides
NRHP	National Register of Historic Places
NSR	New Source Review
NTP	Notice to Proceed

NWR	National Wildlife Refuge
OATT	Open Access Transmission Tariff
OCTC	Orchard Combat Training Center
OSHA	Occupational Safety and Health Administration
PM <sub>10</sub>	particulate matter with a diameter of less than 10 microns
POD	Plan of Development
PPH	Preliminary Priority Habitat
Project	Gateway West Transmission Line Project
Proponents	Idaho Power Company and Rocky Mountain Power
PSD	Prevention of Significant Deterioration
PUC	Public Utility Commission
RMP	Resource Management Plan
ROD	Record of Decision
ROW	right-of-way
SHPO	State Historic Preservation Officer
SO <sub>x</sub>	sulfur oxides
SR	State Route
SRMA	Special Recreation Management Area
US	U.S. Highway
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compounds
VRM	Visual Resource Management
WECC	Western Electricity Coordinating Council
WGFD	Wyoming Game and Fish Department
WSR	Wild and Scenic River
WWE	West-wide Energy

## 1.0 DECISIONS AND AUTHORITY

### 1.1 SUMMARY

This Record of Decision (ROD) for the Gateway West Transmission Line Project (Gateway West or Project) approves the construction, operation, maintenance, and termination (which includes decommissioning) of the proposed Gateway West 230-, 345-, and 500-kilovolt (kV) transmission line on public lands in Carbon, Converse, Natrona, Sweetwater, and Lincoln Counties, Wyoming, and Bannock, Bear Lake, Blaine, Caribou, Cassia, Franklin, Lincoln, Minidoka, Oneida, Power, and Twin Falls Counties, Idaho, as analyzed in the *Final Environmental Impact Statement for the Gateway West Transmission Line Project*, as noticed in the April 26, 2013, Federal Register (Figure 1). This approval will take the form of Federal Land Policy and Management Act (FLPMA) right-of-way (ROW) grants, issued in conformance with Title V of FLPMA, and implementing regulations found at 43 Code of Federal Regulations (CFR) Part 2800. In addition, this ROD approves Proposed Amendments to the Green River and Kemmerer Resource Management Plans (RMPs). The U.S. Department of Agriculture Forest Service (Forest Service) and the Bureau of Reclamation (BOR) will issue separate RODs for portions of the Project on lands they manage in Wyoming and Idaho based on the BLM's Final Environmental Impact Analysis (EIS).

One new ROW grant, WYW-174598, will allow Idaho Power Company and Rocky Mountain Power (jointly referred to as the Proponents) the right to use, occupy, and develop the described public lands to construct, operate, maintain, and terminate a 230-, 345-, and 500-kV electric transmission line. The approved alignment for the transmission line is composed of 8 of the proposed 10 segments, including their associated access roads, multipurpose and helicopter fly yards, and other temporary sites needed to construct the transmission line. Other components of the Project include three proposed substations, expansion or modification at nine existing substations, a communications system and optical fiber regeneration stations, and electrical distribution lines where needed to the substations and optical fiber regeneration stations that were identified and evaluated in the Final EIS.

A portion of an existing 230-kV transmission line (identified as Segment 1W(c) in the Final EIS<sup>1</sup>) is currently authorized under ROW serial number WYW-170660. This grant was issued in December 2011 and replaced an older authorization that had expired. The reconstructed portion will be authorized as part of the Gateway West ROW serial number.

Segment 6 of the Gateway West Project is an existing 345-kV transmission line that is proposed for energizing at the 500-kV level. No new surface disturbance on public land would occur under this action. This transmission line is currently authorized under expired ROW serial number IDI-14555. The grant is being renewed, and as part of the Gateway West decision the upgraded voltage would be included in the revised grant.

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<sup>1</sup> Segment 1W(a) in the vicinity of Ice Cave Mountain)

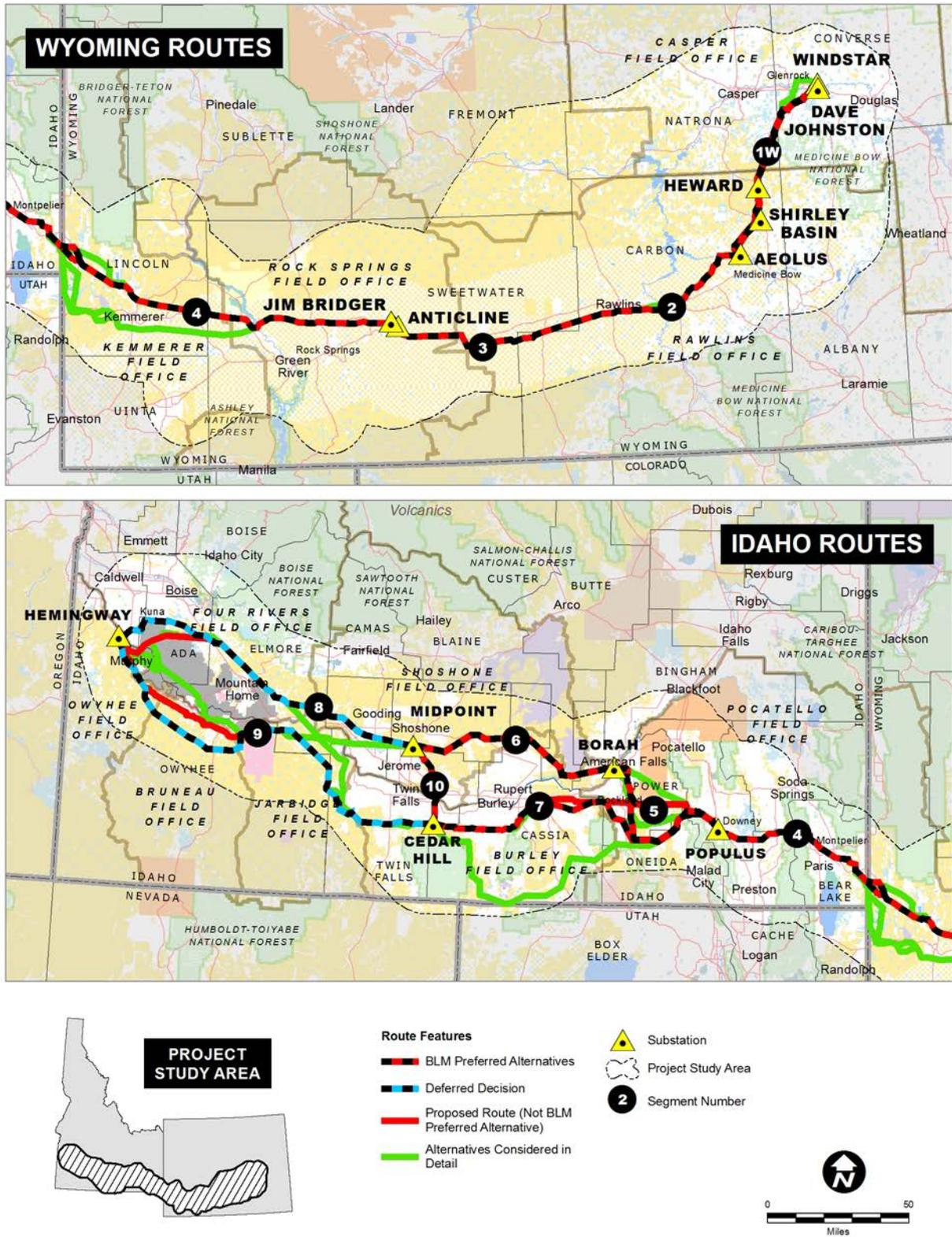


Figure 1. Project Overview

The new ROW grant (WYW-174598) will be issued for a term of 30 years and will include:

- The linear alignment of the transmission line on public land, with the appropriate width for the line voltage;
- Access roads on public land outside of the transmission line granted area;
- Permanent facilities (e.g., fiber optic regeneration stations) on public land outside of the transmission line granted area; and
- The Heward Substation in Carbon County, Wyoming.

A portion of the ROW grant (WYW-174598) will be issued for a term of 5 years, with the right to renew for all sites on public land used for temporary construction purposes.

For record-keeping purposes in the BLM's automated lands record system (LR2000), a subordinate case file (IDI-35849) will identify public lands in Idaho associated with this grant.

This decision is conditioned, however, on acceptance of mitigation plans and monitoring programs including, but not limited to, the Plan of Development (POD) for construction phases; a Migratory Bird Habitat Conservation Plan; a Sage-grouse Mitigation Plan; Historic Property Treatment Plans prepared under the guidelines of the Programmatic Agreement (PA); and the issuance of all necessary local, state, and federal approvals, authorizations, and permits. Final approval to use the granted area is given through the Bureau's Notice to Proceed (NTP) process; the required NTPs are listed in Section 1.7 of this ROD.

This decision approves the Agency Preferred Alternative, with modifications, for Segments 1 to 7 and 10 of the Gateway West Project as analyzed in the Final EIS, which is also referred to as the Selected Alternative in this ROD. The BLM will defer its decision to offer a ROW grant for Segments 8 and 9 due to the lack of complementary siting preferences among federal, state, and local authorizing entities in Idaho. The BLM will immediately coordinate with these entities and the Proponents to seek a consensus agreement on the transmission line alignment for these segments. Upon conclusion of this coordination, the BLM will prepare any needed additional environmental analysis, hold a public review and comment period, and issue another ROD for Segments 8 and 9.

## **1.2 DESCRIPTION OF TRANSMISSION LINE PROJECT**

The Gateway West Project (as analyzed in the Final EIS) includes the following components:

**Gateway West 230-kV Transmission Lines** – There are two 230-kV lines in Segment 1W that connect the existing Windstar Substation and the Dave Johnston Power Plant near Glenrock to the proposed Aeolus Substation near Medicine Bow. The segment is in southwest Converse, southeast Natrona, and northeast Carbon Counties. The lines are situated near the eastern boundary of the town of Glenrock, and both cross the North Platte River at this location.

Segment 1W(a) is a new 230-kV line that originates at the Windstar Substation and parallels the existing 230-kV line (Segment 1W[c]) to the Aeolus Substation. This segment has a total length of 73.8 miles. Segment 1W(c) is an existing 230-kV line proposed for reconstruction. It originates at the Dave Johnston Substation and terminates at the Aeolus Substation. This segment has a total length of 73.6 miles. Both lines would be built as single-circuit steel H-frame structures.

**Gateway West 345-kV Transmission Line** – A 345-kV single circuit on H-frame structures interconnects the Anticline and Jim Bridger Substations at the western end of Segment 3 consisting of a total length of 5.1 miles.

**Gateway West 500-kV Transmission Line** – The balance of the transmission line component of the Project consists of a new single-circuit, 500-kV line on steel lattice towers. The total distance of the 500-kV component is approximately 871.6 miles in Segments 2 through 5 and 7 through 10. Segment 6 is an existing transmission line currently energized at 345 kV and will have its voltage increased to 500 kV. The BLM ROW grant for the transmission line will be 125 feet wide for the 230-kV line, 150 feet wide for the 345-kV line, and 250 feet wide for the 500-kV line. Access roads located in the transmission line ROW grant area are included in the authorized use.

**Distribution Lines** – Distribution circuits, consisting of overhead lines, would be constructed to provide light and power to the substations and optical fiber regeneration stations. The location of the distribution lines will be determined at a later date and will be permitted separately to the utility supplying the electrical service to the sites.

**Access Road/Spur Roads** – The Proponents will use the existing access roads wherever possible to construct the transmission lines. There are segments of existing access road located outside the transmission line ROW, and there are several locations where new access spur roads to tower locations will be constructed. Roads outside the transmission line will be located within 50-foot-wide ROWs on public land.

**Substations** – Gateway West includes three proposed substations and expansions at nine existing substations. The substations are of various dimensions. Only one substation, the Heward Substation in Segment 1W, is located on public lands. This substation would be approximately 5 acres and would be separate from, but adjacent to, the existing Difficulty Substation.

**Fiber Optical Regeneration Sites** – A total of 13 regeneration sites are planned for the Project. The locations for these sites will be determined after detailed design engineering is completed. The typical site is a 75-foot X 75-foot area and contains one 12-foot X 32-foot building approximately 9 feet tall. The regeneration site would be located either within a substation or at another location along the route at 55-mile intervals. Use of public land for these sites would be authorized under this grant.

**Temporary Construction Areas** – Assembly and erection of the new lattice steel H-frame towers would require temporary laydown areas, material and equipment staging areas, and pulling and tensioning sites. These sites may require vegetation clearing and grading to level areas prior to installation activities. The temporary construction areas located on public lands are authorized under a short-term component of this

ROW grant, with a term of 5 years. Storage and laydown areas located on private lands are not included in the BLM ROW grant.

The Gateway West ROW grants will be issued for a term of 30 or 5 years depending on the use authorized. Both the 30- and 5-year terms have a right of renewal. In order to renew a ROW grant, the holder must submit an application to BLM showing the holder is complying with the terms, conditions, and stipulations contained in the grant and applicable laws and regulations. The BLM has the discretion to renew the grant if doing so is in the public interest. The holder, may, on approval from the BLM, assign the ROW grant to another party in conformance with 43 CFR 2800.

Construction of Gateway West is currently planned to start in the summer of 2016; it would involve Segments 1 through 4 and is expected to take 2 to 3 years. The second construction phase (Segments 5 through 7 and 10) is proposed to begin in 2018 or 2019 and is also expected to take 2 to 3 years to complete. Use of any public lands authorized under this ROW grant is contingent upon the holder supplying and BLM approving final engineering design construction plans as part of the final POD. Final approval will take the form of an NTP. Until an NTP is approved by the BLM, no surface-disturbing activities can occur. Section 1.7 identifies those specific items that will require NTPs before the ROW grant holder may use the granted areas. In addition, the Proponents cannot begin construction until compliance with applicable federal, state, and local laws and regulations is completed.

### **1.3 APPLICATION AND PROPONENTS**

Idaho Power Company is a wholly owned subsidiary of IDA-CORP, a holding company. Idaho Power is responsible for providing electrical service to its service area, which includes most of southern Idaho and a portion of eastern Oregon. The number of customers in Idaho Power's service area is expected to increase from around 492,000 in 2010 to over 650,000 by 2030.

Idaho Power Company is a regulated public utility under the laws of the State of Idaho whose mission is to provide reliable, responsible, fair-priced energy. Idaho Power operates under the oversight and regulatory controls of the Idaho Public Utilities Commission (IPUC). Under Title 61 of the IPUC regulations, Idaho Power "shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and shall be in all respects adequate, efficient, just and reasonable."

Idaho Power Company is also a public utility under the jurisdiction of the Federal Energy Regulatory Commission (FERC). Idaho Power is obligated to expand its transmission system to provide requested firm transmission service, and to construct and place in service sufficient capacity to reliably deliver resources to network and native load customers as provided in their Open Access Transmission Tariff (OATT) under Sections 15.4 and 28.3.<sup>2</sup> Idaho Power's OATT requires planning for the expansion of the transmission system to provide network integration transmission service that complies with regulatory reliability standards.

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<sup>2</sup> FERC. 2008. Order-890. Pro Forma Open Access Transmission Tariff, Appendix C.

PacifiCorp is an electric utility that transmits electricity via a grid of transmission lines located throughout a six-state region and a distribution system that serves more than 1.7 million retail customers. Rocky Mountain Power, a business unit of PacifiCorp, delivers electricity to approximately 1 million customers in Utah, Wyoming, and Idaho. As an essential service provider, Rocky Mountain Power is required to operate under the oversight and regulatory controls of the Public Service Commission of Utah, the Wyoming Public Service Commission, and the IPUC. Pacific Power, another business unit of PacifiCorp, provides service to approximately 730,000 customers in Oregon, Washington, and California, and is subject to the regulatory oversight of the Oregon Public Utility Commission, the Washington Utilities and Transportation Commission, and the California Public Utilities Commission. Although the objectives of these multiple commissions vary somewhat, they do share a common goal of ensuring utilities such as Rocky Mountain Power provide safe, reliable, adequate, and efficient delivery of electricity. PacifiCorp's system peak-hour load is forecast to increase from 10,450 megawatts (MW) in 2011 to 12,609 MW in 2020, a 2.1 percent average annual growth rate.

PacifiCorp is also a public utility under the jurisdiction of the FERC. PacifiCorp is obligated to expand its transmission system to provide requested firm transmission service and to construct and place in service sufficient capacity to reliably deliver resources to customers requesting service and existing customers as provided in their OATT under Sections 15.4, 28.2, and 28.3.<sup>3</sup> PacifiCorp's Attachment K of the OATT also requires planning for the expansion of the system to ensure that its transmission system meets industry, regulatory, and reliability standards.

Both Proponents have demonstrated that they are qualified to hold ROW grants on federal land.

A ROW application pursuant to Title V of FLPMA was filed with the BLM for the use of public land associated with Gateway West. The Wyoming BLM State Director was designated as the State Lead for preparing the analysis of the Project in both Idaho and Wyoming for BLM. The Idaho and Wyoming State Directors will approve land use plan amendments associated with this Project for their respective administrative areas.

#### **1.4 PURPOSE AND NEED FOR THE PROPOSED ACTION**

The BLM's purpose and need for Gateway West is to respond to the Proponents' application under Title V of the FLPMA (43 United States Code [USC] § 1761) for a ROW grant to construct, operate, and decommission an electric transmission line, substations, and associated infrastructure on public land in compliance with FLPMA, BLM ROW regulations at 43 CFR 2800, and other applicable federal laws.

#### **1.5 THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCESS**

Section 102(c) of NEPA (42 USC § 4321 et seq.) and the Council on Environmental Quality (CEQ) and Department of the Interior (DOI) implementing regulations (40 CFR Parts 1500–1508 and 43 CFR Part 46) provide for the integration of NEPA into agency planning to insure appropriate consideration of NEPA's policies and to eliminate delay. When taking actions such as approving ROW grants, the BLM must comply with the

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<sup>3</sup> Ibid.

applicable requirements of NEPA and the CEQ and DOI NEPA regulations. Compliance with the NEPA process is intended to assist federal officials in making decisions about a project that are based on an understanding of the environmental consequences of the project. The Draft EIS, Final EIS, and this ROD document BLM's compliance with the requirements of NEPA for Gateway West.

The BLM invited agencies with jurisdiction and/or special expertise to be cooperating agencies under 43 CFR 1501.6, conducted scoping meetings, and prepared a Draft EIS for the proposed transmission line project that analyzed the Proponent-proposed transmission project, alternatives that rerouted portions of the transmission line, and a no action/no construction alternative. The Draft EIS was circulated for public review on July 29, 2011, with a 90-day public comment period. Those comments and BLM's responses are provided as appendices in the Final EIS. Comments on the Draft EIS were utilized to revise the Final EIS. The Final EIS was circulated for public review on April 26, 2013<sup>4</sup>, with a 60-day public comment period. Final EIS comments are addressed in this document (Appendix A). After issuing this ROD, the BLM will publish a Notice of Availability of the ROD in the Federal Register.

Significant Project milestones were:

- *May 7, 2007*—Initial application received.
- *May 2007–April 2008*—Internal scoping, cooperating agency, and Native American Tribal government initial contacts.
- *May 16–July 3, 2008*—Public Scoping Period.
- *August 2008*—Proponents revise application in response to scoping comments.
- *August 29, 2008*—Scoping Report released.
- *October 31, 2008*—Alternatives to be analyzed in the EIS identified.
- *May 2009*—Proponents revise application.
- *May 26–July 10, 2009*—Administrative Draft EIS version 1 review period for cooperating agencies.
- *July–September 2009*—Coordination with county governments to incorporate additional alternatives in EIS analysis.
- *January 2010*—Proponents revise application in response to coordination with agencies and state and local governments.
- *March 15–April 28, 2010*—Administrative Draft EIS version 2 review period for cooperating agencies.
- *July 29–October 28, 2011*—90-day Draft EIS Public Comment Period.
- *June 29–August 3, 2012*—30-day public review period for sage-grouse analysis.
- *August 20, 2012*—BLM announces its preferred alternatives.
- *September 28–November 16, 2012*—Administrative Final EIS review period for cooperating agencies.
- *April 26–May 28, 2013*—30-day land use plan amendment protest period (closed on May 28, 2013) and 60-day Final EIS public comment period.
- *November 12, 2013*—ROD issued.

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<sup>4</sup> EPA NOA: <http://yosemite.epa.gov/oeca/webeis.nsf/EIS01/C6E58C831B42608185257BB4001BB5BA?opendocument>;  
BLM NOA: 78 [81] Federal Register 24771–24774

## 1.6 AUTHORITY UNDER THE FLPMA

**FLPMA** – BLM’s authority for the Project is the FLPMA, which establishes policies and procedures for management of public lands. In Section 102(a)(8) of the FLPMA, Congress declared that it is the policy of the United States that:

*...the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use (43 USC Part 1701(a)(8)).*

Section 202 of the FLPMA and the regulations implementing the FLPMA land use planning provisions (43 CFR Subparts 1601 and 1610) provide a process and direction to guide the development, amendment, and revision of land use plans for the use of the public lands.

Title V of the FLPMA, 43 USC §§ 1761–1771, authorizes the BLM, acting on behalf of the Secretary of the Interior, to grant, issue, or renew rights-of-way over, under, and through the public lands for systems for generation, transmission, and distribution of electric energy. The BLM’s implementation of its statutory direction for ROW authorizations is detailed in 43 CFR Part 2800. The Authorized Officer (AO) administers the ROW authorization and ensures compliance with the terms and conditions of the ROW grant. The AO means an employee of the DOI to whom the authority to perform the duties described in 43 CFR Part 2800 has been delegated. This authority is derived from the authority of the Secretary of the Interior, and may be revoked at any time. The authority to approve all actions pertaining to the granting and management of Title V ROWs on public lands is delegated to the respective BLM State Directors (BLM Manual 1203, Appendix 1, p. 33). Although WYW-174598 will authorize the use of public lands in two states (Idaho and Wyoming), the BLM Director identified Wyoming as the lead State for BLM in the processing of this specific ROW application.

**BLM Land Use Plans** – In furtherance of its authority under the FLPMA, BLM manages public lands in Idaho and Wyoming under various land use plans (i.e., Management Framework Plans [MFPs] and RMPs) and their amendments. These plans identify management objectives for various public land resources, appropriate use and restricted areas and expected practices to be followed by surface-disturbing and use activities.

The following list identifies BLM administrative planning areas where the Project is located:

- Casper RMP – Casper Field Office
- Rawlins RMP -- Rawlins Field Office
- Green River RMP – Rock Springs Field Office
- Kemmerer RMP – Kemmerer Field Office
- Pocatello RMP – Pocatello Field Office

- Monument RMP – Burley and Shoshone Field Offices
- Bennett Hills/Timmerman Hills MFP – Shoshone Field Office
- Cassia RMP – Burley Field Office
- Twin Falls MFP – Burley Field Office
- Jarbidge RMP – Four Rivers and Jarbidge Field Offices
- Kuna MFP – Four Rivers Field Office
- Morley Nelson Snake River Birds of Prey National Conservation Area (NCA) – Boise District Office
- Bruneau MFP – Bruneau Field Office
- Owyhee RMP – Owyhee Field Office

The BLM must consider the consistency of the Project and any alternatives with existing RMPs and MFPs in accordance with 43 CFR § 1610.0-5(b) as part of its decision to issue a ROW grant. The BLM's Selected Alternative, as modified, is in conformance with the Casper, Rawlins, Pocatello, Monument, Cassia, and Owyhee RMPs; and the Bruneau MFP. It is not in conformance with the Green River, Kemmerer, Jarbidge, and Morley Nelson Snake River Birds of Prey RMPs and the Bennett Hills/Timmerman Hills, Twin Falls, and Kuna MFPs. The BLM proposed 18 plan amendments to address these non-conformance situations and will approve them as part of this ROD.

Because the BLM is deferring its decision whether or not to offer a ROW grant for Segments 8 and 9, the plan amendments that would be associated with these segments are also being deferred. Please see Section 1.8.1 of this record for more detail.

**Other Authorities and Policies** – The analysis conducted under the NEPA process also supports the analysis needed for compliance with the requirements of other federal laws and to inform and support other agency actions. These include:

- National Historic Preservation Act (NHPA) – Consultation requirements with the Advisory Council on Historic Preservation (ACHP)
- Rivers and Harbors Act, Section 10 permits and Clean Water Act (CWA), Section 404 permits issued by the U.S. Army Corps of Engineers (USACE)
- CWA Section 401 permits issued by the U.S. Environmental Protection Agency (EPA)
- CWA Section 402 permits (National Pollution Discharge Elimination System General Permit for stormwater discharges associated with construction activity) in Idaho issued by the EPA
- Endangered Species Act (ESA) Section 7 consultation requirements with the U.S. Fish and Wildlife Service (USFWS)
- Fish and Wildlife Coordination Act consultation with the USFWS
- Migratory Bird Treaty Act compliance and consultation with the USFWS
- Bald and Golden Eagle Protection Act compliance and consultation with the USFWS

See Section 3.6 of this ROD for more information on the Project's relationship to other agency programs and policies.

Separate ROW authorizations will be issued by the Forest Service and BOR where lands administered by these agencies are crossed.

For more detail on major permits, approvals, and consultation requirements for Gateway West, please see Table 1.4-1 in the Final EIS.

## **1.7 INFORMATION AND APPROVALS AFTER THE ROW GRANT IS ISSUED**

Although the BLM is issuing a ROW grant for Gateway West, there are a number of details concerning project design, construction, and mitigation actions that are not finalized. These include 1) the POD covering project-wide practices and requirements, 2) the PODs for specific construction spreads, and 3) final mitigation plans associated with sage-grouse, migratory birds, wetlands, and cultural resources. Issuance of the ROW grant establishes in time the Proponents' right to use the authorized public lands to construct, operate, maintain, and eventually decommission a high-voltage electric transmission line and associated facilities. The ROW grant holders will pay rent in accordance with 43 CFR 2806 from the date the grant is issued. However, they are not permitted to use the granted areas for the proposed project until the actions listed in this section are completed. The BLM controls delayed project starts through the NTP process contained in 43 CFR 2807.10 and the associated BLM Manual.

The environmental analysis used a prospective layout and design for the transmission line, access roads, and temporary construction areas. A 2-mile-wide Siting Study Area, centered on the prospective transmission line location, was studied in depth in the EIS. This analysis approach allowed the Proponents and agencies to avoid and mitigate many acute resource impacts identified during the environmental analysis by micro-siting the transmission line and associated facilities within the Study Area.

This section lists items governed by NTPs. Some items involve the entire Project and others are specific to segments or subsections of segments. The scope of applicability is noted below.

### **1.7.1 The Project-wide Plan of Development**

A "master" or project-wide POD covers elements of construction and mitigation that are applicable everywhere on the project. An NTP will be issued when the project-wide POD is complete and accepted by the BLM. The Proponents included a project-wide POD with their initial application in May 2007. The POD was revised in whole or in part in August 2008, April 2009, January/February 2010, May 2012, September 2012, and January 2013. Current versions of the POD were included as appendices to the Draft and Final EISs. In August 2013, the Proponents submitted a fully revised project-wide POD to the BLM covering the first construction phase (Segments 1 through 4). It is attached as Appendix B to this ROD.

This project-wide POD contains generalized details of all Project components, including Project overview maps in Appendix A. Appendix B of the POD provides a detailed description of the transmission line and substation components. Seventeen plans that avoid, minimize, and mitigate environmental impacts comprise Appendices C through S of the POD and address a range of practices from reclamation to spill prevention and

fire prevention. Appendices T (Preconstruction Checklist) through Z (Environmental Protection Measures) include information that will guide construction, operations, and maintenance. Table 1 lists these plans, provides a brief description of each, and indicates the plan's current status.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development

Description	Appendix Designation	Status
<p>The <b>Environmental Compliance Management Plan</b> is the primary guidance document that states how the Proponents uphold, document, and manage compliance with the right-of-way (ROW) grant, the Plan of Development (POD), landowner agreements, and all federal, state, and local permits. It is a centralized Project environmental compliance reference and is thereby intended to facilitate environmental compliance across the entire Project.</p>	Appendix C	Complete.
<p>The <b>Framework Reclamation Plan</b> includes construction mitigation, reclamation, and revegetation measures for each land management area crossed by the ROW within Bureau of Land Management (BLM)-managed and National Forest System lands. The Plan will combine the Proponents' best management practices (BMPs) with site-specific mitigation developed in consultation with agencies. Some measures will apply project-wide, while others will be designed for specific areas. The plan identifies project-wide practices, controls, monitoring and reporting requirements for reclamation and revegetation on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require a Notice to Proceed (NTP).</p>	Appendix D	Project-wide practices, controls, monitoring, and reporting requirements for reclamation and revegetation on public land resources are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Framework Noxious Weed Plan</b> provides methods to control the potential occurrence/infestation of noxious and invasive weeds during and following construction of the Project. The purpose of the plan is to ensure noxious weeds are identified and controlled during the construction of Project facilities and all federal, state, county, and other local requirements are satisfied. The plan identifies project-wide practices, controls, monitoring and reporting requirements to control noxious and invasive weeds on public land. The Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix E	Project-wide practices, controls, monitoring, and reporting requirements to control noxious and invasive weeds on public land resources are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Framework Stormwater Pollution Prevention Plan</b> includes measures for temporary and permanent erosion and sediment control that will be used during construction, operation, and maintenance of the transmission line and ancillary facilities. The plan identifies project-wide practices, controls, monitoring and reporting requirements to reduce erosion and control sediment on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix F	Project-wide practices, controls, monitoring, and reporting requirements to reduce erosion and control sediment on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development (continued)

Description	Appendix Designation	Status
<p>The <b>Framework Spill Prevention, Containment, and Countermeasures Plan</b> includes measures for spill prevention practices, requirements for refueling and equipment operation near waterbodies, procedures for emergency response and incident reporting, and training requirements.</p> <p>The plan identifies project-wide practices, controls, monitoring and reporting requirements to protect waterbodies on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix G	Project-wide practices, controls, monitoring, and reporting requirements to protect waterbodies on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Plant and Wildlife Conservation Measures Plan</b> presents the measures proposed by the Proponents for avoidance and minimization of impacts to plant and wildlife species as related to construction activities for the Project and outlines specific conservation measures to be implemented in the event that state or federally listed species, BLM sensitive species, or Forest Service special status species or their habitats are identified within or adjacent to the Project ROW.</p> <p>The plan identifies project-wide practices, controls, monitoring and reporting requirements to protect plant and wildlife on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix H	The Agencies will require additional plant and wildlife conservation measures as Terms and Conditions of the ROW grant. Construction Contractor will finalize in accordance with Table 1 of the POD and additional Agency requirements.
<p>The <b>Framework Stream, Wetland, Well, and Spring Protection Plan</b> provides measures to protect these resources from potential impacts during construction, operation, and maintenance activities. The goals of this plan are to control Project-related erosion and sedimentation into streams and wetlands, minimize disturbance and erosion of streambeds and banks, and protect springs and wells in the Project area from impacts due to blasting and hazardous materials contamination. This plan addresses the requirements of the Clean Water Act including Section 130.7 (Total Maximum Daily Load); Section 303(d) (Impaired Waters); Section 401 (Water Quality Certification); and Section 402, National Pollution Discharge Elimination System permits issued by the State of Wyoming and the U.S. Environmental Protection Agency in the State of Idaho. Section 404 permits issued by the U.S. Army Corps of Engineers are also addressed. Water and wetland requirements of Sections 9 and 10 of the Rivers and Harbors Act of 1899, the Fish and Wildlife Coordination Act, Executive Order (EO) 11988 (floodplains), and EO 11990 (wetlands) are also addressed. Section 4.4 of the plan contains the criteria for determining the method of crossing wetlands and streams. These permitting requirements are necessary but independent requirements from the BLM ROW grant for the Project to proceed.</p>	Appendix I	Project-wide practices, controls, monitoring, and reporting requirements to protect water and wetland on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD. Referenced permits and certifications will be incorporated into Appendix Y.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development (continued)

Description	Appendix Designation	Status
The plan identifies project-wide practices, controls, monitoring, and reporting requirements to protect water and wetland on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.	Appendix I (continued)	
The <b>Framework Paleontological Resources Protection Plan</b> identifies the mitigation measures needed to avoid or reduce Project-related impacts to paleontological resources, wherever feasible. This plan provides important background and contextual information useful for the paleontological resources mitigation program. The plan identifies project-wide practices, controls, monitoring, and reporting requirements to paleontological resources on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.	Appendix J	Project-wide practices, controls, monitoring, and reporting requirements to paleontological resources on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
The <b>Agricultural Protection Plan</b> includes measures intended to mitigate or provide compensation for agricultural, impacts, including grazing, that may occur due to construction of the Project. The measures are intended to be implemented on partially or wholly owned private agricultural land unless directed otherwise by the landowner. The plan identifies project-wide practices, controls, monitoring, and reporting requirements to protect agricultural resources on public land.	Appendix K	Complete.
The <b>Framework Traffic and Transportation Management Plan</b> includes measures that require compliance with federal policies and standards relative to planning, siting, improvement, maintenance, and operation of roads for the Project. The plan identifies project-wide practices, controls, monitoring, and reporting requirements to manage transportation impacts on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.	Appendix L	Project-wide practices, controls, monitoring, and reporting requirements to manage transportation impacts on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
The <b>Framework Blasting Plan</b> outlines methods to prevent adverse impacts to human health and safety, property, and the environment that could potentially result from the use of explosives during Project construction and mitigate risks and potential impacts associated with blasting procedures that may be required for construction.	Appendix M	Construction Contractor will finalize.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development (continued)

Description	Appendix Designation	Status
<p>The <b>Framework Erosion, Dust Control, and Air Quality Plan</b> provides measures to ensure protection of the air quality that will be affected by the Project. This plan is to be implemented during the construction, operation, and maintenance phases of the Project. These measures are intended to minimize dust and emissions from construction-related activities. The framework of Environmental Protection Measures (EPMs), BMPs, siting, and construction criteria presented in this plan is adequate to protect air quality and minimize erosion and dust from construction activities on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix N	EPMs, BMPs, siting, and construction criteria presented in this plan are adequate to protect air quality and minimize erosion and dust from construction activities on public land. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Framework Fire Prevention and Suppression Plan</b> includes measures to be taken by the Companies and their contractors to ensure that fire prevention and suppression measures are carried out in accordance with federal, state, and local regulations. The plan addresses the specific requirements of the Forest Service and BLM and provides BMPs for fire management on privately owned lands.</p> <p>The plan identifies project-wide practices, controls, monitoring and reporting requirements to minimize fire on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix O	Project-wide practices, controls, monitoring, and reporting requirements to minimize fire on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Framework Hazardous Materials Management Plan</b> reduces the risks associated with the use, storage, transportation, production, and disposal of hazardous materials (including hazardous substances and wastes). This plan identifies Project-specific mitigation measures and other specific stipulations and methods to address spill prevention, response, and cleanup procedures for the Project. This plan can be finalized when requirements of the Occupational Safety and Health Administration, Clean Water Act, Clean Air Act, Toxic Substances Control Act, Comprehensive Environmental Response, Compensation, and Liability Act, Superfund Amendments and Reauthorization Act, Hazardous Materials Transportation Act, and state-specific regulations are met.</p> <p>The plan identifies project-wide practices, controls, monitoring and reporting requirements to manage hazardous substances and wastes on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix P	Project-wide practices, controls, monitoring, and reporting requirements to manage hazardous substances and wastes on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development (continued)

Description	Appendix Designation	Status
<p>The <b>Framework Construction Emergency Preparedness and Response Plan</b> provides an overview of methods to be implemented if the need for emergency management is imminent. This document will describe the existing support structure, chain of command, and emergency communications protocols. The plan identifies project-wide practices, controls, monitoring and reporting requirements to respond to emergencies on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix Q	Project-wide practices, controls, monitoring, and reporting requirements to respond to emergencies on public land are adequate. Construction Contractor will finalize in accordance with Table 1 of the POD.
<p>The <b>Operations, Maintenance, and Emergency Response Plan</b> includes measures to be employed while conducting routine, corrective, and emergency operations and maintenance activities. Measures identified are in compliance with applicable state and federal laws and policies; and will ensure consistency across and within federal jurisdictions; allowing for the Companies to access the transmission line and ancillary facilities in a timely, cost effective, and safe manner. The plan identifies project-wide practices, controls, monitoring and reporting requirements to conduct routine, corrective, and emergency operations on public land. Site-specific measures will be incorporated into the construction spread-specific POD, which individually require an NTP.</p>	Appendix R	Complete except for emergency contact list.
<p>The <b>Cultural Resources Protection Plan</b> identifies the mitigation measures needed to avoid or reduce Project-related impacts to cultural resources, wherever feasible. This plan provides important background and contextual information useful for the cultural resources protection program and appends the Programmatic Agreement, Project-wide Historic Properties Treatment Plan, Monitoring Plan, Inadvertent Discovery Plan, and Native American Graves Protection and Repatriation Act Plan of Action.</p>	Appendix S	Complete; see Section 1.7.5 of this ROD.
<p>The <b>Preconstruction Checklist</b> identifies when specific actions related to completion of plans are to take place as well as when Contractor-secured permits are to be applied for.</p>	Appendix T	Complete.
<p>The <b>Framework Flagging, Fencing, and Signage Plan</b> describes the methods that will be used in the field to delineate limits of disturbance and protect sensitive environmental and cultural resources during Project construction.</p>	Appendix U	Construction Contractor will finalize in accordance with Table 1 of the POD.
<p><b>PacifiCorp's Transmission Construction Standards</b> provides standards for all aspects of transmission line construction.</p>	Appendix V	Complete.
<p><b>PacifiCorp's Transmission and Distribution Vegetation Management Program Specification Manual and Idaho Power Company's Transmission Clearing Specifications and Framework for Managing Noxious Weeds</b> cover the vegetation management programs for both distribution and transmission. They include program descriptions, specifications, and protocols.</p>	Appendix W	Complete.

**Table 1.** Status of Environmental Protection Plans and Documents in the Proponents' Plan of Development (continued)

Description	Appendix Designation	Status
The <b>Land Description of Project Components on Federally Managed Public Lands</b> provides an Aliquot part subdivision down to the quarter-quarter section for the transmission line ROW, regeneration stations, substations, permanent and temporary access roads, and temporary multipurpose areas and fly yards.	Appendix X	Submitted 8/15/12 – subject to Agency Review.
<b>Other Information</b> includes Project documents such as the Biological Opinion and permits that have been issued.	Appendix Y	NA
The <b>Environmental Protection Measures</b> are a list of all EPMs to be implemented for the Project and are organized by resource to provide an easy reference document.	Appendix Z	Complete with the addition of a reporting requirement requested by the USFWS. These measures will be a Term and Condition of the BLM ROW grant.

### 1.7.2 Construction Spread PODs

Construction Spread PODs will tier from the project-wide POD, meaning that the criteria and practices identified in the project-wide POD are explicitly required project-wide and are not repeated in the Construction Spread PODs. The number and location of Construction Spread PODs will be determined after a construction contractor is selected by the Proponents and specific construction plans prepared. The Construction Spread PODs typically contain maps and drawings, identify spatial and temporal environmental restrictions, document the location of all required measures, and contain other project details.

Each Construction Spread POD will be reviewed and accepted by the BLM. When accepted, an NTP will allow the ROW holder to use the public lands covered by that POD within the Terms and Conditions of the ROW grant.

### 1.7.3 Sage-grouse Mitigation Plan

A Greater Sage-grouse Avoidance, Minimization, and Mitigation Plan (Appendix C-3 in the Final EIS) is currently under development. The current version of the plan is included as Appendix C to this ROD. It is a mitigation plan prepared by the Proponents following the “Framework for Sage-grouse Impacts Analysis for Interstate Transmission Lines” (Appendix J-1 in the Final EIS) and incorporates the mitigation evaluation of the Habitat Equivalency Analysis. The plan objectives are to demonstrate compliance with BLM and state policies designed to minimize impacts to sage-grouse and their habitat, thereby demonstrating sufficient management actions are afforded the species and a listing as threatened or endangered under the ESA is not needed.

Because of different management approaches between Idaho and Wyoming, separate plans for each state are being prepared. Only a small portion of Gateway West in Idaho is planned for construction in the first phase (2016–2019).

All sage-grouse plans will be reviewed by the BLM and coordinated with the USFWS and state game agencies. The BLM will approve the plan(s) and issue an NTP for the respective portions of the project area.

#### **1.7.4 Migratory Bird Habitat Conservation Plan**

A Migratory Bird Habitat Conservation Plan is under preparation involving the Proponents, the BLM, and the USFWS. The current version of the plan is included as Appendix D to this ROD. The plan focuses on mitigation to migratory bird habitats in forested and woodland habitats. There may be one or more plans submitted by the Proponents, covering different portions of the project area.

The BLM will review all plans, consult with the USFWS, and, when acceptable, accept the plan(s) and issue an NTP for the respective portions of the project area.

#### **1.7.5 Programmatic Agreement**

The PA was executed on September 12, 2013, by required signatory parties including the signatures of the BLM Idaho and Wyoming State Historic Preservation Officers (SHPOs) and the ACHP (a copy is included as Appendix E to this ROD). The PA establishes areas of potential effect; procedures for the identification and evaluation of historic properties; reporting, consultation and review procedures; Tribal consultation requirements and procedures; preparation of Historic Properties Treatment Plans (HPTPs); and procedures for developing plans to address inadvertent discovery of cultural resources or human remains. These requirements of the NHPA were met by completing the PA signatory process.

The need to prepare inadvertent discovery plans and HPTPs cannot be fully known until Class III (on-the-ground) surveys are completed. These surveys identify cultural and historic resources typically visible at or above the ground surface. If these resources are determined eligible for the National Register of Historic Places, an HPTP would be prepared to determine avoidance, minimization, and mitigation actions appropriate for the site. Each HPTP would have a corresponding NTP that would release the area to holder use when the HPTP is reviewed by the PA signatories and accepted by the BLM.

An HPTP for National Historic Trails and contributing landscapes is being prepared separately due to the linear nature of the trails and the expanse of the associated landscapes. A draft *Compensatory Mitigation Plan for Unavoidable Impacts to Historic Trails* is included as Appendix F to this ROD. An NTP will also be issued upon acceptance of the HPTP for National Historic Trails.

Buried cultural resources and human remains could be uncovered during Project excavations. These inadvertent discovery plans also have NTPs that would be issued upon acceptance of these plans.

#### **1.7.6 Compensatory Mitigation for and Monitoring of Unavoidable Impacts to Waters of the U.S.**

The USACE issues permits under Section 404 of the CWA. Although not a BLM requirement, these permits must be in hand for the Proponents to begin construction activities in waters of the United States. The BLM will not issue an NTP for these permits. However, we will ensure the necessary permits have been issued for work on

public lands associated with waters of the United States and would issue a “Stop Order” if work began on public lands and the permits had not been issued. In order to obtain these permits, the Proponents must offer a compensatory mitigation plan that fully offsets lost functions and values of waters of the United States due to the Project. The Proponents have submitted a Framework Compensatory Mitigation Plan that provides details for Proponent-developed mitigation projects on Proponent-owned properties that, when fully detailed and approved by the USACE, will compensate for impacts from construction, operation, and maintenance of Segments 1 through 4. The plan also provides rough estimates of waters of the United States impacts in Segments 5 through 10 and commits to their full compensation once routes are finalized and design engineering is completed. The current version of the compensatory mitigation plan is included as Appendix G to this ROD.

### **1.7.7 Biological Opinion**

The USFWS issued a Biological Opinion (BO) for Gateway West on September 12, 2013 (included as Appendix H to this ROD). The Proponents will be required to identify the source and amount of water withdrawals for construction from the North Platte River Basin for the purpose of confirming compliance with the river basin compact agreement and the mitigation protocol for listed species in Nebraska. The BLM will issue an NTP when these water sources and amounts are identified and any additional consultation requirements of the ESA are completed.

### **1.7.8 Siting Decisions in Lincoln County, Wyoming**

After release of the Final EIS, siting issues at three locations in Lincoln County, Wyoming (Segment 4) were identified. The siting issues are associated with a landslide-prone area, conservation easements, and proximity to the community of Cokeville, Wyoming. A Reroute Report was prepared (see Appendix I) that demonstrates revised alignments addressing these issues were adequately addressed in the existing EIS analyses and the BLM could approve alignments on public lands different from those shown in the Final EIS. At two of the locations, the landslide-prone area and the community of Cokeville, further actions concerning non-public lands are needed before a final alignment can be determined. The BLM will include these areas in this ROW grant but require a NTP for two of the area as explained below.

Avoiding the landslide-prone area between mileposts (MPs) 107.5 and 114.7 on the proposed route would require going outside the Governor’s designated utility corridor in a Sage-grouse Core Area. The State of Wyoming would need to grant an exception to allow the transmission line to be located outside of the designated corridor. The exception could be granted if a “Density Disturbance Calculation” demonstrated less than 5 percent disturbance in the affected area. The project Proponents have not yet applied to the state for an exception. The exception process is expected to take approximately 6 months. Therefore, the BLM is granting a ROW reflecting the proposed route through the landslide area. Use of this alignment is withheld pending the issuance of an NTP. An NTP will be issued when either (1) the Proponents provide evidence of an exception granted by the State of Wyoming to locate outside of the designated corridor (the ROW grant would be amended to show the new alignment on public lands); or (2) the Proponents provide engineering evidence to demonstrate sufficient

erosion control measures, ability to reclaim disturbed areas, and that the transmission line in this area will be stable and safe.

The BLM Preferred Route crosses south of the Cokeville municipal boundary. In December 2012, a Wetlands Reserve Program conservation easement partially located in this alignment was executed. Avoiding this easement area requires a route that goes east and north of Cokeville. Both of these alignments cross only isolated parcels of public land. The transmission line's final location will primarily be determined by the Proponents' ability to acquire private land access and constraints associated with the conservation easements, not public land issues. Resolution of siting issues on private lands in the vicinity of Cokeville are expected to take a number of months; therefore, the BLM is issuing a ROW grant that included all public land parcels for both alignments in the vicinity of Cokeville. However, use of these parcels is not available to the Proponents until an NTP is issued. The BLM will issue an NTP when the Proponents identify the final alignment for this area.

See Section 1.10.4 for more details on this decision.

## **1.8 DECISIONS BEING MADE (40 CFR 1505.2(A))**

### **1.8.1 Deferred Decisions**

Unlike the authority in the Mineral Leasing Act of 1920 for interstate natural gas pipelines, there is no single federal authorizing entity for interstate transmission lines. Gateway West crosses a mosaic of land ownerships (federal, state, and private), with independent and sometimes conflicting siting requirements and objectives among the various levels of government. The BLM's ROW authority extends only to public lands under its jurisdiction. The BLM worked closely with cooperating agencies and other authorizing entities to find complementary siting decisions for all parties for Gateway West.

However, for some segments of the Project the authorizing entities have not been able to agree on an acceptable route. One of these areas involves Segments 8 and 9 and siting in or around the Morley Nelson Snake River Birds of Prey NCA. The EIS analyzes routes located in the NCA and routes that generally avoid the NCA. The principal siting issue involves a requirement in the enabling legislation (Public Law 103-64) that the NCA be managed "to provide for the conservation, protection and enhancement of raptor populations and habitats and the natural and environmental resources and values associated therewith, and of the scientific, cultural, and educational resources and values of the public lands in the conservation area" (Public Law 103-64, Section 3(2)). This requirement differs from state and local government objectives to avoid private lands and site the Project on public land in the NCA.

The Proponents' proposal, including environmental protection measures, and BLM standard requirements for surface-disturbing activities for routes in the NCA would conserve and protect NCA resources. However, enhancement components were lacking for routes in the NCA that were analyzed in the Final EIS. As part of their Final EIS comments, the Proponents submitted an "Enhancement Portfolio" for routes located in the NCA. While the Portfolio has merit and the potential to meet the enhancement requirement in the enabling legislation, the BLM needs more time to evaluate and refine

it to ensure that it is sufficient. The BLM estimates that this process will take 1 to 2 years of discussions and negotiations, which would unreasonably delay other portions of the Project in areas where the transmission line has independent utility and there is less disagreement over the transmission line's location.

The BLM has decided to defer offering a ROW grant for Segments 8 and 9 at this time to provide additional time for federal, state, and local permitting agencies to pursue a consensus regarding siting routes in these segments. This deferral includes proposed land use plan amendments (identified as Nos. 6 through 18 on Table 2.2-1 in the Final EIS) for the Jarbidge and Morley Nelson Birds of Prey NCA RMPs and the Twin Falls, Bennett Hills/Timmerman Hills, and Kuna MFPs. Therefore, the BLM is not making a decision on these plan amendments at this time. The option of making a deferred decision for some segments of the Project was identified in the Final EIS. Public comments pertaining to Segments 8 and 9 submitted during the Final EIS comment period will be retained and considered in future siting discussions and analysis.

The BLM has determined that the Project as approved in the ROD has independent utility without Segments 8 and 9. This means that the constructed segments would be operable, functional, and have improved reliability even if Segments 8 and 9 were ultimately not approved or constructed. This allows the BLM to consider not authorizing the deferred segments, thus leaving a full range of decisions available to the BLM regarding Segments 8 and 9.

After finalizing this ROD, the BLM will initiate siting discussions with cooperating agencies and stakeholders on Segments 8 and 9. Should these discussions lead to new information and/or modifications to the alternatives analyzed in the Final EIS, the BLM would prepare additional environmental analysis for public review and comment. Only Segments 8 and 9 would be addressed in such an analysis, in accordance with the CEQ NEPA regulations and DOI NEPA regulations and policy. If the selected alternatives for Segments 8 and 9 were to require land use plan amendments and those amendments were proposed in the Gateway West Final EIS, they will be carried forward as part of the additional environmental analysis. If the selected alternatives for Segments 8 and 9 were to require new land use plan amendments not proposed in the Final EIS, then new amendments would be proposed as part of the environmental analysis and a protest period provided as a component of the public comment period to provide the public an opportunity to file protests on the proposed land use plan amendments. The Governor of Idaho will also be provided with a 60-day consistency review period in accordance with 43 CFR 1610.3-2(e). The BLM would prepare a separate ROD to approve the plan amendments, once all protests are resolved; and to grant, grant with modifications, or deny the remaining portions of the ROW. Any subsequent ROD for Segments 8 and 9 would provide for appeal rights consistent with 43 CFR Part 4 and § 2801.10."

During the Final EIS comment period other requests were received to defer decisions on the Project. Some commenters requested the entire decision be deferred stating the environmental analysis was incomplete and/or inadequate. The BLM has determined it is not appropriate to defer a decision on the entire Project, as the Project as approved has independent utility with analysis sufficient to inform the decision maker, meet the

“hard look” standard, and provide a reasonable rationale for BLM’s decision, as detailed below.

Siting differences also exist among authorizing entities for Segments 5 and 7 and requests to defer a decision on these segments were also submitted. The principal siting issue for these segments was to avoid private lands and place the route on public lands as much as possible. The BLM concludes that all reasonable route alternatives for these segments were considered in the Final EIS and there are no other routes of sufficient difference that address the respective siting issues.

The local government preferred route in Segment 5 is Alternative 5C. This route crosses through the Fort Hall Indian Reservation. In October 2012, after initial consideration of the route, the Tribal Government informed the BLM that it no longer wanted the route to be considered and requested it be removed from the EIS analysis.

The local government preferred route in Segment 7 is Alternative 7K. However, most of the available routes on public land are classified by the BLM as sage-grouse Preliminary Priority Habitat (PPH). Delineation of sage-grouse habitat is being considered as a component of the Idaho and Southwestern Montana sub-regional EIS. Final decisions on sage-grouse management in Idaho, including habitat classification based on this EIS, are expected in the second half of 2014. Six alternatives in the EIS contain various arrangements of habitat designation—Core habitat, Important habitat, and general habitat. Sage-grouse habitat in portions of Alternative 7K could be classified under any of these three designations, depending on the alternative selected. Current policy requires the BLM to use its current habitat classifications in decision-making. As the sub-regional EIS decision is not final, the BLM must consider its current PPH classification for the Gateway West Project. Current BLM policy precludes siting large infrastructure projects on these lands. Therefore, the BLM has decided to not defer its decision on these segments. The BLM will continue to work with the Proponents and state and local governments to find an acceptable route for the transmission line in these segments. If the sage-grouse habitat classification resulting from the sub-regional EIS decision is different from the current BLM classification in the area of Alternative 7K, and Project construction has not begun in Segment 7; the BLM will consider this new information and determine if its siting decision for Segment 7 should be reviewed.

### **1.8.2 Bureau of Land Management Right-of-Way Grant**

Pursuant to Title V of FLPMA, the BLM is responsible for processing requests for ROW grant applications to determine whether, and under what terms and conditions, to authorize proposed projects such as renewable energy projects, transmission lines, and other appurtenant facilities on land it manages. The approved ROW grant includes terms and conditions based on the Final EIS, the BO, the PA, and other federal rules and regulations applicable to federal lands. On approval of the ROW grant, the holder will be authorized to construct and operate the transmission line once it meets the requirements specified in this ROD. The ROD requires the holder to prepare, among other requirements, a final POD that includes final engineering and design drawings, before BLM will issue an NTP to the holder. On receipt of the NTP, the holder will be authorized to construct and operate the transmission line project and all ancillary

facilities. Other NTP requirements are detailed in Section 1.7 of this record and also enjoin the holder from use of the granted area until those NTPs are issued. The BLM expects the Project to receive Certificates of Public Convenience and Necessity from the appropriate State Public Service/Utility Commissions. If the Project fails to obtain these approvals, the BLM would review the project status to determine if the ROW grant were still valid. To the extent the Selected Alternative does not progress to construction, operation, or is proposed to be changed so that it appears to the BLM to be a new project proposal on the approved project site, that proposal would be subject to NEPA review.

### **1.8.3 Land Use Plan Amendments**

The BLM AO will approve 5 plan amendments in two planning areas, both located in Wyoming, and defer decisions on the 13 proposed plan amendments associated with Segments 8 and 9. The approved plan amendments address inconsistency with Visual Resource Management (VRM) objectives, National Historic Trails (NHTs) and their associated landscapes, and a Special Management Area. See Section 1.12 of this record for more details.

### **1.8.4 Connected Actions**

The BLM has determined that Gateway West is independent of, and would be built regardless of, any particular new generation project. One of the purposes of Gateway West is to improve the reliability of the existing transmission grid. This grid, of which it will become a part, can be thought of in terms of hub and spokes, with a backbone connecting to the hubs. Each substation is a hub and receives or sends electricity along the spokes. For this system to work, a backbone of high-capacity transmission lines is needed to connect the hubs and transport the electricity from where it is or can be generated (in this case, mostly Wyoming but also Idaho), to where it is needed (in this case, mostly Idaho and Utah, though other markets may also be served). Independent electricity generators may arrange transmission contracts on existing transmission lines, Gateway West, or other proposed high-voltage transmission lines. Therefore, there is no interdependence among Gateway West, new electrical generation projects, or other high-voltage transmission lines. Other projects do contribute to the cumulative effects, and their effects were considered in the cumulative analysis section of the EIS.

## **1.9 RIGHT-OF-WAY REQUIREMENTS (43 USC §§ 1764 and 1765)**

SF 2800-14 BLM (Right-of-Way Grant), the instrument to authorize the ROW grant for the project, includes terms, conditions, stipulations, and measures required as part of the grant authorization. Construction of the Gateway West transmission line must commence within 5 years after the effective date of the ROW grant, recognizing the two construction phases proposed for the Project in Table 2.1-3 of the Final EIS.

## **1.10 SUMMARY OF CONCLUSIONS**

The Selected Alternative with modifications for Gateway West is the alternative that provides the most public benefits, balances multiple resource conflicts, and avoids the most resource impacts. Potential impacts associated with the construction, operation, and maintenance of the proposed action and alternatives to the proposed Gateway West

Project (including the No Action Alternative) were identified and discussed for each resource in Chapter 3 and for cumulative impacts in Chapter 4 of the Final EIS. Impacts identified for each resource and alternative were compared with those identified for the proposed Project, in terms of potential changes in the intensity, magnitude, and spatial and temporal extent of potential effects for NEPA.

**Decision Rationale.** The following subparts of this ROD provide a brief description of each segment, summarize the principal siting issues, and present the agency rationale for its decision. Management considerations and siting criteria for the Selected Alternative are presented in Section 3. More detailed information on the alternatives considered in the environmental analysis is in Section 4. Table 2 lists the Selected Alternative by Project segment.

**Table 2.** BLM Selected Alternative by Segment

Segment	Selected Alternative
Segment 1W	Proposed 1W(a) and 1W(c) Routes (Figure J-2, Appendix J)
Segment 2	Proposed Route (Figure J-3, Appendix J)
Segment 3	Proposed Route, including 3A (Figure J-4, Appendix J)
Segment 4	Proposed Route (Figures J-5 and J-6, Appendix J)
Segment 5	Proposed Route incorporating Alternatives 5B and 5E <sup>1/</sup> (Figure J-7, Appendix j)
Segment 6	The proposal to upgrade the line voltage from 345 kV to 500 kV (Figure J-8, Appendix J)
Segment 7	Proposed Route incorporating Alternatives 7B, 7C, 7D, and 7G (Figure j-9, Appendix J)
Segment 8	<i>Decision deferred</i>
Segment 9	<i>Decision deferred</i>
Segment 10	Proposed Route (Figure J-10, Appendix J)

<sup>1/</sup> Assumes that Western Electricity Coordinating Council reliability issues associated with 5E are resolved.

### 1.10.1 Segment 1W

Segment 1W is located in eastern Wyoming and would connect two existing substations located at the Dave Johnston Power Plant near Glenrock to the proposed Aeolus Substation near Medicine Bow. The segment is located in southwest Converse, southeast Natrona, and northeast Carbon Counties. The lines are near the eastern boundary of the town of Glenrock and both cross the North Platte River at this location. There are two transmission lines proposed along Segment 1W.

Segment 1W(a) is a new 230-kV line that originates at the Windstar Substation and parallels the existing 230-kV line (Segment 1W[c]) to the Aeolus Substation. This segment has a total length of 73.8 miles with the following ownerships crossed:

<b>BLM:</b>	27.0 miles (36.6 percent)
<b>Forest Service:</b>	2.3 miles (3.1 percent)
<b>State of Wyoming:</b>	17.5 miles (23.7 percent)
<b>Private lands:</b>	27.0 miles (36.6 percent)

Segment 1W(c) is an existing 230-kV line proposed for reconstruction. It originates at the Dave Johnston Substation and terminates at the Aeolus Substation. This segment has a total length of 73.6 miles with the following ownerships crossed:

<b>BLM:</b>	24.8 miles (33.7 percent)
<b>Forest Service:</b>	2.3 miles (3.2 percent)
<b>State of Wyoming:</b>	16.1 miles (21.8 percent)
<b>Private lands:</b>	30.4 miles (41.3 percent)

Segments 1W(a) and 1W(c) are within or adjacent to designated corridors or existing linear facilities for a combined 125.4 miles (85.1 percent) of the total 147.4-mile route length. Both lines would be built as single-circuit steel H-frame structures.

One alternative (1W[a]-B) was considered for Segment 1W(a). This route is 20.9 miles in length, 10.9 miles crossing state lands and 10.0 miles crossing private lands. The alignment heads due west from the Windstar Substation, crossing north of Glenrock. It then turns south, crossing the North Platte River before joining the alignment of 1W(a) near MP 15.

Both alignments of Segment 1W connect with two substations (the new Heward Substation to be built adjacent to the existing Difficulty Substation and the existing Shirley Basin Substation) both located in the Shirley Basin. Three of the four substations (Windstar, Shirley Basin, and Aeolus) are located on private lands. The Heward Substation is located on public land and will occupy approximately 5 acres.

The Selected Alternative in Segment 1W includes the Proposed Routes for Segments 1W(a) and 1W(c) and the construction area for the Heward Substation. This alternative is consistent with the Wyoming Governor's Greater Sage-grouse Executive Order (EO) 2011-5 and affects less sage-grouse core habitat than the other action alternative (1W[a]-B). The Selected Alternative is also consistent with the State of Wyoming's preferred route. In addition, the corridor is primarily located in designated corridors on public land or parallel to existing linear infrastructure for more than 85 percent of its length. After the Draft EIS, the 1W(a) portion was modified to reduce impacts to the city of Glenrock and local residents. Route 1W(c) consists of rebuilding an existing transmission line and largely limits surface disturbance to the corridor containing the existing line. These alternatives were selected because Segment 1W(c) involves reconstruction of an existing transmission line, using existing access to minimize surface disturbance, and 1W(a) parallels the existing line.

### 1.10.2 Segment 2

Segment 2 is located in central Carbon and east central Sweetwater Counties of Wyoming, connecting the Aeolus Substation and the former location of the Creston Substation; near Wamsutter (the Creston Substation was part of the initial Project proposal but was later dropped). The line would be located near the communities of Walcott and Fort Steele. It passes approximately 3 miles south of the towns of Rawlins and Sinclair, with the Union Pacific Railroad main line and Interstate 80 (I-80) located in between. The proposed route crossed the North Platte River to the south of I-80 in the vicinity of Fort Steele.

Segment 2 is proposed as a new 500-kV transmission line with single-circuit steel lattice structures. This segment has a total length of 91.9 miles with the following ownerships crossed:

<b>BLM:</b>	37.7 miles (41.0 percent)
<b>State of Wyoming:</b>	4.7 miles (5.1 percent)
<b>Private lands:</b>	49.5 miles (53.9 percent)

Segment 2 is located in or adjacent to designated corridors or existing linear facilities for 46.8 miles (50.9 percent) of the total segment length.

Two alternative routes (2A and 2B) were considered for Segment 2. Both alternative alignments are located between Walcott and Fort Steele and were designed to minimize effects associated with crossing the North Platte River, nesting raptors along the river, and locations in proximity to the community of Fort Steele. The alternatives range from 12.2 to 16.0 miles long with approximately 60 percent of the alignment located on private lands, 30 percent located on public lands, and 10 percent located on state lands.

The Selected Alternative in Segment 2 is the Proposed Route. This alternative is the State of Wyoming's preferred route, and after route modifications following the Draft EIS, the alternative is now consistent with the Wyoming Governor's Greater Sage-grouse EO 2011-5. While approximately 50 percent of the route is located in designated corridors on public land or parallels existing infrastructure, it could not follow the West-wide Energy (WWE) corridor in the eastern portion of this segment and also be consistent with the Governor's Greater Sage-grouse EO. The Selected Alternative avoids the Fort Fred Steele State Historic Site and the community of Fort Steele, which the other alternatives (2A and 2B) would not. In addition, this alternative follows the I-80 corridor across the North Platte River, avoiding bald eagle nests north and south of the interstate highway.

### 1.10.3 Segment 3

Segment 3 is located in east-central Sweetwater County, Wyoming, connecting the location of the former proposed Creston Substation with a proposed substation (Anticline) and an existing substation (Jim Bridger), located near the Jim Bridger Power Plant. Both substations are located on private lands. The alignment is located within the major transportation corridor associated with the Union Pacific Railroad mainline and I-80. Numerous oil and gas fields are located in the project area. The segment consists of two circuits: Segment 3 is a mainline single-circuit 500-kV line using steel lattice structures (Segment 3), while Segment 3A is a 345-kV circuit on H-frame structures that interconnects the Anticline and Jim Bridger Substations.

Segment 3 has a total length of 46.0 miles with the following ownerships crossed:

<b>BLM:</b>	22.5 miles (48.9 percent)
<b>State of Wyoming:</b>	1.0 miles (2.2 percent)
<b>Private lands:</b>	22.5 miles (48.9 percent)

Segment 3A has a total length of 5.1 miles with the following ownerships crossed:

<b>BLM:</b>	3.2 miles (62.8 percent)
<b>Private lands:</b>	1.9 miles (37.2 percent)

Segments 3 and 3A are located in or adjacent to designated corridors or existing linear facilities for 42.6 miles or 83.4 percent of their total combined length.

The Selected Alternative for Segments 3 and 3A is the Proposed Route. No alternative routes were considered in detail for this segment. The route generally follows I-80 and an existing utility corridor. Full use of the existing corridor is not possible because of constraints presented by existing development associated with roads, railroads, mining, and oil and gas operations. This is also the State of Wyoming's preferred alternative.

#### 1.10.4 Segment 4

Segment 4 is located in Wyoming and Idaho. It crosses central Sweetwater and Lincoln Counties in Wyoming; and Bear Lake, Franklin and Bannock Counties in southeast Idaho. The segment connects the Anticline Substation with the existing Populus Substation located near Downy, Idaho, on private land. The proposed alignment crosses the Green River immediately south of the Seedskaadee National Wildlife Refuge (NWR). It is located in close proximity to the communities of Cokeville in Wyoming and Montpelier, Thatcher, and Downy in Idaho. It crosses the Bear River twice, once in the vicinity of Cokeville, Wyoming, and the other crossing near Montpelier, Idaho. Numerous oil and gas fields are located in the project area of western Sweetwater and eastern Lincoln Counties. The route also crosses 9.1 miles of the Caribou-Targhee National Forest (NF). The segment consists of a single-circuit 500-kV line on steel lattice structures. In addition to the proposed route, there are five alternatives, some of which are located near Fossil Butte National Monument and the acquisition area for the Cokeville Meadows NWR. All of the routes have some proximity along their alignments to the Oregon, California, Mormon, Pioneer, and Pony Express NHTs.

Segment 4 has a total length of 197.6 miles with the following ownerships crossed:

<b>BLM:</b>	72.0 miles (36.4 percent)
<b>National Forest:</b>	9.1 miles (4.6 percent)
<b>BOR:</b>	3.3 miles (1.7 percent)
<b>States of Idaho and Wyoming:</b>	12.5 miles (6.3 percent)
<b>Private lands:</b>	100.7 miles (51.0 percent)

The Proposed Route for Segment 4 is located in or adjacent to designated corridors or existing linear facilities for 150.4 miles or 76.1 percent of its total length.

Five alternatives were considered for Segment 4. Alternatives 4B, 4C, 4D, and 4E are all located south of the Proposed Route and were primarily designed to minimize impacts to NHTs, with variations to avoid Fossil Butte National Monument, the acquisition area of Cokeville Meadows NWR, and general visual impacts. All four of the alternatives are approximately 100 miles in length and cross 50 percent public lands, 1 percent BOR-managed lands, 6 percent State lands, and 43 percent private lands.

Alternative 4F is located north of the Proposed Route from the vicinity of Kemmerer to the Idaho/Wyoming border. This route was designed to minimize impacts to NHTs. The alternative is 87.5 miles in length with the crossing of 51.7 percent public lands, 3.4 percent BOR-managed lands, 4.1 percent state lands, and 40.8 percent private lands.

At the conclusion of the Final EIS comment period, there was an apparent consensus among the BLM, state, and local governments on a preferred route, with the exception of a 28-mile stretch corresponding to the comparison portion of the Proposed Route with Alternative 4F. Siting issues in this portion of Segment 4 included:

- Three recently initiated conservation easements, two of which were crossed by the Selected Alternative;
- Going slightly outside the Wyoming Governor's sage-grouse utility corridor to avoid a landslide area; and
- Considering an alternative route, suggested by the Coalition of Local Governments (including Lincoln County) during the Final EIS comment period, between the Selected Alternative and Alternative 4C/D that would put the alignment approximately 5 miles south of the community of Cokeville.

After discussing possible micro-siting and reroutes between MPs 105.1 and 130.7 with federal agency, state, and local government representatives, the BLM prepared a Reroute Report (Appendix I). The Report concluded that although some of the alternative routes deviated between 0 and 2 miles outside of the EIS analysis area, resource and impact information included in the report coupled with the Final EIS analysis were sufficient for the BLM to authorize any of the reroutes intended to avoid or minimize impacts to the conservation areas, the community of Cokeville, and remain consistent with the Governor's Sage-grouse Policy. Public and private land resources affected by the reroutes are of the same nature and type, and the effects are of the same scope and intensity as those analyzed in the EIS, although in different locations. Based on the Reroute Report, the BLM concludes that the reroutes selected in this ROD do not require supplementation of the Final EIS in accordance with 40 CFR § 1502.9(c)(1)(i)-(ii). The reroutes are within the spectrum of the alternatives analyzed in the Final EIS, do not represent substantial changes to the proposed action, and do not raise significant new circumstances or information relevant to environmental concerns.

To minimize impacts to the proposed Buck Ranch Farm and Ranchland conservation easement (MPs 105.1 to 107.5), the BLM will authorize a ROW on public lands that represents an alignment that crosses the southwest corner of the conservation easement area, provided the Proponents are able to secure an easement from the private landowner.

Avoiding the landslide-prone area (MPs 107.5 to 114.7) may require an alignment outside of the Governor's sage-grouse utility corridor. The State of Wyoming would need to grant an exception allowing the transmission line outside of the corridor in a Sage-grouse Core Area. The exception depends on demonstrating that less than 5 percent of the affected core area is disturbed. The Proponents have not yet applied to the state for an exception. The BLM ROW grant for this area includes the proposed route through the landslide area. However, use of this area is withheld pending issuance of a NTP which could be obtained by either (1) the Proponents providing evidence of an exception granted by the State of Wyoming to locate outside of the designated utility corridor in a Sage-grouse Core Area; or (2) the Proponents providing engineering evidence demonstrating sufficient erosion control measures, the ability to

reclaim disturbed areas, and that the transmission line in this area will be stable and safe.

Two routes would avoid and minimize impacts to the community of Cokeville. The BLM Preferred Route follows the three existing transmission lines and crosses immediately south of the Cokeville municipal boundary. A reroute leaves the BLM Preferred Route at MP 121.9 and passes east and north of Cokeville, rejoining the BLM Preferred Route at MP 130.7. Both routes cross only isolated parcels of public land, the transmission line's final location being primarily determined by the Proponents' ability to obtain private land access. The BLM is therefore including in the ROW grant public land parcels associated with both alignments. However, use of any public land in this area is withheld pending issuance of an NTP, which would be obtained when the Proponents reach a final siting solution with state and local governments and private landowners.

A "cutover" route proposed in July 2012, with insufficient time to be included in the Final EIS analysis, was not considered further because this alignment did not present an alternative alignment that minimized impacts to a greater extent or in a different manner than other alternatives already considered in the EIS.

The final Selected Alternative for Segment 4 is the Proposed Route, as modified after the Draft EIS, with subsequent modification in the Cokeville, Wyoming, area after the Final EIS. The Selected Alternative generally follows an established utility corridor on BLM-managed lands and complies with the Wyoming Governor's Greater Sage-grouse EO. The Wyoming portion of this route is also the preferred alternative of the State of Wyoming and local government. For the majority of the route (approximately 75 percent), the Selected Alternative follows existing transmission lines avoiding impacts that would result from a new alignment. There are five situations, however, in which deviating from the existing lines would reduce the impact: 1) avoiding crossing the Seedskaadee NWR; 2) avoiding conservation easements and locating to the east and north of the town of Cokeville; 3) avoiding occupied dwellings in the Bear Lake Valley, southeast of Montpelier, Idaho; 4) avoiding unstable soils and steep terrain in the Caribou-Targhee NF; and 5) avoiding steep terrain, sage-grouse leks, structures/residences, and irrigated farmland in Idaho. The Selected Alternative as modified has more incremental impacts to NHTs than the other alternatives. However, these impacts were outweighed by impacts to other resources, especially sage-grouse habitat, that would occur if any of the other alternatives were selected. The National Historic Trails Treatment Plan will identify and require appropriate mitigation to address the incremental impacts of the transmission line from the Selected Alternative as modified.

The decision to approve the Selected Alternative includes land use plan amendments, and this route has less impact on sage-grouse and overall less new ground disturbance than the other alternatives. Alternatives 4B through 4E would not conform to the Kemmerer RMP, and all would require plan amendments. Also, 1) they are not consistent with the Wyoming Governor's Greater Sage-grouse EO; 2) they cross the Cokeville Meadows NWR Acquisition Area; 3) Alternatives 4B and 4C are in view from Fossil Butte National Monument; 4) they cross almost 50 percent more streams, and 5) they encounter approximately 30 percent more acres of unstable soils. Alternative 4F

was designed to avoid cultural resource impacts; however, it does not offer a significant reduction in impacts to these resources from the comparable portion of the Selected Alternative. It also does not conform to the Wyoming Governor's sage-grouse EO.

In Idaho, just past the Wyoming border, the Selected Alternative crosses approximately 4 miles of sage-grouse PPH. This habitat is already crossed by three high-voltage transmission lines, and approval of the Selected Alternative includes mitigation measures for disturbed sagebrush habitat on public lands.

### 1.10.5 Segment 5

Segment 5 is in southeast Idaho crossing Bannock and Power Counties. The alignment connects the Populus Substation with the existing Borah Substation, located on private land at the southwestern outskirts of the town of American Falls. The segment traverses valleys that are primarily in private ownership and mountain ranges that are primarily public lands. The segment crosses the Snake River immediately adjacent to the Borah Substation. The segment consists of a new 500-kV single-circuit line on steel lattice structures. The Proposed Routes for Segments 5 and 7 exit the Populus Substation on separate single-circuit towers that parallel each other for approximately 16 miles. One of the five alternatives considered for this segment crosses the Fort Hall Indian Reservation.

Segment 5 has a total length of 55.7 miles with the following ownerships crossed:

<b>BLM:</b>	13.2 miles (23.7 percent)
<b>State of Idaho:</b>	3.6 miles (6.5 percent)
<b>Private lands:</b>	38.9 miles (69.8 percent)

The Proposed Route for Segment 5 is located in or adjacent to designated corridors or existing linear facilities for 17.1 miles or 30.7 percent of its total length.

Five alternatives were considered for this segment. Alternatives 5A and 5B are more southerly crossings of the Deep Creek Mountains designed to minimize impacts to high-quality forest habitats, recreational uses, and visual resources. Alternative 5A has a total length of 29.8 miles with the crossing of 28.9 percent public lands, 1.0 percent state lands, and 70.1 percent private lands. Alternative 5B has a total length of 40.4 miles with the crossing of 21.8 percent public land, 0.7 percent state land, and 77.5 percent private lands. This alternative would parallel the alignment of Alternative 7B for approximately 29 miles west from the Populus Substation.

Alternative 5C was considered because it follows an existing 345-kV transmission line for its entire length of 26.0 miles. It crosses 12.4 miles of the Fort Hall Indian Reservation. Percentages of lands crossed are 2.7 percent state land, 49.4 percent private lands, and 47.9 percent Indian Reservation.

Alternative 5D is located in the eastern side of the lower Rockland Valley. It was originally part of the initial proposed route but became a feasible alternative when the Proponents modified their proposed route to the current alignment farther to the east in the foothills of the Deep Creek Mountains. This alternative is 17.1 miles in length and is entirely located on private lands.

Alternative 5E is a short 5.3-mile segment located directly east and approaching the Borah Substation. It was developed to address transmission line congestion concerns raised by the Power County Commission. The line is entirely located on private lands except for 0.2 mile on public land and 0.2 mile crossing water.

The Selected Alternative for Segment 5 includes the Proposed Route northwest from the Populus Substation and then shifts to follow Alternative 5B and then Alternative 5E to the Borah Substation. Use of Alternative 5E is dependent on Western Electricity Coordinating Council (WECC) reliability issues being resolved.

Following government-to-government consultation with the Shoshone-Bannock Tribes, the BLM initially identified the Proposed Route and Alternatives 5C and 5E as its Preferred Route for Segment 5. However, in October 2012, the Tribes notified the BLM that they no longer wished the alignment crossing the Fort Hall Indian Reservation to be considered for the Project. The BLM lacks the authority to grant a ROW on tribal lands or any lands other than those prescribed by law. Following the Fort Hall Business Council's decision not to permit the Project to be built across the Reservation, the BLM reviewed the remaining route choices analyzed in the Draft EIS, all of which potentially impacted BLM-managed lands, and selected the Proposed Route across federal land incorporating Alternatives 5B and 5E as its Preferred Route for Segment 5.

The Selected Alternative reduces impacts to visual resources on federal lands (VRM Class II) and avoids crossing the Deep Creek Mountains and associated high-quality forested habitats and recreation areas. In addition, the Selected Alternative requires the least amount of road construction because of the use of existing roads and because the Alternative 5B portion parallels the Segment 7 Selected Alternative for approximately 28 miles, thus requiring only one access road system in that area for both segments. This route is consistent with the Pocatello RMP.

The Alternative 5B portion of the Selected Alternative crosses approximately 1 mile of sage-grouse PPH on the east side of the southern Rockland Valley. This habitat was ranked as lower value habitat in the Landscape Importance Model, and full mitigation of disturbed sagebrush habitat on public lands will be required.

The BLM does not have authority to approve location of the Project on private lands for the portion of Alternative 5B in the Arbon and Rockland Valleys. The final transmission line alignment across private land in the Arbon and Rockland Valleys (or any stretches of private land) should be determined by the local government (Power County), private land owners, and the Proponents, following state law and local procedures. If invited, the BLM would participate in final siting discussions for this area.

### **1.10.6 Segment 6**

This segment consists of an existing transmission line between the Borah Substation and the existing Midpoint Substation located on private lands approximately 18 miles north of Twin Falls, Idaho. Approximately 10 new structures would be added to connect the line to the substations. The line is currently energized at 345 kV. The voltage will be increased to 500 kV as an action of this Project. No surface disturbance on public land is involved in this action. The voltage change would be noted in serial number IDI-14555.

### 1.10.7 Segment 7

Segment 7 is in south-central Idaho crossing Bannock, Power, Oneida, Cassia, and Twin Falls Counties. The alignment connects the Populus Substation with the proposed Cedar Hill Substation, located on private land approximately 15 miles southeast of Twin Falls. In the eastern third of its alignment, the segment traverses valleys that are primarily in private ownership and mountain ranges that are primarily public lands. The central portion of the route is a mixture of public and private grazing lands, while the western portion of the route crosses private irrigated farm land in the Magic Valley, south of Burley. The segment consists of a single-circuit 500-kV transmission line on steel lattice structures. The Proposed Routes for Segments 5 and 7 exit the Populus Substation on separate single-circuit towers and parallel each other for approximately 16 miles.

Segment 7 has a total length of 118.2 miles with the following ownerships crossed:

<b>BLM:</b>	28.3 miles (24.0 percent)
<b>State of Idaho:</b>	4.3 miles (3.6 percent)
<b>Private lands:</b>	85.6 miles (72.4 percent)

The Proposed Route for Segment 7 is located in or adjacent to designated corridors or existing linear facilities for 13.8 miles or 11.7 percent of its total length.

Eight alternatives were considered for this segment. Alternatives 7A and 7B are more southerly crossings of the Deep Creek Mountains designed to minimize impacts to high-quality forest habitats, recreational uses, and visual resources. Alternative 7A has a total length of 37.7 miles with the crossing of 19.1 percent public lands and 80.9 percent private lands. It follows the alignment of Alternative 5A to the eastern side of the Rockland Valley where it then proceeds diagonally, northwest across the valley instead of following Alternative 5A northward up the east side of the valley. Alternative 7B has a total length of 46.2 miles with the crossing of 16.7 percent public land and 83.3 percent private lands. It follows the alignment of Alternative 5B to the eastern side of the Rockland Valley where it then proceeds diagonally, northwest across the valley instead of following Alternative 5B northward up the east side of the valley.

Alternative 7C is 20.3 miles long and is designed to avoid the Parting of the Ways and sage-grouse leks. The alternative crosses 35.6 percent public lands, 5.0 percent state lands, and 59.4 percent private lands.

Alternatives 7D, 7E, and 7F are short (less than 11 miles) alignments designed to avoid sage-grouse PPH, a hang-gliding take-off site on public lands, and private land uses. These alternatives cross between 1 and 40 percent public land and 55 and 84 percent private lands. Alternative 7D also crosses 15 percent state lands.

Alternative 7G is 3.4 miles long and is designed to avoid a big game seasonal closure area on public land, the line is 76.5 percent on public land and 23.5 percent on private lands.

Alternative 7K was collaboratively developed with Cassia and Power Counties to avoid private lands. It was modified from Alternatives 7I and 7J in the Draft EIS to shorten its

length and to cross sage-grouse habitat in the Goose Creek drainage as opposed to habitat in the Shoshone Basin. The alternative is 148.1 miles in length with 49.0 percent crossing public land, 8.6 percent crossing the Sawtooth NF, 5.3 percent crossing state lands, and 37.2 percent crossing private lands. This alternative follows the same alignment as Alternative 7B westward from the Populus Substation for approximately 29 miles.

The Selected Alternative for Segment 7 follows the Proposed Route out of the Populus Substation for approximately 10 miles, and then follows Alternative 7B until that route rejoins the Proposed Route. The Selected Alternative generally follows the Proposed Route from there to the Cedar Hill Substation but diverges to follow Alternatives 7C, 7D, and 7G. The Selected Alternative was chosen because it avoids sage-grouse PPH on public lands, avoids the Deep Creek Mountains, avoids the NHT site called “The Parting of the Ways,” and reduces the amount of needed road construction (see discussion under Segment 5 above).

The BLM selected Alternative 7C rather than the Proposed Route for that portion of Selected Alternative because it avoids the Parting of the Ways, an important landmark on the California and Oregon NHTs, and has a lesser impact to sagebrush habitat. Alternative 7D is a short (6.8-mile) variation from the Proposed Route to avoid the California and Oregon NHTs. The BLM will authorize the Proposed Route in the vicinity of Alternatives 7E and 7F (Final EIS Figure A-9; between reference points 7g and 7j). However, the final transmission line alignment will involve micrositing among the Proposed Route, Alternative 7E, and Alternative 7F to avoid sage-grouse PPH, irrigated farm lands, subdivisions, a hang gliding site, and a landing strip. The ROW grant would be amended if necessary.

As with Segment 5, the BLM has no position on the final location for the portion of Alternative 7B in the Arbon and Rockland Valleys, which was chosen to reduce impacts where it crosses public lands. The final transmission line alignment across private land in the Arbon and Rockland Valleys (or any stretches of private land) should be determined by the local government (Power County), private landowners, and the Proponents, following state law and local procedures. Similarly, the Selected Alternative crosses approximately 25 miles of private land in the Magic Valley of Cassia County. The BLM has no position on the final alignment for this portion of Segment 7. If invited, the BLM would participate with the local government, private landowners, and the Proponents in final siting discussion for these areas.

The BLM was unable to select Alternative 7K (the preferred alternative of Cassia and Power Counties) because the majority of the public lands involved are currently classified as sage-grouse PPH and national policy precludes siting large infrastructure projects on these lands. Should the PPH classifications change before the Project begins construction (currently scheduled for 2018 or 2019), the BLM would reconsider alignments on public lands not classified as Priority Habitat.

### **1.10.8 Segment 8**

The BLM has decided to defer its decision whether or not to offer a ROW grant for Segment 8. See Section 1.8.1.

### **1.10.9 Segment 9**

The BLM has decided to defer its decision whether or not to offer a ROW grant for Segment 9. See Section 1.8.1.

### **1.10.10 Segment 10**

Segment 10 is in south-central Idaho crossing Twin Falls and Lincoln Counties. It is a 43.4-mile-long connector between the Cedar Hill and Midpoint Substations. The alignment passes near the communities of Hansen and Eden and the Minidoka National Historic Site. It crosses the Snake River at approximately MP 25. This segment consists of a single-circuit 500-kV transmission line on steel lattice structures.

Segment 10 has a total length of 34.4 miles with the following ownerships crossed:

<b>BLM:</b>	16.3 miles (47.4 percent)
<b>Private lands:</b>	18.1 miles (52.6 percent)

The Proposed Route for Segment 10 is located in or adjacent to designated corridors or existing linear facilities for 32.2 miles or 93.6 percent of its total length. No alternatives were considered for Segment 10.

The BLM Selected Alternative for Segment 10 is the Proposed Route because it is located in or adjacent to designated corridors or existing linear facilities and avoids the Minidoka National Historic Site. No route alternatives were considered for this segment.

## **1.11 NO PROJECT / NO ACTION ALTERNATIVE**

Under the No Project / No Action Alternative, the proposed transmission line, the telecommunications line, and all other components of the proposed Project would not be constructed. Therefore, none of the changes to the existing environment would occur, and there would be no adverse impact to any of the identified environmental resources. This is the environmentally preferable alternative.

## **1.12 LAND USE PLAN AMENDMENTS, PROTESTS, AND GOVERNOR'S CONSISTENCY REVIEW**

The BLM proposed 18 land use plan amendments in the Final EIS involving seven planning areas. Because the BLM is deferring its decision to grant a ROW for Segments 8 and 9, the BLM decisions on 13 proposed plan amendments in five planning areas are also being deferred.

### **1.12.1 Plan Amendment Protests and Resolution**

The BLM received five valid protest letters, one of which represented multiple parties, during the plan amendment protest period, April 26 to May 28, 2013. Protesting parties include:

- Idaho Conservation League
- C.E. Brooks & Associates, PC, on behalf of the Coalition of Local Governments (Lincoln and Sweetwater Counties, Wyoming and Lincoln and Sweetwater Conservation Districts)
- Owyhee County Board of Commissioners, Idaho

- Prairie Falcon Audubon, Inc.
- Western Watersheds Project

Protested items include:

- Range of Alternatives: The BLM failed to analyze a reasonable range of alternatives (Coalition of Local Governments and Western Watersheds Project).
- Inadequate Mitigation: The BLM ignored the mitigation measure to bury the transmission line near Cokeville, Wyoming (Coalition of Local Governments).
- NEPA and Protest Process: Several amendments were not proposed in the Draft EIS. Closing the protest period before completion of the full analysis violates NEPA because the public has not had an adequate opportunity to review them. (Idaho Conservation League, Prairie Falcon Audubon, Inc., and Western Watersheds Project).
- Inadequate Cumulative Effects Analysis: The cumulative effects analysis did not adequately analyze potential linked or foreseeable solar, wind, and geothermal, fossil fuel, mining, or transmission development (Western Watersheds Project).
- Inadequate Baseline Information: The BLM failed to take the “hard look” required by the NEPA because it did not use or convey adequate baseline information for its analysis (Western Watersheds Project).
- Failure to Use Best Available Science: The Final EIS did not use analyses from three science-based assessments for sage-grouse impacts that were recommended in scoping (Western Watersheds Project).
- Inadequate Public Participation: Mapping in Final EIS appendices is unclear in its depiction of routes and the WWE corridor (Western Watersheds Project).
- Visual Resource Management Amendment for the Kemmerer RMP: The allowance of a non-conforming facility in a VRM Class II area violates BLM policy (Coalition of Local Governments).
- National Historic Trails: Trail segments near the existing transmission lines in Lincoln County, Wyoming, are incorrectly classified (Coalition of Local Governments).

The BLM denied all of the protests. For details, see the “Director’s Protest Resolution Report,” Appendix K of this ROD.

### **1.12.2 Plan Amendments**

As part of its decision to grant a ROW for Segments 1 through 7 and 10, the BLM is approving the following five land use plan amendments in the Green River and Kemmerer RMPs.

#### **Green River RMP**

Amendment No. 1: The Green River RMP Amendment would “Allow the construction and placement of the Gateway West Transmission Line on public land classified as VRM Class II in section 10, T. 20 N., R. 109 W.” This location is adjacent to the Green River near surface facilities for a trona mine. The RMP is undergoing revision including reevaluation of VRM management objectives.

## **Kemmerer RMP**

Four interrelated planning decisions in the Kemmerer RMP address NHT site resources, visual resources and associated NHT landscapes, and a special management area designated to “preserving and enhancing critical wildlife habitats and cultural values that occur within the area.” Four amendments to the Kemmerer RMP would make the Gateway West authorization consistent with these RMP management objectives.

Amendment No. 2: “Allow the Gateway West Project to cross the Sublette NHT in section 11, T. 23 N, R. 118 W. Place towers as far from the trail as feasible.” The Gateway West transmission line would be sited north of this trail location with the existing three 345-kV lines interposed between the trail and the new Gateway West line. This siting will minimize the physical and visual impact to this location. Additional mitigation will be developed through the National Historic Trails Treatment Plan.

Amendment No. 3: “Allow the Gateway West Project without changing the VRM class for areas north and east of highway 30/State Highway 89 affected by the route.” The Gateway West transmission line follows three existing 345-kV transmission lines already located in this VRM Class II area. The use of dulled galvanized steel towers and non-reflective insulators will further reduce the visual intrusion of this additional transmission line. Because a similar facility is being added to an alignment of like structures, the ability of the BLM to manage future activities in conformance with VRM Class II objectives would not be impaired by this amendment.

Amendment No. 4: “Allow the Gateway West Project where it would otherwise be in conflict with the historic viewshed preservation management actions. Micrositing and mitigation measures will be implemented to minimize visual impacts to affected historic sites and trail segments.” Additional mitigation will be developed through the National Historic Trails Treatment Plan. These measures would not impair the BLM from managing future activities in conformance with historic viewshed objectives.

Amendment No. 5: “Allow the Gateway West Project where it would otherwise be in conflict with the management objectives of Decision 7014 (Rock Creek/Tunp Area). Micrositing and mitigation measures will be required to minimize impact to affected areas and resources.” Micrositing and other mitigation measures would not impair the BLM from managing future activities in conformance with the special area management objectives.

### **1.12.3 Governor’s Consistency Review**

43 CFR 1610.3-2(e) provides governors of states where plan amendments are proposed a 60-day consistency review period to “identify any known inconsistencies with State or local plans, policies or programs” with regard to the proposed amendments to BLM land use plans. The Governor’s consistency review period was coincident with the Final EIS public review period, April 26 to June 28, 2013. Both the Idaho and Wyoming Governors submitted a consistency response. The Wyoming Governor identified no inconsistencies.

The Idaho Governor identified the following inconsistencies:

- The State sage-grouse policy contained in the Governor's Alternative under consideration in the Idaho environmental analysis for the National Greater Sage-grouse Planning Strategy;
- The Local Land Use Planning Act, Title 67, Chapter 65 of the Idaho Code, which allocates responsibility for zoning and planning to local governments by requiring the development of a comprehensive plan. The BLM Preferred Alternative is not consistent with Cassia, Owyhee, and Power Counties' special use permitting process or Electrical Transmission Corridors ordinances;
- The comprehensive plans of the Cities of Kuna and Melba; and
- Private property rights in Ada, Canyon, Cassia, Owyhee, and Power Counties.

The Idaho Governor did not recommend changes to any of the proposed plan amendments, and he raised no new issues that were not previously addressed in the environmental analysis and plan amendment processes. Therefore, in accordance with 43 CFR 1610.3-2(e), no additional public review associated with the Governor's consistency comments was required.

On July 26, 2013, the BLM Idaho State Director provided a response to the Governor's consistency comments. The response noted that sage-grouse habitat delineations and management objectives in Idaho were being considered in the sub-regional EIS for Idaho and Southwestern Montana. Final delineations will be identified in 2014 as part of the overall decisions for the sub-regional EIS. Until the final habitat delineations are identified, BLM policy requires the agency to use its current habitat delineations in decision-making for projects such as Gateway West. The State Director's response acknowledged the State of Idaho Local Land Use Planning Act and county government authority with respect to approving transmission lines on private lands in each county. The BLM worked with local governments to develop and analyze alternatives in the EIS that were consistent with the local land use plans. However, the BLM was unable to select these alternatives because they do not conform to current BLM policy and management direction, especially concerning sage-grouse habitat.

Finally, the State Director's response pointed out that effects to local economy and private agricultural land in Ada, Canyon, Cassia, Owyhee, and Power Counties and the cities of Kuna and Melba were properly identified and considered in the environmental analysis. The BLM worked with these governments to locate the transmission line on public lands in order to minimize, as much as practicable, impacts to private land values and local economy. However, in Segments 5, 7, 8, and 9, there are long stretches across private lands or private lands that are so intermingled as to make the avoidance of some impacts impracticable.

On August 23, 2013, the Idaho Governor filed an appeal under 43 CFR 1610.3-2(e) with the BLM Director contending the BLM's response to his consistency comments did not meaningfully address the Governor's Sage-grouse Alternative and its place in the Gateway West decision. The Governor contends his plan is sufficiently final, not inconsistent with the direction of any current BLM's Resource Management Plans, and should have been considered by the BLM in selecting the route to authorize. The

Governor's second appeal point contends that the BLM should have gone beyond simply acknowledging the inconsistencies of its preferred route with local land use plans and should have engaged in meaningful public involvement with State and local officials. The Governor's third appeal point contends that impacts of the BLM's Preferred Route in the city limits of the City of Melba and the impact area of the City of Kuna failed to take into account the values lost for each city.

Notwithstanding the valid NEPA analysis and sage-grouse management concerns raised in the Governor's comment and appeal letters, these concerns do not meet the strict regulatory requirements of the consistency review afforded under 43 CFR 1610.3-2(e). This review should be focused on the consistency of proposed BLM land use plan amendments with State or local plans, policies or programs. As the Governor did not identify any of the 13 plan amendments involving Idaho BLM land use plans in his comments, no inconsistencies with proposed BLM land use plan amendments were raised.

On November 5, 2013, the BLM Director denied the Governor's recommendations regarding the Gateway West Final EIS and Proposed Land Use Plan Amendments. An associated Notice was subsequently published in the Federal Register as required by 43 CFR 1610.3-2(e).

We note that the decision to defer offering a ROW grant for portions of the Project in Segments 8 and 9 involves all 13 of the proposed BLM plan amendments in Idaho. These proposed plan amendments are also deferred. The BLM will continue to work with the State of Idaho toward a final decision on BLM management of sage-grouse habitat through the sub-regional environmental analysis and planning process. The BLM will also work with state and local government representatives to find a routing solution for Segments 8 and 9. Public land resources, local government land use plan objectives, and effects to local economies will be part of these siting discussions.

## 2.0 MITIGATION AND MONITORING

### 2.1 REQUIRED MITIGATION

As part of their Proposed Action, the Proponents have included measures designed to reduce or avoid environmental impacts. Identified as EPMs, these measures cover the following topics:

- Construction, operations, and maintenance;
- Visual resources;
- Cultural and paleontological resources;
- Plant and wildlife resources, including threatened, endangered, and sensitive species;
- Geologic hazards and soil resources;
- Water resources;
- Safety measures;
- Reclamation of construction disturbances;
- Land use and agriculture;
- Traffic and transportation management;
- Air quality;
- Electrical environment;
- Public safety; and
- Noise.

The BLM and cooperating agencies identified additional avoidance-minimization-mitigation measures in the Draft EIS when we determined that an EPM was insufficient to protect affected resources or was not consistent with agency requirements. These additional measures were referred to as Agency Proposed Mitigation Measures in the Draft EIS. The Proponents adopted many of these mitigation measures, and they became EPMs in the Final EIS and POD. As a result, many of the original EPMs were dropped or modified, as have many of the Agency Proposed Mitigation Measures that were in the Draft EIS.

The final EPMs are presented in Appendix Z to the POD. The Proponents submitted an updated POD on August 15, 2013. All mitigation measures identified in the Final EIS, including all agency-imposed requirements, are included in this version of the POD. The current POD is Appendix B to this ROD. As a part of the Proposed Action, EPMs will be followed on all routes, as site-specific circumstances dictate and as identified in the POD and in Table 2.7-1 of the Final EIS. Table 2.7-1 of the Final EIS presents a summary of the Proponents' proposed EPMs as well as the mitigation measures required by the BLM and cooperating agencies. The table also identifies where each measure will apply (federal, state, and/or private land). The effects analysis, found in Chapter 3 of the Final EIS, was conducted based on the Project description, including the Proponents' revised EPMs. Relevant EPMs are discussed in each resource section of Chapter 3 of the Final EIS.

In addition, the POD includes a series of protection and monitoring plans that will be implemented as part of the Project. Plans include the Environmental Compliance

Management Plan, as well as issue-specific plans such as the Stormwater Pollution Prevention Plan, Fire Prevention Plan, and Agricultural Protection Plan, among others. These plans are included as appendices to the POD, all presented in Appendix B to this ROD.

The Gateway West ROW grant also includes the following measures, terms, and conditions:

- Terms and Conditions in the BO, which is provided in Appendix H;
- Terms and Conditions in the PA, which is provided in Appendix E; and
- BLM Standard Terms, Conditions, and Stipulations (43 CFR 2800).

The mitigation measures, Proponent-proposed mitigation, BLM standard terms, and conditions, and stipulations are determined to be in the public interest pursuant to 43 CFR 2805.10(a)(1).

## **2.2 MONITORING AND ENFORCEMENT (40 CFR 1505.2[C])**

40 CFR 1505.2(c) provides for federal agency monitoring to ensure that their decisions are carried out. Mitigation and other conditions established in the Final EIS or during its review and committed as part of the decision shall be implemented by the lead agency or other appropriate consenting agency. The lead agency shall:

- Include appropriate conditions in grants, permits, or other approvals;
- Condition funding of actions on mitigation;
- Upon request, inform cooperating or commenting agencies on progress in carrying out Mitigation Measures they have proposed and that were adopted by the agency making the decision; and
- Upon request, make available to the public the results of relevant monitoring (40 CFR 1505.3).

An Environmental Compliance Management Plan for project construction and the monitoring of avoidance and minimization measures is contained in Appendix C of the POD. Monitoring long-term, off-site, compensatory, and adaptive management elements of resource-specific mitigation are components of the other mitigation plans (Appendices D through S, W, and Z) of the POD and also in the PA and BO (Appendices E and H, respectively, of this ROD). These measures meet the requirements of 40 CFR 1505.2(c).

The BLM is the federal lead agency for Gateway West under the NEPA. The BLM is responsible for ensuring compliance with all adopted mitigation measures for Gateway West in the Final EIS. These measures will be incorporated into the Proponents' final POD. The final POD will be reviewed and accepted by the BLM AO prior to the issuance of any NTP for the Project.

The BLM has also incorporated standard terms, conditions, and stipulations into the ROW grant. Failure on the part of the grant holder(s) to adhere to these terms and conditions could result in various administrative actions up to and including suspension and even termination of the ROW grant and requirements to remove the facility and rehabilitate disturbances.

### **2.3 STATEMENT OF ALL PRACTICABLE MITIGATION ADOPTED**

As required in the BLM *NEPA Handbook H-1790-1* and 40 CFR 1505.2(c), all practicable mitigation measures that are necessary to fully mitigate the potential effects of the Project according to federal laws, rules, policies, and regulations have been adopted by this ROD for Gateway West.

## 3.0 MANAGEMENT CONSIDERATIONS

### 3.1 GENERAL SITING CRITERIA

In defining which alternative routes to analyze in detail and in choosing the Selected Alternative, the BLM applied the following general criteria:

- First, avoid impacts to resources, if reasonable; then mitigate at the point of impact; and finally, if mitigation on-site is not reasonable, compensate at a reasonable site or in a reasonable way.
- Attempt to minimize all impacts, but recognize that it may not be possible to completely mitigate all impacts.
- Recognize that decisions may involve placing one resource value over another. For example routing in Lincoln County, Wyoming, involved two general alignments. A northern route sought to comply with the Wyoming Governor's sage-grouse policy but had impacts to NHTs and their associated landscapes. A southerly route minimized NHT impacts but did not comply with the Governor's sage-grouse policy.
- Acknowledge other federal, state, and local decisions and authorities. Attempt to have the BLM decision complement other authorizing entities, but recognize that some BLM policies/positions may be different from other preferences/positions.
- To reduce the proliferation of ROWs on public land, locate the proposed transmission line in or adjacent to designated corridors or existing linear facilities.
- The BLM relied on industry standards and cost estimates for transmission design considerations such as separation from existing transmission lines, burying vs. above ground configurations, construction methodology, and safety including vegetation clearing under the transmission line. The BLM did consult independent sources for some design questions. For example, we used the "Framework for Analyzing Separation Distances between Transmission Lines in Wyoming",<sup>5</sup> a study sponsored by the Wyoming Infrastructure Authority, to determine if the proposed 1,500-foot separation distance from existing transmission lines was reasonable. Closer distances would be used on occasion to mitigate site-specific impacts.
- Alternatives were developed within each Project segment rather than from the beginning (Windstar Substation) to the end point (Hemingway Substation) of the entire Project since the substations are logical connection points of the Project with other transmission and distribution lines.

### 3.2 RESOURCE-SPECIFIC SITING CRITERIA

The BLM also considered a series of resource-related siting criteria when defining which alternative routes to analyze in detail and in choosing the Selected Alternative. Detailed information on each resource criteria and considerations can be found in the

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<sup>5</sup> ICF International. 2010. Framework for Analyzing Separation Distances between Transmission Lines in Wyoming. Available online at [http://wyia.org/wp-content/uploads/2009/08/00\\_final\\_revised\\_transline\\_2010\\_02081.pdf](http://wyia.org/wp-content/uploads/2009/08/00_final_revised_transline_2010_02081.pdf)

introductory material for each resource section of Chapter 3 of the Final EIS: The following list highlights some of the significant siting criteria:

- Visual Resources
  - Do not locate transmission line in VRM Class I areas.
  - Avoid VRM Class II areas. Plan amendments are needed if Class II areas are not avoided.
  - Use topographic screening placement to reduce tower visibility from key observation points.
  - Require non-reflective components for the towers and conductor wires.
  - Recognize that lattice towers cannot be camouflaged, but do not attract the attention of the casual observer (depending on the viewing point and whether the viewer is stationary or moving) beginning at a distance of ½ to 1 mile.
- Cultural Resources
  - Avoid disturbance near sites that are on or eligible for the National Register of Historic Places (NRHP).
  - If adverse effects cannot be avoided, implement appropriate mitigation guided by a Historic Property Treatment Plan, developed under the approved PA.
  - If the landscape contributes to the National Register eligibility of a site, locate the transmission line to minimize the visual effects by applying criteria for visual resources.
- Native American Consideration
  - Where known, consider Native American cultural and spiritual practices, both historical and contemporary, in the location of the transmission line.
- Socioeconomics
  - Many socioeconomic situations involve non-public land resources such as adequate housing for workers and sufficiency of law enforcement and medical facilities during the construction period. The effects of workforce and construction activities on local communities and their economies are considered in the EIS.
  - In both Idaho and Wyoming, state and local governments exercise regulatory authority in these areas. The BLM expects these entities to apply appropriate mitigation within their regulatory sphere.
- Environmental Justice
  - The BLM reviewed the analysis area for minority and low-income populations, either geographically connected or as communities of shared interest that might be affected by the Project. For those Census Block Groups with a high proportion of these populations, we concluded that, overall, Gateway West does not appear to exhibit systematic bias toward placing the Project in or near these communities.
- Vegetation, Invasive Plant Species, Soils, Wetland and Riparian Areas
  - These resources are interrelated and siting criteria focus on minimizing surface disturbance and ensuring that adequate reclamation is achieved.

- Best management practices (BMPs) in BLM RMPs (e.g., “Wyoming Mitigation Guidelines for Surface Disturbing and Disruptive Activities”) and the “Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development” are incorporated into the Proponents’ Proposed Action where applicable.
- The minimum area needed for construction activities on public land is authorized.
- BMPs to prevent the introduction and spread of invasive plant species are incorporated into the Proponents’ POD (Appendix E of the POD).
- Wetland and riparian areas are avoided. When they cannot be avoided, practices and mitigation are governed by CWA permits, issued by the USACE.
- Only native species would be used in seed mixtures, and these species would be selected to ensure rapid stabilization of disturbed areas and return to pre-disturbance composition as quickly as environmental conditions allow.
- Topsoil would be preserved and handled to ensure successful reclamation. Appendix D of the POD contains more details.
- Special Status Plant and Animals
  - Pre-construction surveys for five plant and six animal species/groups will identify occupied habitat, which will be avoided. Seasonal construction restrictions would be applied to occupied animal habitat, where appropriate.
  - For those species protected under the ESA, the BLM would apply all conditions and requirements contained in the BO provided by the USFWS.
- Other Fish and Wildlife
  - BLM RMP requirements such as seasonal construction periods and set-backs from specific habitat features were incorporated into the Proposed Action by the Proponents.
  - Procedures detailed in RMPs for exceptions to wildlife restrictions would be followed. State game and fish agencies would be consulted on exception requests.
  - Greater sage-grouse avoidance, minimization, and mitigation measures, following the “Framework for Sage-grouse Impact Analysis for Interstate Transmission Lines” (Appendix J-1 in the Final EIS) would be developed by the Proponents and accepted by the BLM before allowing construction activities on public lands.
  - A Migratory Bird Habitat Conservation Plan would be developed by the Proponents and accepted by the BLM before allowing construction activities on public lands.
- Minerals
  - Avoid mining and oil and gas exploration areas.
  - Site project facilities recognizing prior surface and mineral rights.
- Paleontological Resources
  - Avoid known fossil-bearing areas.
  - Conduct pre-construction surveys in potential fossil-bearing areas.

- Ensure the identification, protection, and mitigation of impacts to fossil resources by following a Paleontological Resources Protection Plan, prepared by the Proponents and accepted by the BLM (POD Appendix J).
- Geologic Hazards
  - Avoid known geologic hazard area such as subsidence, landslide, and earthquake prone areas.
  - Ensure project facilities are adequately designed to meet known geologic hazards.
- Water Resources
  - Many siting criteria and practices for soils and vegetation protection and adequate reclamation also contribute to protecting water resources and are also considered here. This includes BMPs for minimizing erosion and stabilizing disturbed areas.
  - Use existing stream and drainage crossings whenever possible.
  - If new crossings need to be constructed, BMPs for crossing design and construction techniques would be followed.
  - If the crossing is a “water of the United States,” USACE CWA permit requirements would be followed.
  - Water used for construction purposes would be acquired from approved sources.
  - Further practices are prescribed in the Framework Stormwater Pollution Prevention Plan (POD Appendix F), the Framework Construction Spill Prevention, Containment, and Countermeasures Plan (POD Appendix G), and the Framework Stream, Wetland, Well, and Spring Protection Plan (POD Appendix I).
- Land Use and Recreation
  - Avoid developed recreation sites and other designated sites such as National Monuments, State and County Parks, Wilderness Study Areas, Wild and Scenic Rivers (WSRs), NWRs, inventoried roadless areas, and other special management areas.
  - Co-locate the project with existing development.
  - Seek compliance with BLM, State and local land use plans.
  - Encourage Proponents to avoid residences, planned developments, and municipal areas; agricultural systems, including livestock feeding and dairy locations, pivot irrigation, and advanced positioning systems used in farm equipment; industrial and mining areas; and military use areas.
- Transportation
  - Avoid airports.
  - Ensure transmission line crossings of highways and railroads do not impede their operation.
  - Use existing roads for access to the project sites.
  - Ensure adequate traffic control during construction periods.

- Air Quality
  - Comply with all air quality rules and regulations. Meet air quality emission standards and thresholds.
  - Control dust on roadways.
- Electrical Environment and Safety
  - Construct project components to applicable industry standards (such as the National Electric Safety Code, OSHA standards, and North American Electric Reliability Council standards) to minimize failure, and avoid creating induced voltage or electrical interference in nearby equipment.
  - Clear underlying and adjacent vegetation in accordance with standards listed in the 2006 Memorandum of Understanding among the Edison Electric Institute, Forest Service, DOI, and EPA.<sup>6</sup>

### 3.3 DECISION RATIONALE

This decision approves the ROW grant for Gateway West in accordance with the Agency Preferred Alternative as analyzed in the Final EIS and the Selected Alternative as modified in this ROD. The BLM decision to authorize this transmission line ROW project is based on the rationale described above and in the following sections.

#### 3.3.1 Respond to the BLM's Purpose and Need

Approval of the ROW grant for the Selected Alternative as modified responds to BLM's purpose and need for Gateway West by responding to the Proponents' application under Title V of FLPMA (43 USC § 1701) for a ROW grant to construct, operate, maintain, and terminate 230-, 345-, and 500-kV electric transmission lines, one new substation, and other appurtenant facilities on public lands in compliance with the FLPMA, BLM ROW regulations, and other applicable federal laws. With the adoption of land use plan amendments listed in Section 1.12.2 of this record, the Selected Alternative as modified is consistent with all BLM RMPs and MFPs where the Project is located.

#### 3.3.2 Meet the Proponents' Need and Objectives

The Selected Alternative as modified meets all Project objectives, and is technically and economically feasible. As regulated and public utilities, the Proponents are responsible for providing their customers with safe, reliable, adequate transmission capacity to meet short- and long-term projected load growth via connection to generation resources and through access to energy markets. The Selected Alternative as modified for construction, operation, and maintenance of the Project will enable the Proponents to meet these obligations by adding new capacity and connectivity to its transmission system that will improve reliability, address congestion problems, and increase the capacity required to serve forecasted loads in Idaho, Utah, and Wyoming. The Selected Alternative will also allow for access to renewable energy resources and other generation resources in the future and aid in delivering that energy throughout the

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<sup>6</sup> Edison Electric Institute. 2006. Memorandum of Understanding Among the Edison Electric Institute and the U.S. Department of Agriculture Forest Service and the U.S. Department of the Interior Bureau of Land Management Fish and Wildlife Service National Park Service and the U.S. Environmental Protection Agency. Available online at: [http://www.ivmpartners.org/eei\\_mou.pdf](http://www.ivmpartners.org/eei_mou.pdf)

region. A detailed description of the Proponents' objectives for the Project is presented in Chapter 1 of the Final EIS as well as in Section 2 of the POD.

### **3.4 REQUIRED ACTIONS**

The BLM has met all federal obligations requiring specific actions or reviews as part of federal approval, as described below.

#### **3.4.1 Endangered Species Act of 1973**

Under Section 7 of the ESA, as amended (16 USC § 1531 et seq.), a federal agency that authorizes, funds, or carries out a project that “may affect” a listed species or its critical habitat must consult with the USFWS. The BLM prepared a Biological Assessment (BA) and submitted it to the USFWS on April 31, 2013, in accordance with Section 7 of the ESA. The USFWS issued a BO for the Project on September 12, 2013, and it is provided in Appendix H in this ROD. Measures included in the BO would reduce any anticipated adverse impacts, and the BLM's issuance of an NTP will require that the Proponents comply with all reasonable and prudent measures and implementing terms and conditions listed in the BO. Furthermore, the ROW grant contains a standard stipulation that requires compliance with the BO.

#### **3.4.2 Bald and Golden Eagle Protection and the Migratory Bird Treaty Acts**

These Acts provide for the protection of bald and golden eagles and migratory birds by prohibiting, except under certain specified conditions, disturbance, or harm of these species. To comply with the Acts and based on the USFWS's recommendation and in accordance with BLM's Instruction Memoranda 2010-156 and 2013-005, the BLM will require the Proponents to develop a Migratory Bird Habitat Conservation Plan prior to issuance of any NTP for construction activities. The Proponents' programmatic Avian Protection Plans discuss “take” of all raptors and identify steps they must take system-wide to ensure migratory bird impacts are mitigated to the extent possible including, but not limited to, ongoing surveys, impact monitoring, and facility design.

#### **3.4.3 National Historic Preservation Act**

The Section 106 process has been completed for Gateway West. Section 106 compliance is in accordance with the PA (pursuant to 36 CFR 800.14[b]) executed by signature through the BLM and the Idaho and Wyoming SHPOs, and other signatures in September 2013. The PA is provided in Appendix E of this ROD.

#### **3.4.4 Clean Air Act as Amended in 1990**

Title 40 CFR Section 51 (Subpart W–Determining Conformity of General Federal Actions to State or Federal Implementation Plans), Title 40 CFR Section 93 (Subpart B–Determining Conformity of General Federal Actions to State or Federal Implementation Plans), and 42 USC § 7606(c) require federal actions to comply with the requirements of the Clean Air Act (CAA).

Separate procedures have been established for federal preconstruction review of certain large proposed projects in attainment areas versus non-attainment areas. Federal preconstruction review for affected sources located in attainment areas is formally called Prevention of Significant Deterioration (PSD); the review process is intended to prevent a new source from causing air quality to deteriorate beyond

acceptable levels. Federal preconstruction review for affected sources located in non-attainment areas is commonly referred to as New Source Review (NSR). The emission threshold for “major stationary sources” varies between PSD and NSR according to the type of facility and the attainment status of the area. The emissions calculations discussed later in this section indicate that none of the Gateway West facilities during construction are considered stationary sources, nor will they be large enough, subsequent to construction, to trigger PSD or NSR requirements.

In addition, a conformity determination is required for each pollutant when the total of direct and indirect emissions caused by a federal action in a non-attainment area would equal or exceed threshold quantities specified in 40 CFR Parts 93.153(b) (1) and (2). The applicable conformity thresholds for the Project area are as follows:

- NSR – 100 tons per year for nitrogen oxides, carbon monoxide, volatile organic compounds, sulfur oxides, and particulate matter with a diameter of less than 10 microns (NO<sub>x</sub>, CO, VOC, SO<sub>x</sub>, and PM<sub>10</sub>, respectively).
- PSD – 250 tons per year for NO<sub>x</sub>, CO, VOC, SO<sub>x</sub>, and PM<sub>10</sub>.
- Title V – 100 tons per year for NO<sub>x</sub>, CO, VOC, SO<sub>x</sub>, and PM<sub>10</sub>.
- Conformity Thresholds – 100 tons per year for NO<sub>x</sub>, CO, VOC, SO<sub>x</sub>, and PM<sub>10</sub>.

Based upon the use of conservative emissions estimates, the emissions from the construction and operation of Gateway West, in nonattainment areas, will be below the conformity thresholds; therefore, the Project is exempt from performing a comprehensive conformity analysis. Violations of the National Ambient Air Quality Standards resulting from project construction and operation are not anticipated.

### **3.4.5 Clean Water Act**

Section 404 of the federal CWA authorizes the USACE to regulate the discharge of dredged or fill materials into navigable waters of the U.S., including certain wetlands and other waters of the U.S. The USACE anticipates issuance of Nationwide Permits that will allow construction in jurisdictional waters of the United States. The USACE will determine whether authorization of proposed activities by nationwide permits is appropriate or whether certain activities require an individual permit evaluation. Verification by the USACE that activities are already authorized by nationwide permits is not a new federal action requiring a ROD. The USACE would prepare a separate ROD for individual permit authorizations because issuance of a permit would be a new federal action. The USACE is a cooperating agency in the preparation of the EIS.

### **3.4.6 Executive Order 12898 (Environmental Justice)**

As discussed in Section 3.5 of the Final EIS, the Project overall does not appear to exhibit systematic bias toward placement in minority or low-income communities. Potential environmental justice populations are therefore not expected to be disproportionately affected by the impacts associated with Gateway West.

### 3.5 LEGAL LAND DESCRIPTION OF THE GATEWAY WEST PROJECT

The legal description that applies to facilities to be authorized by WYW-174598 is included in Appendix L.

### 3.6 STATEMENT OF NO UNNECESSARY OR UNDUE DEGRADATION (43 USC § 1732(b))

Congress declared that the public lands be managed for multiple use and sustained yield, in a manner to protect certain land values, to provide food and habitat for species, and to provide for outdoor recreation and human occupancy and use (43 USC § 1701 (a)(7), (8)). Multiple use management means that public land resources are to be managed to best meet the present and future needs of the American public, balanced to take into consideration the long-term needs of future generations without permanent impairment of the lands (43 USC § 1702(c)). BLM manages public land through land use planning, acquisition, and disposition, and through regulation of use, occupancy, and development of the public lands (Subchapters II and III, respectively, 43 USC §§ 1711 to 1722, and 1731 to 1748).

The FLPMA specifically provides that in “managing public lands the Secretary shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands” (43 USC §1781(b)). The process for siting and evaluating Gateway West has included extensive efforts on the part of BLM, the States of Idaho and Wyoming, local governments, public commenters, and other agencies in order to identify a project that accomplishes the purpose and need, while preventing any unnecessary or undue degradation of the lands. These efforts have included:

- The siting of the proposed facility in or adjacent to designated corridors or existing linear facilities, and avoiding lands that have been specifically designated for the protection of any resources.
- The evaluation of project location alternatives which could meet the purpose and need for the proposed project, but result in the avoidance and/or minimization of impacts.
- The development of mitigation measures, including compensation requirements to further avoid or minimize impacts.

In addition, BLM ROW regulations at 43 CFR 2805.11(a)(1) to (5) require determinations for the following:

- BLM will limit the grant to those lands which BLM determines:
  - The applicant for the ROW will occupy with authorized facilities;
  - Are necessary for constructing, operating, maintaining, and terminating the authorized facilities;
  - Are necessary to protect the public health and safety;
  - Will not unnecessarily damage the environment; and
  - Will not result in unnecessary or undue degradation.

The lands described above are the minimum necessary to accommodate the transmission project. The Proponents have identified and propose to utilize previously

disturbed access routes and disturbed areas within their existing ROW to the extent feasible to minimize the needs to disturb additional areas. All temporary disturbances associated with the Project will be immediately restored and revegetated to minimize erosion in accordance with approved restoration and revegetation plans. Public health and safety will not be compromised by the Project as construction work areas will be posted and public access to those areas controlled to prevent possible injury to the public.

The Selected Alternative as modified will achieve almost all of the beneficial impacts of the proposed Project, including socioeconomic benefits of increases in employment and fiscal resources. Based on the comparative analysis of the ability of each alternative to meet the purpose and need, and the environmental impacts that would be associated with each alternative as discussed in the Final EIS and as summarized above, the Selected Alternative as modified does not unnecessarily damage the environment or create unnecessary or undue degradation of the lands.

### **3.7 STATEMENT OF TECHNICAL AND FINANCIAL CAPABILITY (43 USC § 1764(j))**

The BLM's ROW regulations provide the BLM with the authority to require a project application to include information on an applicant's technical capability to construct, operate, and maintain the electrical transmission facilities applied for (43 CFR 2804.12(a)(5)).

This technical capability can be demonstrated by other domestic experience with similar transmission facilities. The Proponents have provided information on the availability of sufficient capitalization to carry out development, including the preliminary study phase of the project, as well as the site testing and monitoring activities. The Proponents are electric utilities with both Transmission and Distribution service divisions. Both Proponents operate hundreds of miles of existing transmission lines in the intermountain and northwest U.S.

The Proponents' statement of technical and financial capability is provided in their ROW applications for the Project.

### **3.8 RELATIONSHIP TO OTHER FEDERAL AGENCY PROGRAMS AND POLICIES**

#### **3.8.1 Government-to-Government Tribal Consultation**

The United States has a unique legal relationship with American Indian tribal governments as set forth in the Constitution of the United States, treaties, EOs (e.g., EO 13175), federal statutes, federal policy, and tribal requirements, which establish the interaction that must take place between federal and tribal governments. An important basis for this relationship is the trust responsibility of the United States to protect tribal sovereignty, self-determination, tribal lands, tribal assets and resources, and treaty and other federally recognized and reserved rights. Government-to-government consultation is the process of seeking, discussing, and considering views on policy, and/or, in the case of this project, environmental and cultural resource management issues.

In compliance with Section 106 of the NHPA (as amended) and the ACHP revised regulations (36 CFR Part 800), the BLM initiated government-to-government consultation with seven Native American Tribes in the project area in April 2008. The consultation was conducted to inform the various Tribes of the proposed undertaking and solicit their concerns and/or comments regarding the possible presence of Traditional Cultural Properties or places of cultural, traditional, or religious importance to the Tribes in the proposed project area.

The BLM initially contacted the following Tribes by letter on April 9, 2008:

- Northern Arapaho Tribe, Fort Washakie, Wyoming
- Northwest Shoshone Band, Brigham City, Utah
- Eastern Shoshone Tribe, Fort Washakie, Wyoming
- Ute Tribe, Fort Duchesne, Utah
- Northern Cheyenne Tribe, Lame Deer, Montana

In lieu of an initial letter and following established consultation routines with these Tribes, Walt George (BLM Project Manager) participated in initial face-to-face meetings with the Shoshone-Bannock Tribes on April 10, 2008, and the Shoshone-Paiute Tribes on April 23, 2008. The Southern Cheyenne and Southern Arapaho Tribes were contacted initially in May 2010. Periodic updates on routing changes have been provided to all of the Tribes. Following the established consultation routine under the Wings and Roots Program with the Shoshone-Paiute Tribes, the BLM Project Manager has conducted monthly Project updates by conference call with them. The BLM signed a Memorandum of Agreement for the Gateway West Project with the Shoshone-Paiute Tribes covering non-Section 106 matters on November 10, 2011.

Follow-up telephone calls have been made to many of the Tribes contacted. The Northern Arapaho Business Council and the Northern Cheyenne Tribal Council have expressed interest in the Project, but have not expressed specific concerns. The Ute Tribal Council expressed their interest in participating in the development of a PA and receiving a copy of the literature review. The Shoshone-Bannock Tribes and Shoshone-Paiute Tribes have expressed concern over portions of the alignment that are not in the proposed WWE corridor. They indicated they would like this project to follow it or other existing corridors and have posed several questions regarding the Project. The Shoshone-Bannock Tribes ultimately objected to Alternative 5C, which crossed the Fort Hall Indian Reservation following an existing 345-kV transmission line. The Eastern Shoshone Business Council expressed concern over remains found near the Wise Gravel Pit.

Table 5.2-2 in Chapter 5 of the Final EIS lists all Native American Tribal contacts and summarizes the concerns they have raised to date and the status of consultation. Discussion with all of the Tribes has been ongoing.

### **3.8.2 USFWS Section 7 Consultation**

Under provisions of Section 7(a)(2) of the ESA, a federal agency that carries out, permits, licenses, funds, or otherwise authorizes an activity must consult with the USFWS as appropriate to ensure the action is not likely to jeopardize the continued

existence of any species listed as threatened or endangered. Consultation with the USFWS began in March 2008 and has continued throughout the scoping and EIS analysis process. The USFWS is a cooperating agency in the preparation of the EIS.

The first meeting with USFWS in March 2008 was a discussion to begin the consultation process and included USFWS representatives from Wyoming and Idaho, the BLM Project Manager, BLM biologists, as well as members of the BLM's third-party contractor. The meeting provided USFWS staff a brief description of the Project, biology work done to date, a review of roles and responsibilities among the BLM and USFWS as well as a detailed discussion of the consultation process including how to initiate consultation, preliminary species to include, and other considerations.

Level I meetings were held in April, May, and November 2008 with USFWS staff in Idaho and Wyoming, respectively, to provide a general overview of the Project, discuss the Project's BA process and analysis, and to discuss any additional concerns from the USFWS. Additional meetings were held in April, July, and August of 2012 to move towards finalization of the BA and address species concerns that were raised during the public review process for the Draft EIS.

The BA was submitted in April 2013 and was found to be adequate for the USFWS to formulate a BO for the Project. On September 12, 2013, the USFWS issued their BO with the following determinations:

- The Project may affect, but is not likely to adversely affect, the following species:
  - Banbury Springs limpet (*Lanx* sp.);
  - Bliss Rapids snail (*Taylorconcha serpenticola*);
  - Black-footed ferret (*Mustela nigripes*);
  - Bruneau hot springsnail (*Pyrgulopsis bruneauensis*);
  - Canada lynx (*Lynx canadensis*);
  - Grizzly bear (*Ursus arctos*);
  - Preble's meadow jumping mouse (*Zapus hudsonius* spp. *preblei*);
  - Snake River Physa (*Physa natricina*);
  - Ute ladies'-tresses (*Spiranthes diluvialis*); and
  - Bull trout (*Salvelinus confluentus*) designated critical habitat
- The Project is likely to adversely affect the following species:
  - Bonytail chub (*Gila elegans*) and its designated critical habitat;
  - Colorado pikeminnow (*Ptychocheilus lucius*) and its designated critical habitat;
  - Humpback chub (*G. cypha*) and its designated critical habitat,
  - Least tern (*Sterna [Sternula] antillarum*);
  - Pallid sturgeon (*Scaphirhynchus albus*);
  - Piping plover (*Charadrius melodus*);
  - Razorback sucker (*Xyrauchen texanus*) and its designated critical habitat;
  - Western prairie fringed orchid (*Platanthera praeclara*); and
  - Whooping crane (*Grus americana*) and its designated critical habitat;

The USFWS identified 11 recommendations in accordance with the Platte River Recovery Implementation Program's BO, pages 328 to 329 regarding ongoing land management policies and practices.<sup>7</sup> None of these recommendations were specific to Gateway West. The BLM acknowledges these recommendations and will seek to incorporate them in relevant agency activities. The BLM will require the Proponents to identify the sources and amounts of water withdrawn for construction purposes from the North Platte River drainage for the purpose of confirming the "not likely to jeopardize the continued existence of the federally endangered whooping crane, interior least tern, and pallid sturgeon, or the federally threatened northern Great Plains population of the piping plover, or western prairie fringed orchid" conclusion made in the BO. An NTP for public lands in the drainage would be issued on the conclusion of coordination with the USFWS.

The USFWS further determined, through their Conference Opinion, that Gateway West is likely to adversely affect slickspot peppergrass (*Lepidium papilliferum*) and its proposed critical habitat, but that the Project will not jeopardize the survival and recovery of slickspot peppergrass and will not destroy or adversely modify its proposed critical habitat. The USFWS recommended that the following measures be implemented to further protect slickspot peppergrass:

- Provide the Idaho Natural Heritage Program, the BLM's Boise District Office, and the USFWS' Idaho Fish and Wildlife Office with slickspot peppergrass preconstruction survey results for Segments 8 and 9 of the Project.
- Similar to BMPs and EPMs for construction activities, avoid impacts to slickspot peppergrass and slickspot microsites when conducting project maintenance and decommissioning activities, to the extent possible. Suggested BMPs and EPMs include:
  - Use existing roads for maintenance and decommissioning activities.
  - Stage maintenance and decommissioning equipment in previously disturbed areas.
  - Avoid parking on or driving through slickspot microsites during maintenance and decommissioning activities.
  - Avoid parking over dry vegetation during maintenance and decommissioning activities.
  - Locate soil stockpile or soil spread areas at least 50 feet from slickspot microsites during maintenance and decommissioning activities.
  - Use appropriate dust abatement methods during ground disturbing activities to limit the effects of fugitive dust on slickspot peppergrass and its habitat as well as to primary constituent elements of proposed critical habitat.
  - Avoid project maintenance and decommissioning activities within the three habitat categories for slickspot peppergrass during periods when soils are saturated or when slickspot peppergrass plants are flowering, except in cases where emergency work must take place in order to restore power.

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<sup>7</sup> USFWS. 2006. Final Biological Opinion on the Platte River Recovery Implementation Program. Ecological Services, Nebraska Field Office, Grand Island, Nebraska.

- Emergency conference/consultation shall be completed if emergency actions as defined under the Act (such as emergency restoring of power) result in adverse impacts to the species that have not been adequately addressed in previous Section 7 conference/consultation activities.
- Avoid or minimize ground-disturbing activities within element occurrences when soils are saturated and/or when slickspot peppergrass is flowering (May–June).
- Avoid pesticide contact with slickspot peppergrass plants or insect pollinators near element occurrences.
- Consider use of conservation measures for slickspot peppergrass on BLM-managed lands that also complement conservation of the other sagebrush steppe habitat obligates, including greater sage-grouse (*Centrocercus urophasianus*), a candidate species, and pygmy rabbit (*Brachylagus idahoensis*), a species of concern.

The USFWS also made 14 recommendations concerning the 2013 Conservation Agreement for slickspot peppergrass, annual monitoring, and conservation measures applied to BLM actions and activities. The BLM acknowledges these recommendations and will seek to incorporate them in relevant agency activities.

The ROD incorporates the results of the BO, including a condition of approval requiring the Proponents to comply with the reasonable and prudent measures and required terms and conditions. The BO is provided in Appendix H of this ROD. It is also available on the BLM Web site.

### **3.8.3 Bald and Golden Eagle Protection and Migratory Bird Treaty Acts**

The BLM coordinated with USFWS concerning requirements of the Migratory Bird Treaty and Bald and Golden Eagle Protection Acts. In order to comply with these Acts, and based on the USFWS recommendation, the BLM will require the preparation of a Migratory Bird Habitat Conservation Plan prior to issuance of any NTP for construction activities. The Proponents' programmatic Avian Protection Plans discuss "take" of all raptors and identify steps they must take system-wide to ensure migratory bird impacts are mitigated to the extent possible including, but not limited to, ongoing surveys, impact monitoring, and facility design.

### **3.8.4 Section 106 and the Programmatic Agreement**

Section 106 of the NHPA (16 USC § 470f) requires federal agencies to take into account the effect of their undertakings on historic properties listed in or eligible for the NRHP, which may include any prehistoric or historic district, site, building, structure, or object. Regulations for the implementation of Section 106 are defined in 36 CFR Part 800 – Protection of Historic Properties. The Section 106 process seeks to accommodate historic preservation concerns with the needs of federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties (36 CFR 800.1). These parties include the ACHP, SHPO, Indian Tribes, Tribal Historic Preservation Officers, state and other federal agencies, and individuals or organizations with a demonstrated interest in the undertaking due to their legal or economic relation to the undertaking or affected

properties, or their concern with the effects of undertakings on historic properties (36 CFR 800.2).

As lead federal agency for compliance with Section 106 of the NHPA, BLM initiated Section 106 consultation with the Idaho and Wyoming SHPOs in March 2008. The BLM met with the Wyoming SHPO on April 14, 2008, and discussed phasing of cultural and historic surveys and sampling. To achieve compliance with Section 106, a PA has been developed over the course of a series of meetings between December 3, 2009, and June 20, 2013. This PA outlines the stipulations that will be followed concerning the identification, assessment, and treatment of cultural resources for the Project in accordance with 36 CFR 800.15(b). Signatories agree that Gateway West will be administered in accordance with stipulations and measures set forth in the PA. The following parties have been participating in the development of the PA:

#### **Signatory Parties**

- BLM
- Forest Service, Intermountain Region
- Forest Service, Rocky Mountain Region
- ACHP
- Wyoming SHPO
- Idaho SHPO
- USACE

#### **Invited Signatory Parties**

- BOR
- Bureau of Indian Affairs
- National Park Service, Pacific West Region
- National Park Service, Intermountain Region
- Idaho Power Company
- Rocky Mountain Power

#### **Concurring Parties**

- Alliance for Historic Wyoming
- Idaho Army National Guard (IDANG)
- National Trust for Historic Preservation
- Oregon-California Trail Association
- Eastern Shoshone Tribe of the Wind River Reservation
- Northern Arapaho Tribe of the Wind River Reservation
- Northern Cheyenne Tribe
- Northern Ute Tribe of the Uintah and Ouray Ute Reservation
- Northwestern Band of Shoshone
- Oglala Sioux Tribe at the Pine Ridge Reservation
- Shoshone-Bannock Tribe of Fort Hall
- Shoshone-Paiute Tribes of the Duck Valley Reservation

The signature process for the Final PA was completed on September 12, 2013. The PA is Appendix E of this ROD.

### **3.9 COOPERATING AGENCIES AND OTHER CONSULTATIONS**

Cooperating agencies included:

- Forest Service
- USFWS
- National Park Service
- USACE
- Bureau of Indian Affairs
- Bureau of Reclamation
- States of Idaho (including the IDANG) and Wyoming
- Cassia, Twin Falls, and Power Counties, Idaho
- Carbon, Lincoln, and Sweetwater Counties, Wyoming
- Saratoga-Encampment-Riverside Conservation District (Wyoming)
- Medicine Bow Conservation District (Wyoming)
- City of Kuna, Idaho

The cooperating agencies worked, to various extents, with the BLM and Proponents to develop alternative routes, design changes, and mitigation measures that would avoid or minimize the effects of the project. These agencies reviewed administrative draft documents and provided information that improved the content and quality of the EIS.

The BLM and Proponents also met with other local government officials, civic organizations, private land owners, and stakeholder groups in the project area. Chapter 5 of the Final EIS contains details on Project consultations.

## 4.0 ALTERNATIVES (40 CFR 1505.2[b])

### 4.1 ALTERNATIVES FULLY ANALYZED IN THE DRAFT AND FINAL EIS

#### 4.1.1 No Action Alternative

The action triggering this environmental review is described in the Proponents' applications to the BLM and the Forest Service for a ROW grant and a special use authorization, respectively, for the portion of the Project on federal lands. Therefore, the No Action Alternative analyzed in the EIS is the predicted result of the denial of the applications. Under the No Action Alternative, Gateway West would not be constructed on federal lands (no construction of the new substations, substation expansion, or the transmission line). No RMPs, MFPs, or Forest Plans would need to be amended if the No Action Alternative is selected. The objectives of the Project, which include providing increased transmission capacity and a more reliable transmission line system for transport of energy, including wind energy, to meet existing and future needs (as described in Section 1.3 of the Final EIS, Proponents' Objectives for the Project), would not be met. The demand for energy may be met through other transmission line projects, which would likely result in similar effects as those described in this EIS.

Under the No Action Alternative, project-related impacts to vegetation, soils and wildlife species and other resources would occur; however, impacts would continue as a result of natural events (such as fire, drought, and severe weather) as well as from existing developments within the Analysis Area and from other projects, including wind farms, mining, agricultural, or other competing land uses. There would be no project-related impacts to agriculture, transportation, scenery, or other aspects of the human environment. Other projects would continue, including wind farms, oil and gas extraction, and coal, trona, and phosphate mines. The demand for electricity, especially for renewable energy, would continue to grow in the Proponents' service territories. If Gateway West is not permitted, the demand for transmission services identified by the Proponents would not be met through this Project and the area would have to turn to other proposals to meet the transmission demand. According to McBride et al. (2008),<sup>8</sup> the lack of construction of transmission lines could result in substantial adverse impacts on the economic growth, including loss of jobs, in the Pacific Northwest region, which includes Idaho as well as Washington, Oregon, Montana, and several Canadian provinces. The cumulative effects of the No Action Alternative are found in Chapter 4 and summarized in Section 2.9 of the Final EIS.

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<sup>8</sup> McBride, S.A., K.S. Myers, R.F. Jeffers, M.M. Plum, R.J. Turk, and L.R. Zirker. 2008. The Cost of Not Building Transmission: Economic Impact of Proposed Transmission Line Projects for the Pacific NorthWest Economic Region. Idaho National Laboratory. Prepared for the Pacific Northwest Economic Region under DOE Idaho Operations Office Contract DE-AC07-05ID14517. Available online at: [http://pnwersenergyhorizon.com/files/PNWERRreport\\_Rev2c\\_Final\\_16Jul08\\_ntwtm3.pdf](http://pnwersenergyhorizon.com/files/PNWERRreport_Rev2c_Final_16Jul08_ntwtm3.pdf)

## 4.1.2 Alternatives Considered in Detail

### 4.1.2.1 Segment 1W – Windstar to Aeolus

#### **Proposed Route 1W(a)**

The Proposed Route 1W(a) extends in a southerly direction approximately 73.8 miles from the existing Windstar Substation to the proposed Aeolus Substation. The Proposed Route crosses the Burlington Northern Railroad, North Platte River, U.S. Highway (US) 87/20, and the Chicago and Northwestern Railroad. At MP 3.5, the route crosses Interstate 25 (I-25) between two existing subdivisions approximately one mile southeast of the town of Glenrock. At MP 4.0, along the east side of Deer Creek and the Glenrock oil field, the line begins to parallel 1,500 feet to the west of Segment 1W(c). The 1W(a) route generally maintains a minimum of separation of 1,500 feet from the 1W(c) route to meet reliability criteria (as discussed in Chapter 1 of the Final EIS); however, the two lines would be as close as 530 feet in places between MPs 24 and 30 due to topography.

#### **Proposed Route 1W(c)**

Except for a brief portion of the line near Ice Cave Mountain, the Proposed Route 1W(c) is a rebuild of an existing 230-kV line from the existing Dave Johnston Power Plant to the proposed Aeolus Substation. The route leaves the existing substation at the Dave Johnston Power Plant and proceeds west for approximately 2 miles and then turns south toward the proposed Aeolus Substation, a distance of approximately 73.6 miles. The Proposed Route crosses the North Platte River, the Burlington Northern Railroad, US 87/20, and I-25. Near MP 2.0, the route crosses an existing subdivision along an existing ROW, then turns south, joining Segment 1W(a) at MP 3.0. Both routes cross agricultural lands and the Glenrock oil field to the east of Deer Creek, eventually crossing the creek near MP 14.7 and continuing south to Banner Mountain.

From Banner Mountain, Proposed Routes 1W(a) and 1W(c) proceed south, crossing into Natrona County at approximately MP 21.0. After crossing the county line, the two Proposed Routes cross the West Fork of Duck Creek, the Deer Creek Range, and the western edge of the Medicine Bow-Routt NFs. They then continue generally south, passing east of Ice Cave Mountain and Bates Creek Reservoir before crossing into Carbon County. At MP 44.3, Proposed Route 1W(c) enters and then exits the proposed Heward Substation adjacent to the existing Difficulty Substation. Both Proposed Routes then parallel to the east and west of State Route (SR) 487 for about 14 miles across Shirley Basin. Between MP 50.5 and MP 56.5, the two Proposed Routes diverge to a maximum separation of 8,000 feet, as Proposed Route 1W(c) follows the existing Dave Johnston – Rock Springs line and Proposed Route 1W(a) continues to parallel the west side of SR 487. At MP 55.8, Proposed Route 1W(c) ties into existing transmission lines looping into and out of the existing Shirley Basin Substation to the east before continuing south, again parallel to Proposed Route 1W(a). At MP 58.0, both Proposed Routes turn southwest through Little Basin to the northwest of the Freezeout Mountains. At MP 64.0, the Proposed Routes again diverge to a maximum separation of approximately 7,500 feet as Proposed Route 1W(a) swings west to minimize impacts to a private landing strip in Red Draw near Difficulty Creek. Both Proposed Routes cross the southern toe of the Freezeout Mountains near MP 68.0 before terminating at the

proposed Aeolus Substation at MP 70.3 on the north side of the Medicine Bow River. Proposed Route 1W(c) enters and then exits the proposed Aeolus Substation, heading south to MP 71.0 before turning west to rejoin the existing Dave Johnston – Rock Springs line at MP 71.7. Approximately 1.2 miles of the existing Dave Johnston – Rock Springs line to the west of the Aeolus Substation will be demolished to prepare the new line entry and exit points to the substation.

### **Alternative 1W(a)-B**

Alternative 1W(a)-B was part of the Proposed Route in the Draft EIS. The alternative would begin at the proposed Windstar Substation and head west to the north of the town of Glenrock along an existing 230-kV line for approximately 7 miles. It would then turn south, crossing the Burlington Northern Railroad, North Platte River, I-20, the Chicago and Northwestern Railroad, I-25, and 230-kV and 115-kV transmission lines to the west of Glenrock and Deer Creek. The route passes through big game crucial winter range at MPs 3.7 to 6.8 and 8.1 to 15.5. The alternative also crosses the Natrona sage-grouse core area between MP 11.7 to its terminus at MP 20.9, where it rejoins the Proposed Route in the Governor's designated sage-grouse corridor.

### **Segment 1E – Windstar to Aeolus**

Segment 1E (the Proposed Route and Route Alternatives 1E-A, 1E-B and 1E-C) was studied in detail in the Draft EIS and then dropped from further consideration before the Final EIS. The Proponents determined that a second new 230-kV line between Glenrock and Aeolus would not be needed because of a lack of timely development of planned wind resources within the Project timeframe. This also resulted in the elimination of some equipment in the Windstar and Aeolus Substations, reducing the amount of land that would be disturbed for construction and the amount needed for access roads. Alternative 1E-A, paralleling the existing Dave Johnston-Rock Springs 230-kV transmission line, has been incorporated into the revised Proposed Route for Segment 1W. Originally, Segment 1E was approximately 100.6 miles long, with a single-circuit 230-kV line following eastern routes between Windstar and Aeolus.

#### *4.1.2.2 Segment 2 – Aeolus to Creston*

### **Proposed Route**

The proposed 91.9-mile-long 500-kV single-circuit line exits the proposed Aeolus Substation to the west, crossing County Road 121 and the Medicine Bow River, and paralleling the northern edge of the Seven Mile Hill Wind Energy Project. At MP 7.2, the route turns in a southerly direction, generally following first Hanna Draw and then Saint Mary's Creek, for about 27.0 miles through the Hanna Sage-Grouse Core Area (Hanna Core Area) and an active coal mining area north and west of Hanna. The Proposed Route between MP 3.0 and 30.0 was recommended as the preferred route by the Wyoming Governor's Office and follows the corridor established by EO 2011-5. At MP 28.0, the Proposed Route passes between Dana Ridge and Saint Mary's Ridge, and briefly parallels US 30 along an existing pipeline corridor before turning west across the southern end of the Fort Steele Breaks near Walcott Junction. The Proposed Route then parallels I-80 on the north side for about 4.5 miles before crossing I-80 and the North Platte River approximately 1.5 miles south of the Fort Fred Steele State Historic Site. At MP 38.0, the Proposed Route crosses the North Platte River between two bald

eagle nest buffers, and from there proceeds west, passing between two Wyoming Game and Fish Department (WGFD) parcels and a BLM Special Recreation Management Area (SRMA), and multiple raptor nests. The Proposed Route then passes through alternating sections of private and BLM-managed land, following an existing pipeline northwest for 4 miles before again continuing west at MP 42.2.

Proceeding west, the Proposed Route passes north of Severson Flats and south of the Grenville Dome, the Wyoming State Penitentiary, and the Rawlins water treatment facility before crossing SR 71 about 2.7 miles south of Rawlins. Between MP 42.8 and MP 48.9, the route would also cross the proposed Anschutz Wind Project. In addition, two other proposed transmission lines would follow much the same path as the Proposed Route of Segment 2. West of SR 71, the route traverses Coal Creek and Coal Mine Ridge south of and parallel to an existing 230-kV line. The route continues at varying distances from the existing 230-kV line to Creston. In this last 40-mile segment, the route crosses Hogback Ridge, Red Rim, SR 789, and several active oil and gas fields in the Echo Springs area before reaching Creston about 4.0 miles south of Wamsutter.

The Proposed Route follows the WWE corridor, which is also a BLM-designated ROW corridor,<sup>9</sup> where feasible. It diverts only to stay within the transmission corridor through core sage-grouse population areas established by the Wyoming Governor's EO 2011-5 and to avoid the Fort Fred Steele State Historic site, the communities of Sinclair and Rawlins, the Seven Mile Hill Wind Energy Project, sage-grouse leks, and oil and gas well infrastructure. The Proposed Route is within or parallel to the WWE corridor (which is also an existing transmission line corridor) for 39.8 miles out of a total route length of 91.9 miles. The Proposed Route crosses the Hanna Core Area within the Wyoming Governor's EO 2011-5 designated corridor on a Greenfield route from approximately MP 3.0 to 30.0.

### **Alternative 2A**

Alternative 2A was initially considered because it would follow an existing transmission line corridor that is also a WWE corridor and a BLM-designated ROW corridor. However, this alignment is not the Proposed Route because of its proximity to the Fort Fred Steele State Historic Site and several residences. This alternative is approximately 16.0 miles long, compared to 16.8 miles for the corresponding portion of the Proposed Route.

Alternative 2A would begin approximately 6.3 miles northeast of Walcott Junction, where the Proposed Route crosses an existing 230-kV transmission line (2b). This alternative follows the existing 230-kV transmission line within the WWE corridor (on federally managed land) or the projected corridor (on non-federal land) for a total of 11.0 miles north of US 30/287, crossing Saint Mary's Creek at MP 2.0, running about 1 mile south of Saint Mary's Ridge in a southwesterly direction. At MP 5.5, the alternative proceeds due west for 5 miles, still following the existing 230-kV transmission line,

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<sup>9</sup> BLM. 2008. Proposed Resource Management Plan and Final Environmental Impact Statement for Public Land Administered by the Bureau of Land Management Rawlins Field Office. U.S. Department of Interior, Bureau of Land Management, Rawlins Field Office, Idaho. Available online at: [http://www.blm.gov/wy/st/en/programs/Planning/rmps/rawlins/feis\\_prmp.html](http://www.blm.gov/wy/st/en/programs/Planning/rmps/rawlins/feis_prmp.html)

traversing the southern Fort Steele Breaks, crossing Saint Mary's Creek a second time near MP 8.0 and the North Platte River at MP 9.9, south of the Fort Fred Steele State Historic Site. The alternative follows the existing 230-kV transmission line an additional 1 mile to the west. At this point, the alternative would depart from the existing transmission line and head generally southwest, crossing I-80 and US 287/30 at MP 13.6, and continuing another 2.5 miles to a location just southeast of Grenville Dome and approximately 4 miles southeast of Sinclair. This alternative would parallel existing transmission lines for 12.1 miles.

### **Alternative 2B**

Alternative 2B was originally the Proposed Route; however, concerns raised by local residents, as well as issues related to visual impacts from the Fort Fred Steele State Historic Site, resulted in the Proponents changing this route segment from proposed to a feasible alternative. This alternative is approximately 12.2 miles long, compared to 12.5 miles of the corresponding portion for the Proposed Route. The length was increased in order to tie in with the Proposed Route alignment.

This alternative consists of the original proposed alignment in the vicinity of Fort Fred Steele State Historic Site. It would cross immediately south of the historic site main compound. This alternative would make maximum use of following an existing transmission line corridor and the designated WWE corridor.

### **Alternative 2C**

Between the Draft and Final EIS, approximately 24.4 miles of the Proposed Route in Segment 2 were revised to follow Alternative 2C. Therefore, this alternative was presented and analyzed as part of the Proposed Route in the Final EIS. Originally, Alternative 2C was developed in response to the Wyoming Governor's EO 2011-5, which lays out a series of measures for greater sage-grouse core area protection. Stipulation 16 of the EO establishes a transmission line corridor through core population areas. This 2-mile-wide corridor is the State of Wyoming's preferred alternative for routing transmission lines across the southern portion of the state. The EO provides that new transmission lines within this corridor would be considered consistent with the EO. Therefore, BLM identified an alignment for Alternative 2C that is within the established corridor as an alternative to the original Proposed Route and a portion of Alternative 2A, which are outside the corridor but in the same general area.

#### *4.1.2.3 Segment 3 – Creston to Anticline*

### **Proposed Route**

Segment 3 has two components: a 45.9-mile-long 500-kV line between the terminus of Segment 2 (Creston) and the proposed Anticline Substation (Segment 3), and a short 5.1-mile 345-kV interconnection between the existing Jim Bridger 345-kV substation and the proposed Anticline Substation (Segment 3A).

The 500-kV portion of Segment 3 begins at Creston and proceeds west for 17 miles, before turning northwest and crossing I-80 at MP 19.3. This 17-mile segment parallels I-80 approximately 2 to 3 miles to the south, north of the Delaney Rim. Once north of I-80, Segment 3 stays north of the highway until it reaches the Jim Bridger Power Plant

access road and rail spur east of Point of Rocks. Oil and gas pipelines and wells, as well as water wells on private lands, were important routing considerations for this segment. At MP 43.1, the 500-kV circuit turns north and proceeds for about 2.6 miles along the east side of Deadman Wash before entering the proposed Anticline Substation.

Segment 3 would use 500-kV single-circuit lattice towers between 145 and 180 feet tall, and parallels existing transmission lines for 40.9 of its 45.9 miles. No optical signal regeneration site is needed.

### **Segment 3A – Anticline to Bridger**

Segment 3A is a different voltage from the rest of Segment 3. A 5.1-mile interconnecting 345-kV transmission line would be constructed between the proposed Anticline Substation and the existing Jim Bridger Substation 345-kV yard to electrically connect the two substations. About 0.5 mile east of the plant access road, this route angles to the northwest on the east side of Deadman Wash before turning west and then south into the existing substation. No optical signal regeneration site is needed.

No alternatives other than the Proposed Route were considered in detail for Segment 3.

#### *4.1.2.4 Segment 4 – Anticline to Populus*

### **Proposed Route**

The proposed single-circuit 500-kV segment extends from the proposed Anticline Substation southeast of the Jim Bridger Power Plant, mainly along the existing 345-kV corridor (partially along the designated WWE corridor in Sweetwater County, Wyoming) to the existing Populus Substation west of the community of Downey in Bannock County, Idaho, a distance of approximately 200 miles. As the Proposed Route exits the Anticline Substation, it crosses Deadman Wash and joins the existing 345-kV transmission corridor at MP 5.0, on the south side of the existing 345-kV transmission lines, before continuing west across the North Baxter Basin and crossing Killpecker Creek, US 191, and the White Mountains about 10 miles north of Rock Springs. The route continues to parallel the existing 345-kV corridor west toward the Seedskaadee NWR where it deviates south at MP 45.8 across Stevens Flat and an active trona mining area to avoid the southern boundary of the Refuge near Big Island. The Proposed Route crosses the Green River at MP 52.0 then turns north at MP 53.4 paralleling SR 372 for approximately 3.5 miles before turning west again to parallel the existing 345-kV corridor through the oil and natural gas fields in Whiskey Basin, and crossing Oyster Ridge and US 189 about 4.5 miles north of Kemmerer. Between MP 67.0 and MP 136.8, the Proposed Route follows the alignment recommended by the Wyoming Governor's Office. At MP 100.0, the Proposed Route crosses to the north side of the existing 345 kV corridor in the Pomeroy Basin before continuing west still parallel to the existing corridor, crossing Commissary Ridge and then the Hams Fork River south of Kemmerer Reservoir. Still parallel to the 345-kV corridor, the route continues to the northwest across the Hams Fork Plateau and the Tunp Range/Rock Creek Ridge, deviating slightly north to cross US 30/SR 89, before crossing the Bear River south of Cokeville.

At MP 126.0 the route continues northwest parallel to the existing corridor, crossing Boundary Ridge from Lincoln County, Wyoming, into Bear Lake County, Idaho, at MP 130.0. From the state line, the Proposed Route continues to parallel the north side of the existing 345-kV corridor crossing the Bear River at MP 134.3 before deviating north for about 4.5 miles across Sheep Creek and the Sheep Creek Hills to avoid residences. The Proposed Route then rejoins the existing 345-kV corridor and continues west to cross US 30 about 2.8 miles south of the community of Montpelier.

The Proposed Route remains parallel to the northernmost circuit of the existing 345-kV corridor crossing Bear Lake Valley, US 89, and the Bear River before proceeding to the eastern boundary of the Caribou-Targhee NF at MP 161.1. The Proposed Route crosses about 9.1 miles within the Caribou-Targhee NF boundary on a new ROW approximately 1.5 miles north of the existing 345-kV transmission corridor. The route then rejoins the existing corridor west of SR 34 crossing Mound Valley and the Bear River for a fourth time.

At MP 180.0, the Proposed Route again leaves the existing 345-kV corridor to avoid steep terrain and sage-grouse leks and proceeds west, passing along the north side of Dry Hollow Mountain before angling northwest toward the community of Downey. About 2 miles south of Downey, the Proposed Route crosses US 91 and the Marsh Valley, angling southwest to minimize impacts to the Downey Airport. It then continues northwest into the existing Populus Substation located about 1.3 miles west of Downey.

The Proposed Route crosses the Greater South Pass Core Area in the Wyoming Governor's EO 2011-5 designated corridor between MP 32.7 to MP 44.5. The route then crosses the Seedskafee Core Area in the Wyoming Governor's EO-2011-5 designated corridor between MP 57.8 to MP 70.2. The route then crosses the Sage Core Area in the Wyoming Governor's EO-2011-5 designated corridor between MP 103.8 to MP 119.8. All three crossings of sage-grouse core area occur adjacent to the existing 345-kV transmission lines.

#### **Alternative 4A**

Between the Draft and Final EIS, approximately 61 miles of the Proposed Route in Segment 4 were dropped from further consideration, and the Proposed Route was revised to follow the existing transmission lines that travel west from the Jim Bridger Power Plant, which was analyzed as Alternative 4A in the Draft EIS. This change was consistent with the Wyoming Governor's recommendation and also responded to comments from local governments and members of the public. Alternative 4A diverged from the former Proposed Route at MP 68 and rejoined the Proposed Route just inside the Idaho border at approximately MP 143. This section is incorporated into the Proposed Route description above.

#### **Alternative 4B**

Alternative 4B is based on the route alternative originally proposed by the BLM Kemmerer Field Office (FO). Concerns about that alternative voiced by the WGFD and USFWS were used to modify this alternative in order to change the crossing of the Cokeville Meadows NWR and avoid higher-quality habitats to the south. This

alternative is approximately 100.2 miles long, compared to 85.2 miles for the corresponding portion of the Proposed Route.

Alternative 4B would depart from the Proposed Route just west of Seedskaadee NWR (MP 51.6) and head west, crossing active trona mines to the area south of the intersection of US 30/SR 89 south of Kemmerer. The alternative would depart north and west close to US 30/89 and in the valley close to the entrance to Fossil Butte National Monument. It would cross a portion of the BLM-designated Bear River SRMA. This alternative would cross the Cokeville Meadows NWR south of current NWR-managed lands, although still within the established boundary. Once across NWR, this alternative continues north for 16.0 miles, generally following the east side of the Wyoming/Utah and then the Wyoming/Idaho state lines. West of Cokeville, the route angles northwest across the state line into Idaho and rejoins the Proposed Route at approximately MP 136.8.

Alternative 4B would comprise 82.5 miles of Greenfield route and 17.7 miles adjacent to existing transmission lines. The alternative crosses the Seedskaadee Core Area between MPs 1.9 to 12 on a Greenfield route and the Sage Core Area on Greenfield route between MPs 35.5 to 43.4 and MPs 49.2 to 70.5 and is adjacent to existing transmission lines between MPs 12 to 14.5 and 33.4 to 35.5.

#### **Alternative 4C**

Alternative 4C is also based on the route alternative originally proposed by the BLM Kemmerer FO. This alternative is approximately 101.6 miles long, compared to 85.2 miles for the corresponding portion of the Proposed Route.

Alternative 4C follows the same alignment as Alternative 4B to MP 65.5. At MP 68.5, the alternative would cross US 30 and then turn north, parallel to the east side of US 30/SR 89 and Cokeville Meadows NWR for 11.5 miles, before turning northwest and crossing the highway and the NWR about 5 miles south of the existing 345-kV transmission corridor. At MP 89.9, the alternative rejoins Alternative 4B and turns north along the Idaho/Wyoming border for about 3 miles before crossing into Idaho and rejoining the Proposed Route. This alternative would cross the Cokeville Meadows NWR north of current NWR-managed lands, although still within the established boundary. It would also cross portions of the BLM-designated Bear River and Rock Creek Ridge SRMAs along US 30/SR 89.

Alternative 4C would comprise 83.8 miles of Greenfield route and 17.8 miles adjacent to existing transmission lines. Alternative 4C differs from Alternative 4B in that it continues another 12 miles through the Sage Core Area as a Greenfield route.

#### **Alternative 4D**

Alternative 4D was requested by the superintendent of the Fossil Butte National Monument to reduce visual impacts on the monument. This alternative is approximately 100.8 miles long, compared to 85.2 miles for the corresponding portion of the Proposed Route.

Alternative 4D generally follows the same alignment as Alternative 4B. Between MP 53.3 to 63, the alternative shifts south approximately 3.5 miles, thereby increasing the

distance from Fossil Butte National Monument. At MP 63, the alternative rejoins Alternative 4B, and follows the same alignment, before rejoining the Proposed Route.

Alternative 4D would comprise 86.1 miles of Greenfield route and 14.7 miles adjacent to existing transmission lines. Alternative 4D crosses the same amount of sage-grouse core area as Alternative 4B.

#### **Alternative 4E**

Alternative 4E was requested by the superintendent of the Fossil Butte National Monument to reduce visual impacts on the monument. This alternative is approximately 102.2 miles long, compared to 85.2 miles for the corresponding portion of the Proposed Route.

Alternative 4E follows the same alignment as Alternative 4D to MP 63 (see above), where it rejoins Alternative 4B for approximately 3 miles. The alternative then follows the alignment of Alternative 4C before rejoining the Proposed Route.

Alternative 4E would comprise 87.5 miles of Greenfield route and 14.7 miles adjacent to existing transmission lines. Alternative 4E crosses approximately the same amount of sage-grouse core area as Alternative 4C.

#### **Alternative 4F**

Alternative 4F was originally proposed by the Proponents; however, over several agency scoping meetings, it was determined that the Proposed Route described above would likely have fewer impacts. Therefore, the Proponents adopted the suggested route as proposed, and requested that the original route segment (i.e., Alternative 4F) be carried through detailed analysis as a feasible alternative. This alternative is approximately 87.5 miles long, compared to 85.2 miles for the corresponding portion of the Proposed Route.

From just west of the Seedskafee NWR, Alternative 4F follows the same alignment as the Proposed Route for 51.2 miles. At MP 51.2, Alternative 4F diverges from the Proposed Route and the existing 345-kV corridor, passing between Kemmerer Reservoir and Viva Naughton Reservoir. The alternative then turns north for about 5 miles, crossing a historic trail (Dempsey-Hockaday Trail), then northwest for about 12 miles, north of Coke Mountain and 2.5 miles north of the community of Cokeville, before rejoining the Proposed Route at MP 79.6. From there, the alternative is the same as the Proposed Route for the final 13 miles.

Alternative 4F would comprise 57.0 miles of Greenfield route and 30.5 miles adjacent to existing transmission lines. The route crosses the Seedskafee Core Area between MPs 58 to MP 68 where it diverges west for another 2 miles before leaving the core area. The route then crosses the Sage Core Area for 14 miles on a Greenfield route.

#### **Alternative 4G**

Alternative 4G was proposed by the Forest Service to avoid crossing steep slopes and unstable soils along a portion of the Proposed Route in Sections 1 and 2, Township 12 South, Range 41 East. These areas were identified by a soil survey completed in October 2012 by the Forest Service. Alternative 4G would diverge from the Proposed

Route within the Caribou-Targhee NF near MP 167.0, follow a north/north west alignment for approximately 0.8 mile and then a west/southwest alignment along a ridge for approximately 2.6 miles. Alternative 4G would then rejoin the Proposed Route near MP 169.4, approximately 0.75 mile from the Forest's western boundary near MP 170. This route would be approximately 0.3 mile longer than the comparison portion of the Proposed Route.

#### 4.1.2.5 Segment 5 – Populus to Borah

##### **Proposed Route**

The proposed single-circuit 500-kV segment is approximately 55.7 miles long and would extend from the existing Populus Substation to the existing Borah Substation south of American Falls in Power County. Two existing 345-kV transmission lines currently extend between the two substations. The Proposed Route follows the existing lines from the existing Populus Substation northwest for approximately 12 miles, crossing the existing lines just north of Hawkins Reservoir and south of Hawkins Basin, at which point the Proposed Route follows a Greenfield alignment for the remainder of the route, extending northwest along the foothills to the west of Hawkins Basin before turning west, south of the Fort Hall Indian Reservation, crossing the Arbon Valley and the Deep Creek Mountains and then turning north east of Rockland and on to the existing Borah Substation. The Proposed Route is generally parallel and adjacent to the proposed Populus – Cedar Hill line (see Segment 7 below) for much of the first 36 miles. The portion of the original Proposed Route in Hawkins Basin was dropped from consideration between the Draft and Final EIS.

The Proposed Route crosses I-15 about 2 miles northwest of the Populus Substation. At MP 10.2, the Proposed Route turns west across the Cedar Mountains, crossing the existing 345-kV corridor at MP 12.4 and then the Bannock County/Power County line at MP 18.2. The route continues west, parallel to the proposed Populus – Cedar Hill line (Segment 7), crossing the Arbon Valley and the Deep Creek Mountains south of the Fort Hall Reservation. On the west side of the Deep Creek Mountains, the Proposed Route turns north approximately 4.5 miles west of Rockland (MP 36) and continues north along the eastern edge of the Rockland Valley in the foothills between the mountains and SR 37.

Proceeding north along the western foothills of the Deep Creek Mountains, the route crosses several drainages and springs, particularly the East Fork of Rock Creek, generally avoiding farm land located west of the route. The route crosses VRM Class II land at several points, but avoids the Bowen Canyon Bald Eagle Sanctuary in the mountains to the east. At MP 49.9 the route proceeds west, again parallel to the existing 345-kV corridor, crossing I-86, SR 37, and US 30 before crossing the Snake River and entering the existing Borah Substation.

From MP 36.0 north to the existing Borah Substation, the current Proposed Route is about 1 to 2 miles east of the Proponents' original Proposed Route. Meetings with local landowners and Power County representatives identified a more acceptable route that was subsequently adopted by the Proponents. As a result, more of the current Proposed Route is located on public land.

The Segment 5 Proposed Route is mostly adjacent to, but offset approximately 1,500 feet from, the Segment 7 Proposed Route for approximately 30 miles. Of its total length, the Proposed Route will be Greenfield for 49.3 miles and parallel to existing transmission lines for 6.4 miles.

### **Alternative 5A**

Alternative 5A was routed to eliminate the crossings of VRM Class II lands and to avoid high-quality forested habitat on BLM-managed land in the northern portion of the Deep Creek Mountains. The entire route except for 0.6 mile would be Greenfield. This alternative is approximately 29.7 miles long, compared to 22.3 miles for the corresponding portion of the Proposed Route.

This alternative would diverge from the Proposed Route northwest of Hawkins Reservoir and head in a southwesterly direction through the very northern portion of Oneida County, continue west north of the community of Arbon in the Arbon Valley, and enter the Deep Creek Mountains. This alternative would traverse the Deep Creek Mountains for approximately 9 miles. The alternative then turns north in the Rockland Valley between the mountains and SR 37, making a short turn to the northeast before meeting the Proposed Route east of Rockland.

### **Alternative 5B**

Alternative 5B was routed to eliminate the crossings of VRM Class II areas and to avoid high-quality forested habitat on BLM-managed land in the northern portion of the Deep Creek Mountain. The entire route except for 0.6 mile would be Greenfield. This alternative is approximately 40.4 miles long, compared to 22.3 miles for the corresponding portion of the Proposed Route.

This alternative follows the same alignment as Alternative 5A for approximately 2.4 miles and then continues in a southerly direction northwest of Daniels Basin for about 15 miles to a location north of the community of Buist in the southern Arbon Valley. There it turns west, traverses the Deep Creek Mountains and then, approximately 4.5 miles east of the community of Roy, turns north along the Rockland Valley between the mountains and SR 37, before rejoining Alternative 5A east of Rockland.

### **Alternative 5C**

Alternative 5C was identified for detailed analysis because it is the most direct option between the Populus and Borah Substations, and because it would follow an existing transmission line corridor for most of the segment length and has more gentle terrain and less visual impacts. Of its total length, 8.4 miles would be Greenfield and 17.6 miles would be adjacent to an existing transmission line. Power County has formally endorsed this route.<sup>10</sup> This alternative is approximately 26 miles long, compared to 32.9 miles for the corresponding portion of the Proposed Route.

The alternative would depart from the Proposed Route at MP 17, parallel to and south of the existing transmission line corridor. At MP 8.2 this alternative crosses into the Fort Hall Indian Reservation. From that point, it would traverse to the northwest for 12.4

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<sup>10</sup> Power County (Power County Task Force). 2009a. E-mail to W. George, BLM, from D. Balfour, Power County Planning and Zoning Attorney. October 19.

miles through the reservation. West of the reservation, it would cross primarily private lands, passing between the existing transmission corridor and the northern edge of the Power County Wind Park (South) before rejoining the Proposed Route approximately 2.3 miles southeast of American Falls.

### **Alternative 5D**

Alternative 5D was originally the Proposed Route; however, Power County representatives and residents identified concerns about the impacts that this route could have on farmland in this area. Other issues that have been identified regarding this route include its proximity to existing and planned residences as well as a bald eagle nest site, and the crossing of the Snake River. Therefore, modifications were made to create the Proposed Route, and this route (i.e., Alternative 5D) became a feasible alternative. This alternative is approximately 17 miles long, compared to 19.2 miles for the corresponding portion of the Proposed Route. All but 1 mile of the route would be Greenfield.

Alternative 5D is located 1 to 2 miles west of the Proposed Route. At MP 36.4, the route departs the Proposed Route and proceeds west along the north side of East Fork Rock Creek for approximately 2 miles before turning north about 3 miles east of Rockland, Idaho. The alternative proceeds north and slightly west for about 12.5 miles through predominantly private farmland. Between MP 9.8 and MP 12.3, the alternative skirts the eastern edge of the Rockland Wind Project. The alternative then turns to the west, crossing I-86, passing through a bald eagle nest buffer, across the Snake River and into Borah Substation.

### **Alternative 5E**

Alternative 5E was developed based on a request from Power County that an alternative route be considered along the portion of Segment 5 that approaches the crossing of the Snake River from the east. This alternative is approximately 5.3 miles long, compared to 5.8 miles for the corresponding portion of the Proposed Route. The entire length of the route would be Greenfield.

Alternative 5E departs from the Proposed Route at MP 49.9 and proceeds northwest for approximately 0.4 mile before crossing to the north of the existing 230-kV and 345-kV lines. The route would then proceed due west directly adjacent to the existing lines. The proposed and existing lines would remain parallel and adjacent for approximately 4.2 miles, crossing irrigated farmland and Snake River in this interval. The route would then cross a 230 kV transmission line and the three lines would run parallel and adjacent for about 1.1 miles into the Borah Substation.

#### *4.1.2.6 Segment 6 – Borah to Midpoint*

### **Proposed Route**

The line segment between the Borah and Midpoint Substations, Segment 6, is part of the existing 345-kV transmission line that was constructed to 500-kV design standards although currently operated at 345 kV. No new transmission line construction would be required along Segment 6 to operate this line segment at 500 kV, except in the vicinity of the Borah and Midpoint Substations. At the Borah and Midpoint Substations, the line

would be rerouted and re-terminated from the existing 345-kV line bays into the new 500-kV line bays at each substation. Several new structures and conductors would be needed adjacent the Midpoint Substation to reroute the existing 345-kV line from its termination on the north side of the existing station to the proposed 500-kV yard expansion on the south side. Several new structures and conductors would also be needed at the Borah Substation to reroute the line from the northeast side of the existing station to the proposed 500-kV yard addition on the south side. A new structure would be needed to route the 345-kV line between Borah and Kinport into the existing 345-kV yard on the east side. The line between Borah and Midpoint would then be energized at 500 kV.

No alternatives were considered along this segment because the Proposed Action is an increase in voltage carried by structures and conductors of an existing transmission line.

#### 4.1.2.7 Segment 7 – Populus to Cedar Hill

##### **Proposed Route 7**

The proposed 118.2-mile single-circuit 500-kV segment would extend from the existing Populus Substation to the proposed Cedar Hill Substation in Cassia County near the Cassia/Twin Falls county line. The Proposed Route generally follows the same alignment as the proposed Populus – Borah line (see Segment 5 above) for much of the first 36 miles, and is adjacent to the existing 345-kV transmission corridor between the Populus and Borah Substations for the first 9.2 miles. After crossing the existing 345-kV south of Hawkins Reservoir (MP 9.2), the Proposed Route follows a Greenfield alignment for the remainder of the route. The route then proceeds west along the northern boundary of the Caribou-Targhee NF, avoiding an Inventoried Roadless Area (IRA), and then extends northwest along the foothills to the west of Hawkins Basin before turning west, south of the Fort Hall Indian Reservation. The Proposed Route crosses the Arbon Valley and the Deep Creek Mountains and then continues west, south of Rockland crossing into Cassia County along the northern end of the Sublette Range and the Raft River Valley before continuing west, approximately 8.5 miles south of Burley, for the remaining 40 miles to the proposed Cedar Hill Substation.

The Proposed Route extends northwest from the expanded Populus Substation adjacent to the existing 345-kV lines for 9.2 miles, crossing I-15 at MP 2.0 before turning west and crossing the existing lines south of Cedar Mountain and Hawkins Reservoir. The portion of the original Proposed Route in Hawkins Basin was dropped from consideration between the Draft and Final EIS. The route proceeds west along the northern boundary of the Caribou-Targhee NF for approximately 3 miles, avoiding the Elkhorn Mountain Designated Roadless Area, before turning northwest again along the foothills west of Hawkins Basin. At MP 16.7, the Proposed Route turns west, crossing Bradley Mountain before continuing west across the Arbon Valley immediately south of Pauline. From there, the Proposed Route continues west across the Deep Creek Mountains before crossing SR 37 at MP 41, less than 1 mile south of Rockland.

The Proposed Route continues west, crossing into Cassia County at MP 47.7 and then the northern toe of the Sublett Range before proceeding across the Raft River Valley. Near MP 59, the route crosses the Raft River and the junction of the Oregon and

California NHTs, about 2.5 miles south of I-86. The route continues west to MP 70, before turning southwest approximately 2.5 miles east of the I-84/86 interchange. The route crosses I-84 at MP 72.3 and SR 81 at MP 73.1 before crossing the northern toe of the Cotterel and Albion Mountains and the western edge of the East Hills south of the community of Declo. At MP 89, the Proposed Route continues west, crossing an area of extensive irrigated cropland, pivot irrigation, and dairy operations between MP 92 and MP 110, approximately 8.5 miles south of Burley and 10.5 miles north of Oakley. The Proposed Route then follows the edge of the foothills south of the Cassia/Twin Falls county line, crossing Dry Creek at MP 14.5, and then entering the proposed Cedar Hill Substation northeast of Antelope Valley.

The Segment 7 Proposed Route is mostly adjacent to, but offset approximately 1,500 feet from, the Segment 5 Proposed Route for approximately 30 miles. Of its 118.2-mile length, the Proposed Route would be Greenfield for 101.2 miles and parallel existing transmission lines for 17.0 miles.

### **Alternative 7A**

Alternative 7A was requested by the Pocatello FO of the BLM to examine in detail alternatives on private and Public lands that did not impact public lands in the Deep Creek Mountains along the Proposed Route. Alternative 7A was developed to be co-located with the Segment 5 Deep Creek Alternative 5A for 33.8 miles. The entire route, but for 0.6 mile, would be Greenfield. This alternative is 37.7 miles long, compared to 35.1 miles for the corresponding portion of the Proposed Route.

Alternative 7A begins immediately south of Hawkins Reservoir, crossing the northwest boundary of the Caribou-Targhee NF outside of the Elkhorn Mountain IRA (MP 0.1 to MP 1.3) and the extreme northern part of Oneida County (MP 2.4 to MP 8.3). Proceeding west, the route crosses the central Arbon Valley just north of the community of Arbon (MP 12.1) and then traverses the Deep Creek Mountains for approximately 8 miles. On the west side of the Deep Creek Mountains it would head northwest across areas of dry land agriculture in the Rockland Valley, crossing SR 37 (MP 25.8) and the South Fork of Rock Creek (MP 26.5), before turning north between Cedar Ridge to the east and the Sublett Range to the west. The route crosses Houtz Canyon at MP 34.8 and continues north for an additional 3 miles, rejoining the Proposed Route at a location approximately 6 miles west of Rockland.

### **Alternative 7B**

Alternative 7B was suggested by BLM to avoid public lands designated as VRM Class II, utilize public lands that have existing roads, and to avoid quality forested habitat. The entire route, but for 0.6 mile, would be Greenfield. This alternative is 46.2 miles long, compared to 35.1 miles for the corresponding portion of the Proposed Route.

This alternative follows the same alignment as Alternative 7A for the first 3.5 miles. From there it follows a similar alignment (offset 1,500 feet to the south) as Alternative 5B (see description above) for the next 23.5 miles. On the west side of the Deep Creek Mountains, this alternative turns northwest across areas of dry land agriculture in the southern Rockland Valley, crossing SR 37 (MP 32.2), and intersecting with Alternative 7A southeast of Cedar Ridge. The alternative follows the same alignments as

Alternative 7A (see description above), rejoining the Proposed Route at a location approximately 6 miles west of Rockland.

### **Alternative 7C**

Alternative 7C was identified to minimize potential impacts at the “Parting of the Ways” site where the California and Oregon NHTs diverge. The entire route would be Greenfield. This alternative is 20.3 miles long, compared to 20.1 miles for the corresponding portion of the Proposed Route.

Alternative 7C diverges from the Proposed Route near MP 52, approximately 10 miles west of Rockland. Alternative 7C runs southwest across northern portions of the Sublett Range for approximately 8 miles. It then proceeds west for 2 miles, crossing Heglar Canyon near MP 9.0 and then northwest across the Raft River Valley for 11 miles before rejoining the Proposed Route about 0.5 mile east of I-84.

### **Alternative 7D**

Alternative 7D was identified to avoid a BLM-managed area at the northern end of the Cotterel Mountains that does not allow new ROWs. The entire route, but for 1 mile, would be Greenfield. This alternative is 6.8 miles long, compared to 6.2 miles for the corresponding portion of the Proposed Route.

Alternative 7D departs from the Proposed Route at MP 72, and then crosses I-84 (MP 0.5) and SR 81 (MP 1.5) to the north of the Proposed Route. The alternative is located mainly on private land, and if selected, additional micro-siting would be necessary to avoid wetlands in the Marsh Creek area being restored by Ducks Unlimited. The alternative also parallels a portion of the Oregon NHT for 2.8 miles at a distance of less than 0.5 mile.

### **Alternative 7E**

Alternative 7E was identified to stay east of a hang gliding launch location in the East Hills. The entire route, but for 0.7 mile, would be Greenfield. This alternative is 4.5 miles long, compared to 3.8 miles for the corresponding portion of the Proposed Route.

Alternative 7E diverges from the Proposed Route, approximately 4 miles south of the community of Declo. It proceeds southeast for about 1.5 miles, passing between two sage-grouse lek 0.65-mile buffers, and then southwest approximately 2 miles along Water Canyon. The alternative crosses SR 77 (MP 3.7) about 4.6 miles northwest of Albion, and then rejoins the Proposed Route at MP 84.1.

### **Alternative 7F**

Alternative 7F was identified to avoid locating the Project in the foothills of the East Hills and Albion Mountains, where scattered residential developments occur. The entire route, but for 0.9 mile, would be Greenfield. This alternative is 10.8 miles long, compared to 10.5 miles for the corresponding portion of the Proposed Route.

This alternative leaves the Proposed Route at MP 78.1, and heads in a more southerly direction than the Proposed Route. It is located in more mountainous terrain than the Proposed Route and intercepts one sage-grouse lek 0.25/0.65-mile buffers, four raptor nest buffers, and passes through 10.7 miles of big game winter range. The alternative

follows Water Canyon for 3 miles before crossing SR 77 (a scenic byway) at MP 4.8, approximately 3.8 miles northwest of Albion. The alternative continues southwest across areas of dryland agriculture, passing near a concrete plant, before turning west across the north end of the Albion Mountains to rejoin the Proposed Route at MP 84.1.

### **Alternative 7G**

The Proposed Route would be located in a BLM motorized vehicle closure (winter range, mule deer, sage-grouse) that would restrict access for maintenance and emergency repairs. Alternative 7G was proposed at the border of the BLM/private land interface with the understanding that if emergency repairs are needed, it would be easier to obtain permission to access the line if it is on the border of the restricted area, rather than placed farther into the restricted area (where a plan amendment would be required). The alternative leaves the Proposed Route at MP 114.4, immediately west of Dry Creek, and then crosses Dry Creek Road (MP 0.3). The alternative continues west approximately 0.4 mile north of, and generally parallel to, the Proposed Route, rejoining the Proposed Route at MP 117.7. This alternative is 3.4 miles long, compared to 3.3 miles for the corresponding portion of the Proposed Route. The entire route, but for 0.5 mile, would be Greenfield.

### **Alternatives 7H, 7I, and 7J**

Alternative 7H was dropped from further consideration after the Draft EIS following consultation with Cassia County and the Forest Service. The portion of Alternative 7I west of MP 108 near Goose Creek and Alternative 7J were also dropped from further consideration following consultation with Cassia and Twin Falls Counties. As noted below, Alternative 7K was developed as a shorter alternative to replace Alternative 7I, incorporating approximately the first 108 miles of Alternative 7I. None of the remaining routes cross into Nevada or directly affect resources within Nevada.

### **Alternative 7K**

Substantial landowner opposition was raised to the Proposed Route in Segment 7 due to potential impacts to agricultural land crossed in Cassia and Power Counties. Through a lengthy process of meetings and correspondence, a multi-county task force was formed consisting of representatives from Bannock, Oneida, Power, Cassia, and Twin Falls County governments and interested landowners. Input was also received from local Idaho state legislators, and the states of Utah and Nevada were contacted with the goal of developing an alternative route. Alternative 7I was recommended by this task force<sup>11</sup> and analyzed in the Draft EIS. It was approximately 173 miles long. Following publication of the Draft EIS, the Counties and the BLM developed a shorter alternative to replace Alternative 7I. This route was designated as Alternative 7K. This alternative is 148.1 miles long, compared to 118.2 miles for the corresponding portion of the Proposed Route.

From the Populus Substation, this alternative is coincident to the Segment 7 Proposed Route for the first 11.7 miles. It then proceeds to the southwest, coincident to Alternative 7B for 17.9 miles. At MP 32.9, the alternative turns west and is located

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<sup>11</sup> Cassia County. 2009. Letter from Commissioner Clay Handy to Walt George, BLM, proposing county entrance and exit points. August 25.

along the Power County/Oneida County line across the southern foothills of the Deep Creek Mountains and the Rockland Valley. The route crosses SR 37 at MP 41, approximately 3.5 miles southeast of the community of Roy, turning north approximately 0.5 miles to avoid crossing the Curlew National Grasslands. At MP 45.9, the alternative turns southwest again, crossing the Sawtooth NF and the Sublett Range before entering Cassia County at MP 52.2. At MP 55.8, the alternative turns west, crossing I-84 (MP 57.7) and passing through several raptor nest buffers. The alternative crosses the Raft River-Curlew Valley IBA for ferruginous hawks between MPs 32.5 to 43.2, 58.3 to 72.0, 75.2 to 75.4, and 85.9 to 97.2. At MP 65.2, the alternative turns to the southwest, then west, passing through the Raft River Valley and then into the Upper Raft River Valley near MP 87. The alternative crosses SR 81 at MP 75.5, the Salt Lake Alternative of the California NHT at MP 82.6, several more raptor nest buffers, and comes within 0.25 mile of the Utah state line in the Cedar Hills near MP 98.3. This portion of the alternative passes just south, but within the viewshed, of the City of Rocks National Reserve. Crossing the Cedar Hills, the alternative continues northwest across Junction Valley and re-crosses the California NHT at MPs 103.8, approximately 2.5 miles from the western entrance to the City of Rocks National Reserve. The route crosses Middle Mountain 2.8 miles north of Granite Pass, and turns north along the east side of Goose Creek. At MP 117, the alternative crosses Goose Creek above the Lower Goose Creek (Oakley) Reservoir and proceeds north along the eastern boundary of the Sawtooth NF approximately 6.8 miles west of the community of Oakley. Continuing north 5.5 miles to avoid the Cottonwood Creek Wildlife Management Area, the route turns west and crosses the northern boundary of the Sawtooth NF (MP 134.6 to MP 140.4). At MP 139.6, the alternative turns northwest, crossing the upper part of Dry Creek canyon near MP 143, and continues the additional 5.1 miles into the proposed Cedar Hill Substation. Of its 148.1-mile length, 133.7 miles would be Greenfield and 14.4 miles would parallel existing transmission lines.

The alignment for Alternative 7K was proposed by Cassia County. A portion of the route crosses the Sublette Range, a mountainous area within the Sawtooth NF. The Forest Service has pointed out that any actual transmission line built across the NF would need to consider topography and should be routed to avoid or be placed along the edges of forested clumps where feasible. Therefore, the alignment does not accurately reflect back dropping and other resource avoidance that would be required for by the Forest Service prior to approval of construction.

#### *4.1.2.8 Segment 8 – Midpoint to Hemingway*

##### **Proposed Route**

The 131.5-mile-long Proposed Route proceeds west-northwest, parallel to an existing 230-kV line, passing just north of the juncture of the Jerome, Lincoln, and Gooding County lines near MP 9. This route continues in the same direction, passing between Gooding and Wendell before crossing the Malad River (MP 19.3) and US-26 (MP 23.9) approximately 4.5 miles east of the community of Bliss. Southwest of Pioneer Reservoir, the route angles northwest away from the existing 230-kV corridor at the Gooding County/Elmore County line for approximately 7 miles to avoid impacts to a residence in the Clover Creek area. At MP 42.0 the route rejoins the existing 230-kV corridor about 2.8 miles northeast of King Hill. Between MP 45.8 to MP 48.1 and MP

50.2 to MP 51.1, the Proposed Route crosses VRM Class I in an area of multiple transmission lines, and enters the WWE corridor at MP 52.0, deviating up to 2 miles from the 230-kV corridor on private land to avoid wetland impacts in the Bennett Creek area. At MP 58, the route parallels south and west of the existing PacifiCorp 500-kV Summer Lake – Midpoint transmission line offset 1,500 feet for reliability reasons. The route crosses US 20 at MP 68.5 approximately 3.8 miles northeast of Mountain Home. At MP 86.2, the Proposed Route turns west, crossing I-84 at MP 90.2 and the Elmore County/Ada County line at MP 90.9. Continuing west, the Proposed Route is parallel to and approximately 1,500 feet south of the existing Summer Lake – Midpoint 500-kV transmission line for 24.5 miles through the NCA.

The route enters the NCA at MP 98.8 and continues to the west, then southwest through Ada County. West of Pleasant Valley Road (MP 104.1), the route crosses the Alpha Maneuver Sector for the IDANG Orchard Combat Training Center (OCTC), which is located within the NCA, for 4.7 miles (the route would be within the OCTC low-level flight operations area between approximately MP 92 and MP 108). The IDANG recommends that, if this route is selected, the transmission structures be equipped with special lights to prevent military aircraft from colliding with the structures during training.

At MP 116, the route turns more to the south, away from the existing 500-kV line, crossing the Snake River, the Halverson and Wees Bar Non-Motorized Areas, and a National Register Historic District between MP 117 and MP 120. The Snake River in this area forms the Ada County/Owyhee County line. The route continues southwest another mile and then west around Guffey Butte before intercepting a WWE corridor at MP 124.2 and turning northwest approximately 3.5 miles north of Murphy. The route leaves the NCA at MP 126.7 before entering the existing Hemingway Substation. Of its 131.5-mile length, approximately 33 miles are Greenfield and 98.5 miles parallel existing transmission lines.

### **Alternative 8A**

Alternative 8A was developed to route the transmission line within or parallel to the WWE corridor or projected WWE corridor where possible. However, Alternative 8A leaves the WWE corridor/projected WWE corridor for more than 13 miles in the Hagerman area to maintain separation from existing transmission lines. This alternative is 53.6 miles long, compared to 51.9 miles for the corresponding portion of the Proposed Route.

From the Midpoint Substation, this alternative would extend due west passing approximately 3.5 miles north of Wendell, 5.5 miles south of Gooding, and 1 mile north of Hagerman through extensive residential development. The route crosses I-84 (MP 19.6) approximately 4 miles east of Hagerman, leaving the WWE corridor or projected WWE corridor to maintain separation from existing 230-kV lines and the existing 500-kV Summer Lake – Midpoint line. At the Gooding/Twin Falls County line (MP 26.6), the route would cross the Snake River on BLM-managed land less than 0.5 mile north of Hagerman Fossil Beds National Monument and continue west across areas of extensive wind energy development to the Twin Falls/Elmore County line (MP 31.2), where it rejoins the WWE corridor. The route turns northwest MP 36.2, joining an existing transmission line corridor. The alternative would parallel existing transmission

lines and the Snake River across Black Mesa and then the Snake River and I-84 between MP 46 to MP 47, less than 1.5 miles northeast of Glens Ferry. Between MPs 32.8 to 34.1, 36.2 to 38.0, at MP 43, and from MPs 43.3 to 45.6, Alternative 8A would cross VRM Class I land within a WWE corridor. This alternative would continue to follow the existing transmission corridor until it would rejoin the Proposed Route at MP 51.9. This alternative would follow existing transmission lines for almost its entire length.

### **Alternative 8B**

Alternative 8B was originally identified by the Proponents as their Proposed Route; however, the communities of Kuna and Melba expressed strong opposition to this route when it was proposed. The City of Kuna (which is crossed by Alternative 8B) conducted an in-house study and commissioned an outside study of the effects of the then Proposed Route on the communities.<sup>12, 13</sup> The studies contend this route (now Alternative 8B) would affect long-term growth potential by altering the ongoing comprehensive planning process and associated development patterns. Potential effects are described in Sections 3.4 – Socioeconomics and 3.17 – Land Use and Recreation. Representatives of Melba, Kuna, Ada County, the Proponents, and BLM have worked collaboratively to reach a mutually acceptable solution. This resulted in the Proponents proposing a route that follows the existing 500-kV Summer Lake – Midpoint line across the NCA, avoiding the areas of concern identified by Kuna and Melba. This alternative is 45.8 miles long, compared to 45.3 miles for the corresponding portion of the Proposed Route.

Alternative 8B begins at MP 85.3 of the Proposed Route in Elmore County. It proceeds northwest along the alignment of the Proposed Route to MP 90.5. It then continues northwest for another 1 mile, crossing the existing 500-kV Summer Lake – Midpoint line, before turning west parallel to the existing 500-kV line approximately 4 miles, and then northwest adjacent to an existing low voltage transmission line for about 6 miles. The alternative diverges west from the existing low-voltage line approximately 1.5 miles south of the Idaho State Penitentiary, and at MP 23.3 it turns due west, crossing the Union Pacific Railroad and crosses nearly 5 miles within the city of Kuna, including existing and planned subdivisions, and BLM-managed lands currently under consideration for inclusion in the NCA. Between MP 29 and MP 32, the route crosses Kuna Butte before turning generally southwest passing south of Power Butte and McElroy Butte and less than 0.75 mile north of the community of Melba. Between MP 34 and MP 41, the alternative would be located adjacent to roadways and in proximity to residences. At MP 39.8, the route crosses SR 45, the Snake River, and SR 78 before entering the expanded Hemingway Substation. Of its 45.8-mile length, 31.3 miles would be Greenfield and 14.5 miles would parallel existing transmission lines.

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<sup>12</sup> ECS (Environmental Conservation Services, Inc.). 2009. Re: Proposed Alternative to the Midpoint-Hemingway Route Identified in the Gateway West Transmission Line (Treasure Valley Subsegment corridor (8g, 8h, 8j, 8k, 8l, 8m, 8n, 8p, 11). July 10.

<sup>13</sup> City of Kuna. 2009. Letter from Steven Hasson, Director of Planning Services (Kuna), to Walt George, BLM, concerning the Administrative Draft EIS. June 17.

Consultation with the IDANG indicates their preference for a route that avoids the Alpha Maneuver Sector of the OCTC. Alternative 8B would accommodate the IDANG concerns.

### **Alternative 8C**

Alternative 8C was originally a portion of the Proposed Route. It was changed to an alternative in this area because it would cross the planned expansion of the Mayfield subdivision. It is kept as a viable alternative because the comparable portion of the Proposed Route is of similar length and impacts a similar amount of private land. This alternative is 6.4 miles long, compared to 6.5 miles for the corresponding portion of the Proposed Route.

The route proceeds northwest along the WWE corridor or projected WWE corridor approximately 4 miles, and then turns west an additional 2.4 miles before joining Alternative 8B. This alternative would parallel an existing transmission line for 4.8 miles of its 6.4-mile length.

### **Alternative 8D**

Consultation with the IDANG indicates their preference for a route that avoids the Alpha Maneuver Sector of the OCTC. Alternative 8D would accommodate the IDANG concerns. This alternative is 8.1 miles long, compared to 6.9 miles for the corresponding portion of the Proposed Route. The IDANG also recommends that the transmission structures have lights to avoid collisions during aircraft training exercises.

This alternative begins at the east boundary of the Alpha Maneuver Sector. At this point, the transmission line would be located on the existing Summer Lake to Midpoint 500-kV structures or on new structures if the existing ones are not adequate to support the proposed conductor. The existing circuits would be relocated to a parallel 4.7-mile-long segment offset approximately 1,500 feet to the north to maintain the reliability separation distance. This alternative would therefore avoid the Alpha area but would still be within the NCA.

### **Alternative 8E**

Alternative 8E was proposed by BLM to avoid the Halverson Bar and Wees Bar Non-motorized Areas and a National Register Historic District. The portion of the Proposed Route that crosses the north end of the Historic District and the Snake River would be located within an area designated by the BLM as Non-Motorized (i.e., no vehicle travel allowed). Alternative 8E would avoid this Non-Motorized land designation and minimize the impacts to cultural sites. This alternative is 18.3 miles long, compared to 7.0 miles for the corresponding portion of the Proposed Route.

Alternative 8E would leave the Proposed Route near MP 114, proceeding south, following an existing 138-kV transmission line for approximately 8.2 miles. The route would turn to the west-southwest, crossing a National Register Historic District and the Snake River approximately 2.75 miles south of the Swan Falls recreation area, adjacent to an existing transmission line. On the west side of the river, the route would turn to the northwest, staying west of Sinker Butte, and continuing west, rejoining the Proposed Route in the Con Shea Basin. The portion of Alternative 8E across the Snake River to

just south of the Con Shea Basin would follow the same alignment as portions of Alternatives 9D and 9F. However, both Alternative 8E and Alternatives 9D/9F could not be selected for construction, as only one route could be constructed in this area.

#### 4.1.2.9 Segment 9 – Cedar Hill to Hemingway

##### **Proposed Route**

The 162.2-mile-long Proposed Route proceeds generally west through public and private rangeland along the WWE corridor or projected WWE corridor from the Cedar Hill Substation. Near MP 8, the route deviates slightly north, and then west again, to minimize impacts to an existing concentrated animal feeding operation (CAFO) about 1 mile south of the Twin Falls Military Reservation. The route crosses US 93 at MP 17.7 and then continues west, turning northwest at MP 27.9, parallel to the east side of Salmon Falls Creek and adjacent to an existing 138-kV transmission line for about 5 miles. At MP 33, the Proposed Route crosses the Salmon Falls Creek at Lilly Grade adjacent to an existing single-phase 34.5-kV distribution line just north of the Salmon Falls Creek Wilderness Study Area and a VRM Class I designated viewshed approximately 6 miles south of the community of Castleford. The area crossed is part of an Area of Critical Environmental Concern (ACEC), a Recreation portion of an eligible WSR. The route was revised between Draft and Final EIS to cross below the Wild portion of the eligible WSR. Several raptor nest buffers are crossed as the route continues northwest through the Bruneau Desert. At MP 46.6, the route enters Owyhee County and turns to the north between areas of irrigated agriculture along the Twin Falls County/Owyhee County line for about 10 miles before turning northwest at MP 56.5, then into Elmore County (MP 63.4). Between MP 46.6 and MP 63.4, the Proposed Route would be just inside the east boundary of the general Jarbidge Military Operations Area. Within the Military Operations Area, structures normally cannot extend more than 100 feet above ground level. Consultation between Twin Falls County and the U.S. Air Force has determined that this height restriction would not apply to the Gateway West Project and this minor encroachment is acceptable.<sup>14</sup> However, the Air Force recommends that the transmission structures be equipped with special lights to prevent collisions during training exercises.

At MP 79.0, the Proposed Route joins the designated WWE corridor northwest of Deadman Flat, and would enter the NCA at MP 88.0. The Proposed Route parallels the northern boundary of the Saylor Creek Air Force Range for approximately 11.5 miles, passing through the restricted area in the northwest corner of the range between MP 91.2 and MP 95.6, less than 0.25 mile south of Bruneau Dunes State Park. Consultation between representatives of the BLM, U.S. Air Force, Idaho Department of Parks and Recreation, and the Proponents has determined that the location of the Proposed Route within the restricted Military Operations Area and just to the south of Bruneau Dunes State Park is acceptable with micro-siting and mitigation. As with the Jarbidge Military Operations Area, the Air Force recommends that the transmission structures be equipped with special lights to prevent collisions during training exercises. From this point, the Proposed Route continues generally southwest, leaving the WWE

<sup>14</sup> Postema, Angela. 2010. E-mail to S. Flinders, Tetra Tech, from A. Postema, U.S. Air Force. January 29.

corridor and the projected WWE corridor between MP 97.8 to MP 102.3 to cross wetlands and agricultural areas along the Bruneau River and the Bruneau Valley.

On the west side of the Bruneau Valley, the route turns northwest, crosses SR 51 at MP 104.1, and then continues northwesterly on the southwest side of the Bruneau River, C.J. Strike Reservoir, and SR 78. Between MP 102.3 to the Hemingway Substation, the Proposed Route follows the WWE corridor on BLM-managed land but frequently changes direction on private segments to avoid rural residences, the small communities of Murphy and Oreana and, as much as possible, cultivated lands. The route re-enters the NCA between MP 142.4 to MP 146.2 and again between MP 151.5 to MP 152.6, mainly within the WWE corridor on BLM-managed land, and then continues north and west into the Hemingway Substation.

### **Alternative 9A**

Alternative 9A was originally identified by the Proponents as the Proposed Route. Based on consultation with local landowners and residents concerned about impacts to irrigated agriculture and dairies, BLM representatives and the Proponents identified a new route that has been adopted by the Proponents as proposed. However, Alternative 9A (formerly the Proposed Route) remains a feasible alternative that warrants detailed analysis. This alternative is 7.7 miles long, compared to 7.8 miles for the corresponding portion of the Proposed Route. The Proposed Route would be Greenfield Route. Alternative 9A would follow an existing 345-kV line for approximately 3 miles.

The alternative is located about 2 miles south of Hub Butte in Twin Falls County generally parallel to the current Proposed Route.

### **Alternative 9B**

Alternative 9B was developed to follow a nearby WWE corridor and to parallel existing transmission line corridors. This alternative is 52.3 miles long, compared to 49.1 miles for the corresponding portion of the Proposed Route.

Alternative 9B would depart from the Proposed Route about 5 miles south of Castleford. This alternative would follow an existing 138-kV transmission line 21.6 miles, parallel to the west side of Salmon Falls Creek at a distance ranging between 1 to 4 miles. It would then turn northwest, still within the WWE corridor or projected WWE corridor and generally parallel to an existing transmission line on the west side of the Snake River before crossing the Twin Falls/Elmore County line (MP 29.5) and an area of existing wind energy development (MP 25 to MP 31). At MP 33.5, the route would turn due west, crossing Rosevear Gulch and an area of irrigated agriculture in Deadman Flat, before rejoining the Proposed Route just west of the Owyhee/Elmore County line.

### **Alternative 9C**

Alternative 9C was originally identified by the Proponents as the Proposed Route. Based on consultations with local landowners and residents concerned about impacts to irrigated agriculture and dairies, County representatives and the Proponents identified a new route that has been adopted by the Proponents as proposed. Alternative 9C (formerly the Proposed Route) remains a feasible alternative that warrants detailed

analysis. This alternative is 14.4 miles long, the same length as the corresponding portion of the Proposed Route.

Alternative 9C follows an existing 138-kV transmission line for 9 miles in a northerly direction along the same alignment as Alternative 9B (see above). The alternative is parallel and east of an ACEC in Salmon Falls Creek, and is within 3.5 miles of the community of Castleford to the west. At MP 9, the alternative crosses the existing transmission line and Salmon Falls Creek (below the ACEC), and turns west, passing along the east then the north side of Balanced Rock County Park, and adjacent to the southern end of a CAFO. The alternative continues west approximately 5 miles across the north end of Blue Gulch, before meeting the Proposed Route.

### **Alternative 9D**

Alternative 9D is a variant of an alternative identified by the Owyhee County Task Force. Avoidance of private lands and maximizing the use of public land was the primary sitting criteria. The specific alignment was developed through consultation between the BLM representatives and the Proponents based on information originally provided by the Task Force. This alternative substantially deviates from the designated WWE corridor (which is followed by the Proposed Route) and would cross 47.9 miles of the NCA (thereby requiring an RMP amendment). Alternative 9D is 60.1 miles long, compared to 57.2 miles for the corresponding portion of the Proposed Route.

Alternative 9D departs the Proposed Route at MP 95.6, proceeds northwest paralleling the north side of Bruneau River, and then crosses SR 51 at MP 5.4, approximately 1.5 miles north of Bruneau. At MP 7, the alternative turns west, avoiding agricultural land along the northern shore of C.J. Strike Reservoir (Bruneau Arm) before crossing the Narrows portion of the reservoir and a small eastern section of the Cove Non-Motorized Area. The alternative turns north, crossing SR 78 at MP 13.6, paralleling the highway for 1.5 miles, before crossing it again at MP 15.1. The alternative generally follows an existing 138-kV transmission line, turning north approximately 1 mile east of Rimrock High School, and crossing the Snake River approximately 0.5 mile downstream from C.J. Strike Dam. North of the Snake River, the alternative continues to parallel the existing 138-kV line, turning west and then north away from the existing line at MP 21.3 to avoid encroachment into the restricted Class D airspace around Mountain Home Air Force Base. At MP 25.9, the route rejoins the 138-kV line and continues to parallel it north approximately 21 miles through the NCA. Between MP 31.7 and MP 43, the alternative would be just outside the southwest boundary of the OCTC and the OCTC low-level flight operations area. At MP 46.4, the route turns west, crossing the Snake River adjacent to an existing 138-kV line, along the same alignment as Alternative 8E west of Sinker Butte for approximately 6.5 miles. From there, the route turns southwest for approximately 5 miles, rejoining the Proposed Route 2.4 miles northwest of Murphy.

Except for minor detours to avoid agricultural land, the alternative parallels the transmission lines from the dam primarily west on the north side of the Snake River. On the south side of the Snake River, the alternative would cross a BLM-designated non-motorized area. The majority of this alternative (47.9 miles) is within the NCA.

### **Alternative 9E (Revised)**

Alternative 9E (Revised) was originally identified by the Owyhee County Task Force and recommended by Owyhee County for detailed analysis although it is not preferred by the County. The primary County siting criteria have been avoidance of private land and maximizing of the use of public land. The specific alignment has been developed through consultation between Owyhee County Task Force and BLM representatives and the Proponents. The BLM has modified the northern portion of this alternative to avoid impacts to sage-grouse leks and preliminary priority habitat and to private land. This alternative is 70.6 miles long, compared to 61.4 miles for the corresponding portion of the Proposed Route.

Beginning at MP 95.8 of the Proposed Route, Alternative 9E proceeds south for approximately 5 miles outside the western edge of restricted airspace at Saylor Creek Air Force Range, and then turns west south of Hot Spring, crossing the Bruneau River at MP 5.6 and entering crucial big game winter range. The alternative crosses Highway 51 at MP 15.7, continuing northwest along the foothills of the Owyhee Range. At MP 42.6, the alternative crosses Castle Creek. Here, the revised route takes a more northerly alignment to avoid sage-grouse priority habitat to the northwest, crossing private land in the Hart Creek and Pickett Creek areas 3 to 4 miles west of the community of Oreana. At MP 52.8, the alternative rejoins the Proposed Route within the WWE corridor, and follows the Proposed Route alignment for approximately 8.5 miles, mostly within the WWE corridor or projected WWE corridor, across a small part of the NCA. At MP 147.8, the alternative again leaves the Proposed Route in a more westerly direction, crossing Rabbit Creek (MP 64.4) approximately 2.4 miles southwest of Murphy. The alignment again rejoins the Proposed Route near MP 157 and follows that alignment for the final 5.3 miles into the Hemingway Substation.

### **Alternative 9F**

This alternative was proposed by the BLM in order to avoid the Cove Non-Motorized Area west of C.J. Strike Reservoir. As discussed above, Alternative 9D was identified by the Owyhee County Task Force and recommended by Owyhee County for detailed analysis. Avoidance of private lands and maximizing the use of Public Land has been the primary sitting criteria used by Owyhee County. The specific alignment for Alternative 9D was developed through consultation between the Owyhee County Task Force, the Proponents, and BLM. However, Alternative 9D crosses a small area of BLM Non-Motorized Area. The crossing of the Non-Motorized Area by Alternative 9D would not conform to BLM management objectives. Therefore, Alternative 9F is routed to avoid this area, and preserves all but approximately 18 miles of the Alternative 9D route preferred by Owyhee County. This alternative is 63.3 miles long, compared to 57.2 miles for the corresponding portion of the Proposed Route.

Alternative 9F follows the Proposed Route and the WWE corridor for approximately 18 miles. At MP 114.9, just south and west of C.J. Strike Reservoir dam, the route turns to the north and then northeast for approximately 3 miles, crossing SR 78 at MP 19.6, about 1 mile west of Rimrock High School, and then joins Alternative 9D before crossing the Snake River. The remainder of Alternative 9F is coincident to Alternative 9D.

### **Alternative 9G**

Alternative 9G is another variation recommended by the BLM to the alternative route proposed by Owyhee County (Alternative 9D). This alternative is generally coincident with Alternative 9D, but crosses the Snake River to the south to avoid potential routing issues with the Segment 8 crossing of the Wees Bar and Halverson Bar Non-Motorized Areas (see above). Alternatives 9D/9F would take a more northerly path than Alternative 9G (Alternatives 9D/9F would be located in the same location as Alternative 8E). As two separate lines cannot be placed in this single location, if Alternative 8E is selected, Alternatives 9D/9F would no longer be feasible. Alternative 9G is being evaluated in addition to 9D and 9F because it avoids this conflict. This alternative is several miles south of the Alternative 8E alignment, which would allow both Alternatives 9G and 8E to be selected. This alternative is 57.8 miles long, compared to 57.2 miles for the corresponding portion of the Proposed Route.

Alternative 9G follows Alternative 9D for the first 41 miles (see above). At MP 46.2, Alternative 9G turns to the west, crossing a National Register Historic District and the Snake River near MP 49.6, approximately 4 miles south of Sinker Butte. The alternative crosses Sinker Creek at MP 45.5, and then continues north and west, rejoining the Proposed Route 2.4 miles northwest of Murphy. Like Alternative 9D, Alternative 9G would cross the Cove Non-Motorized Area.

### **Alternative 9H**

Alternative 9H was identified by the BLM to avoid both the Cove Non-motorized Area and the common alignment with Alternative 8E near Swan Falls and Sinker Butte. The conditions leading to evaluation of Alternative 9H are the same as those discussed for Alternatives 9D, 9F, and 9G. The primary differences between Alternative 9H and Alternatives 9D/9F/9G are the alignment of the first 18 miles and last 15 miles of the route. Like Alternative 9F, Alternative 9H avoids the Cove Non-Motorized Area west of C.J. Strike Reservoir. In addition, like Alternative 9G, Alternative 9H avoids the co-location conflict with Alternative 8E that affects Alternatives 9D and 9F (i.e., if Alternative 8E is selected, Alternatives 9D and 9F would no longer be feasible). This alternative is 61.0 miles long, compared to 57.2 miles for the corresponding portion of the Proposed Route.

Alternative 9H is coincident to Alternative 9F (see above) for the first 45.7 miles. Alternative 9H then turns west and follows the alignment of Alternative 9G (see above) the remaining 15.2 miles, rejoining the Proposed Route northwest of Murphy.

#### *4.1.2.10 Segment 10 – Midpoint to Cedar Hill*

### **Proposed Route**

The 34.4-mile-long Proposed Route exits the existing Midpoint Substation parallel to an existing 345-kV line and within the designated WWE corridor in a southeasterly direction for 11 miles. At this point, the route turns south, crossing the North Side Main Canal (MP 13.5), before turning southeast and then south again to rejoin the WWE corridor near MP 18.8. From MP 20.5 to the proposed Cedar Hill Substation the Proposed Route again parallels the existing 345-kV line across an area of extensive irrigated agriculture. The route continues south across the western end of Goose Lake and the

Union Pacific Railroad (MP 19.1), a CAFO, and SR 25 (MP 20.9) approximately 1.8 miles west of the community of Eden. The alternative then crosses I 84 to the west of Skeleton Butte at MP 23.0, the Snake River (Jerome County/Twin Falls County line) at MP 24.3, and US 30 at MP 26.1, before entering the proposed Cedar Hill Substation at MP 34.4. The Proposed Route follows the alignment of the planned SWIP. If that project is constructed, it would serve in place of the Gateway West Segment 10 Proposed Route. Only one transmission line would be constructed under any circumstances.

No alternatives other than the Proposed Route were studied in detail for Segment 10.

## 4.2 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

Alternatives considered but not analyzed in detail in the Draft or Final EIS and the reasons for not fully considering them in the environmental analysis are in Appendix M of this ROD.

## 4.3 AGENCY PREFERRED ALTERNATIVES

The BLM identified a combination of the Proposed Route and alternative routes by Segment as the Agency Preferred Alternative in the Final EIS in Section 2.4.1 (Table 2.4-2). These are summarized below:

Segment 1W	Proposed 1W(a) and 1W(c) Routes
Segment 2	Proposed Route
Segment 3	Proposed Route, including 3A
Segment 4	Proposed Route and the Proposed Route within the NF incorporating Alternative 4G
Segment 5	Proposed Route incorporating Alternatives 5B and 5E
Segment 6	The proposal to upgrade the line voltage from 345 kV to 500 kV
Segment 7	Proposed Route incorporating Alternatives 7B, 7C, 7D, and 7G. The Proposed Route in the East Hills and Alternative 7G will be micro-sited to avoid PPH.
Segment 8	Proposed Route incorporating Alternative 8B
Segment 9	Revised Proposed Route incorporating Alternative 9E, revised to avoid PPH and Murphy
Segment 10	Proposed Route

Other agency preferred alternatives are presented in detail in Section 2.4 of the Final EIS and are summarized below:

- **Forest Service:** The Proposed Routes in National Forests in Segments 1 and 4, incorporating Alternative 4G
- **State of Wyoming:** The Proposed Route for Segments 1 through 4 in Wyoming
- **Sweetwater County, Wyoming:** The Proposed Route in Segments 2 through 4 in Sweetwater County
- **Lincoln County, Wyoming:** The Proposed Route for Segment 4 in Lincoln County

- **Power County, Idaho:** Alternatives 5C and 5E and Alternative 7K in Power County
- **Cassia County, Idaho:** Alternative 7K in Cassia County
- **Twin Falls County, Idaho:** Supported Alternative 7K
- **Owyhee County, Idaho:** Alternative 9D
- **Idaho Army National Guard:** Routes that avoid the OCTC.

#### 4.4 ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The environmentally preferred alternative is the alternative that, on balance, appears to have the lowest overall impact on the natural, human, and cultural environment, including resource uses. For Gateway West, the environmentally preferred alternative is the No Action Alternative. As described earlier, the No Action Alternative analyzed in the EIS is the predicted result of the denial of the Proponents' applications. Under the No Action Alternative, Gateway West would not be constructed on federal lands (no construction of the new substations, substation expansion, or the transmission line). No RMPs, MFPs, or Forest Plans would need to be amended if the No Action Alternative is selected. No Project-related impacts to vegetation, soils and wildlife species and other resources would occur; however, impacts would continue as a result of natural events (such as fire, drought, and severe weather) as well as from existing developments within the Analysis Area and from other projects, including wind farms, mining, agricultural, or other competing land uses. There would also be no Project-related impacts to agriculture, transportation, scenery, or other aspects of the human environment. Other projects would continue, including wind farms, oil and gas extraction, and coal, trona, and phosphate mines.

For the reasons detailed above for this decision, I have not selected the environmentally preferred alternative; however, the Selected Alternative has been designed to avoid and minimize environmental impacts wherever possible, including through required mitigation and monitoring, while still allowing the Project to be constructed and operated to meet the purpose and need (i.e., to respond to an FLPMA ROW application submitted by the Proponents to construct, operate, maintain, and decommission the Gateway West transmission line and associated infrastructure on public lands administered by the BLM in compliance with FLPMA, BLM ROW regulations, and other applicable federal laws and policies, including the environmental impact of granting a ROW across the National System of Public Lands).

## 5.0 AGENCY AND PUBLIC INVOLVEMENT

### 5.1 PUBLIC INVOLVEMENT

#### 5.1.1 Scoping Process

Scoping, a process open to the public and conducted early in the Project (2008–2009), served to identify the range or scope of issues to be addressed during the environmental studies in the EIS. The scoping comment period began on May 16, 2008, and concluded on July 3, 2008. After the formal public scoping period and during an internal review by the BLM and cooperating agencies, non-federal cooperating agencies requested an extended period of time to develop additional alternatives. The BLM responded by incorporating all comments received by September 4, 2009, into a revised scoping report. The formal record of the scoping period can be found in the Gateway West Transmission Line Project Scoping Summary Report, available online at [http://www.wy.blm.gov/nepa/cfodocs/gateway\\_west/documents.html](http://www.wy.blm.gov/nepa/cfodocs/gateway_west/documents.html).

The scoping period was announced using a variety of tools:

- *Federal Register* – The BLM published a Notice of Intent in the Federal Register on May 16, 2008. The Notice of Intent stated the BLM's intent to prepare an EIS and to support the BLM's consideration of the Proponents' application for a ROW grant to use public lands for portions of the proposed Project. The Notice of Intent also announced the BLM's intent to conduct public scoping meetings and collect scoping comments on the proposal.
- *Notification mailer* – The BLM prepared and distributed a tri-fold mailer to interested parties in the proposed and alternative Project corridors and to others interested in the proposed Project. Approximately 4,500 mailers were sent to a combination of BLM, Forest Service, and Project Proponent mailing list contacts.
- *Press releases* – The BLM prepared and distributed two press releases regarding the original scoping period. The first was distributed on May 16, 2008, to media sources throughout the proposed Project corridor to announce the start of the scoping period and encourage public participation. The second release was distributed on June 16, 2008, encouraging further public comment on the Project.
- *Paid notices* – Paid legal notices were published in newspapers of record.
- *Community calendar notifications* – In addition to paid legal notices, meeting notifications were also published in community calendar listings in local newspapers.
- *BLM Gateway West Project Web site* – The BLM established a Web site regarding the proposed Project at the beginning of the scoping period. The Web site was initially used to notify the public of the scoping meetings, provide general project overview information, as well as information to provide comments to the BLM regarding the proposed Project. The Web site currently serves as the electronic NEPA-related Project information source for all aspects and stages of the Project's NEPA process: [http://www.wy.blm.gov/nepa/cfodocs/gateway\\_west/](http://www.wy.blm.gov/nepa/cfodocs/gateway_west/).

The BLM hosted nine public meetings in June 2008 to provide planning and NEPA information to the public and agencies to allow them to identify issues and concerns to the BLM. Public scoping and the scoping meetings were advertised as noted above. A total of 140 members of the public attended the various public meetings. The BLM also hosted a focused scoping meeting on July 10, 2008, in Kemmerer, Wyoming, with an integrated group of federal, state, and local agencies and elected officials to discuss specific issues regarding routing Gateway West Project corridors in southwest Wyoming and southeast Idaho.

There were 62 individual letters submitted to the BLM during the scoping period, and included in those letters were 89 individual comments. In addition, during the period of July 3, 2008, to September 4, 2009, the BLM received 1,533 individual letters, and included in those letters were 1,613 individual comments. These letters and comments were reviewed by a team of analysts and logged into a database that was used to track and sort comments throughout the Project's NEPA process. Scoping period comments were addressed in the Draft EIS.

### 5.1.2 Draft EIS

The availability of the Draft EIS and the public comment period was announced using a variety of tools:

- *Federal Register* – The BLM published a Notice of Availability in the Federal Register on July 29, 2011. The Notice of Availability announced the release of the BLM's Draft EIS on the proposed Gateway West Transmission Line Project. The Notice of Availability also announced the BLM's intent to conduct public meetings and collect public comments on the document.
- *Notification mailer* – The BLM prepared and distributed a mailer to interested parties in the proposed and alternative Project corridors and to others interested in the proposed Project. Approximately 8,600 mailers were sent to a combination of BLM, Forest Service, and Project Proponent mailing list contacts.
- *Press releases* – The BLM prepared and distributed three press releases regarding the Draft EIS comment period, public open house meetings, and to encourage public participation. The first was distributed on July 29, 2011, to media sources throughout the proposed Project corridor to announce the release of the Draft EIS document, document availability, and the start of the comment period. The second release was distributed on August 17, 2011, announcing the public open house dates and encouraging further public comment on the Project. The third release was distributed on September 23, 2011, announcing the four Wyoming public open house meetings and encouraging further public comment.
- *Paid notices* – Paid legal notices were published in newspapers of record.
- *BLM Gateway West Web site* – The BLM Project Web site was updated to announce the release of the Draft EIS. Included in the updates were electronic versions of the Project newsletter and an updated version of the Project interactive map. An electronic version of the document was made available to the public for viewing and download. Public comments were also accepted electronically through the Web site.

The BLM hosted 17 public meetings in September and October 2011 to provide information on the document and encourage public comments on the Draft EIS. The Draft EIS document and the public meetings were advertised as noted in the section above. A total of 598 members of the public attended the various public meetings.

There were 368 individual letters submitted to the BLM during the Draft EIS comment period, and included in those letters were 2,453 individual comments. These letters and comments were reviewed by a team of analysts and logged into a database that was used to track and sort comments for response in the Final EIS. The individual letters were also made publicly available through the BLM Project Web site.

The BLM released the Addendum to the Draft EIS – Effects of Proposed Project on Greater Sage-Grouse on June 29, 2012, for a 30-day public review period. The report includes the sage-grouse Habitat Equivalency Assessment (HEA) for the Project, which was not available at the time the Draft EIS was released. The BLM held two public meetings to discuss the sage-grouse analysis prior to completing the HEA, one in Cheyenne, Wyoming (February 15, 2012) and one in Boise, Idaho (February 17, 2012). An additional 19 letters containing 30 comments were received on the sage-grouse analysis from agencies, groups, and individuals.

### 5.1.3 Final EIS

The availability of the Final EIS and the public comment period was announced using a variety of tools:

- *Federal Register* – The BLM published a Notice of Availability in the Federal Register on July 29, 2011, announcing the release of the BLM's Final EIS on the proposed Gateway West Transmission Line Project. The Notice of Availability also announced the BLM's intent to conduct public meetings and collect public comments on the document.
- *Notification mailer* – The BLM prepared and distributed a mailer to interested parties in the proposed and alternative Project corridors and to others interested in the proposed Project.
- *Press releases* – The BLM prepared and distributed press releases regarding the Final EIS comment period, public open house meetings and to encourage public participation.
- *Paid legal notices* – Paid legal notices were published in newspapers of record.
- *BLM Gateway West Web site* – The BLM Project Web site was updated to announce the release of the Final EIS. Included in the updates were electronic versions of the Project newsletter and an updated version of the Project interactive map. An electronic version of the document was made available to the public for viewing and download. Public comments were also accepted electronically through the Web site.

The BLM hosted 11 public meetings in May 2013 to provide information on the document and encourage public comments on the Final EIS. The Final EIS document and the public meetings were advertised as noted above. A total of 702 members of the public attended the various public meetings.

There were 322 individual letters submitted to the BLM during the Final EIS comment period, and included in those letters were 1,568 individual comments. These letters and comments were reviewed by a team of analysts and logged into a database that was used to track and sort comments for response. The agency comment responses are provided in Appendix A of this ROD. The individual letters were also made publicly available through the BLM Project Web site.

A list of the persons and agencies who were consulted during the preparation of the EIS is listed in Chapter 5 of the Final EIS. In addition, responses to all comments received on the Draft EIS are contained in Appendix L of the Final EIS.

## **5.2 SUMMARY OF CONSULTATION WITH OTHER AGENCIES AND ENTITIES**

The BLM and the ROW applicant have been consulting and coordinating with public agencies that may be requested to take action on Gateway West and other interested parties as part of one or more of the following Project phases: planning, scoping, public review of the Draft EIS, and/or public review of the Final EIS. Those consultation and coordination activities are addressed throughout this ROD and are summarized in the following sections.

### **5.2.1 U.S. Fish and Wildlife Service Consultation**

The USFWS has jurisdiction to protect threatened and endangered species under the ESA. Formal consultation with the USFWS under Section 7 of the ESA is required for any federal action that may adversely affect a federally listed species. This consultation was initiated through the preparation and submittal of a BA that describes the proposed Project to the USFWS. Following review of the BA, the USFWS issued its BO. The BO also includes terms and conditions that will be followed by the grant holder to reduce any anticipated adverse impacts. The final BO is included in Appendix H of this ROD. The BLM also consulted with the USFWS in compliance with the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Fish and Wildlife Coordination Act.

### **5.2.2 National Historic Preservation Act Consultation**

A key part of a cultural resources analysis under NEPA and Section 106 of the NHPA is to determine which of the cultural resources that a proposed or alternative action may affect are important or historically significant.

In accordance with 36 CFR Part 800.14(b), the BLM has prepared a PA in consultation with the ACHP, the SHPOs in Idaho and Wyoming, and other interested parties. The executed PA is provided in Appendix E. See also Section 3.8.4 of this ROD.

### **5.2.3 Native American Tribal Consultation**

The BLM initiated consultation with Native American Tribes and groups that may have knowledge of the cultural resources of the proposed project area, in accordance with Section 106 of the NHPA, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act, and their allied EOs. Government-to-government consultation is presented in Section 3.8.1 of this ROD.

Nine tribes were provided copies of both the Draft and Final EISs. The BLM continues to consult with these Tribes on a government-to-government basis and will continue to do so during subsequent decision making for Segments 8 and 9 and construction of this project. The BLM has additional consultation commitments with the Shoshone-Paiute Tribes under a Memorandum of Agreement signed for this project.

#### **5.2.4 Electric System Regulators**

The BLM coordinated with those bodies that regulate the reliability and rate structure of electric utility grid companies in the United States, the WECC, the FERC, and State Public Utility/Service Commissions (PUCs). The WECC is a self-governing board of utility companies, empowered by the FERC with ensuring the operation and reliability of the western electricity grid. Through a three-step process the WECC determines if a project is needed and if it meets the Council's reliability criteria. The WECC applies FERC tariff requirements that utilities plan, design, construct, operate, and maintain an adequate electric transmission system that meets the customers' energy demands peak load demands. Both are important in determining the need for the project. The BLM monitored the WECC process during the preparation of the environmental analysis. Gateway West has received approvals from WECC through all steps of its process. Details on the federal role in transmission planning and WECC's path rating review process are in Section 1.3.2 of the Final EIS.

The state PUC approval process involves issuing a "Certificate of Public Convenience and Necessity." The certificate application is often accompanied by a rate request to recover the project construction costs from the utility's rate payers. Under state laws, the PUCs are responsible for protecting consumers in the actions of these regulated utilities. This includes determining the need for projects and the appropriate level of compensation, in the form of rates, due the utility. The PUC process will not begin until after the BLM ROW grant is issued. Should a certificate be denied or the PUC action require a route that is different from the one BLM authorized, the BLM will review the situation, determine if the ROW grant should be amended, and if additional environmental analysis is needed. More information on state regulation of transmission is located in Section 1.3.3 of the Final EIS.

#### **5.2.5 Other**

The USACE has jurisdiction to protect water quality and wetland resources under Section 404 of the CWA. Under that authority, USACE reviews proposed projects to determine whether they may impact such resources, and/or be subject to a Section 404 permit. The USACE has been consulted, and the Proponents have prepared a report delineating waters of the U.S. and offered EPMs consistent with the objectives of the CWA. See also Section 3.4.5 of this ROD.

The National Park Service manages Fossil Butte National Monument, Minidoka National Historic Site, and Hagerman Fossil Beds National Monument, and is responsible for NHTs that are located near or crossed by the proposed project. Because of the proximity of these designated areas, the National Park Service was invited to participate in scoping meetings and public workshops, and was provided the opportunity to review and provide comment on the EIS. The National Park Service is a cooperating agency in the preparation of the EIS.

## 6.0 FINAL AGENCY ACTION

### 6.1 RIGHT-OF-WAY AUTHORIZATION

I considered effects on public lands managed by the BLM, as well as those managed by agencies other than the BLM and private lands in making my decision. I also considered the implications of altering the resource management plans that I have determined should be amended to allow the Project. In developing this decision, BLM line officers and resource specialists from 11 Field Offices in Wyoming and Idaho worked with cooperating agencies, other government officials, stakeholders, and the Proponents' managers, engineers, and environmental managers to refine implementation measures and construction techniques to reduce impacts, based on resource issues identified, at specific locations or areas. This collaboration included a series of meetings to discuss detailed engineering in specific sensitive resource areas, which resulted in engineering changes such as modifying tower design in visually sensitive areas and shifting tower placement to avoid sensitive habitat areas for special status wildlife. Also, through this collaboration, additional detailed mitigation was developed to be incorporated into the POD, which outlines construction techniques and details measures specifically developed to reduce impacts on identified natural and cultural resources during construction, operation, and maintenance of the Project as a result of this decision.

As a requirement of the ROW authorization and the POD, the Proponents will provide for an environmental compliance inspection contractor (CIC), to be approved by the BLM, as lead federal agency, and the Forest Service, to represent the BLM and Forest Service during the construction and reclamation phases of the Project. The CIC will report directly to the BLM, in coordination with the Forest Service. The primary role and responsibility of the CIC is to ensure compliance with all terms, conditions, and stipulations of ROW authorization, the POD, and other permits, approvals, and regulatory requirements, as described in Section 1.4 of the Final EIS. Additionally, the CIC shall follow the Environmental Compliance Management Plan, included as Appendix C of the POD. The Proponents will also be responsible for monitoring the reclamation of the transmission line, temporary access roads, and ancillary facilities, as described in the Reclamation Plan and Noxious Weed Plan, included as Appendices D and E of the POD.

I have decided to approve the Selected Alternative, as modified, because this route attains the purpose and need for the Project while being sensitive to other resource concerns within the project area, as well as to the missions and management objectives of the various land management agencies responsible for the public lands that will be crossed by the Selected Alternative. My decision was informed by four key elements:

1. the included mitigation and monitoring as required stipulations for the Project,
2. meeting the purpose and need,
3. consideration of resource issues, and
4. consideration of public comments and concerns presented in the public review process.

It is my decision to:

1. Defer the decision to offer a ROW grant on Segments 8 and 9 of the proposed Project.
2. Grant an electric transmission line ROW grant WYW-174598 for the remaining segments (Segments 1 through 7 and 10) including ancillary facilities such as off-site access roads, other permanent facilities, and temporary construction sites to the Proponents, subject to the terms, conditions, stipulations, POD, and EPMS developed by the DOI.
3. Amend ROW grant WYW-170660 to remove the reconstructed portion of this existing grant and to reflect its authorization as part of ROW grant WYW-174598.
4. Note an increased voltage from 345 kV to 500 kV in ROW grant IDI-14555 or its renewed successor (Segment 6).

In general, a decision of the BLM is not effective during the time in which an adversely affected person may file a notice of appeal (43 CFR 4.21(a)(1)). However, according to regulation, BLM decisions issued under 43 CFR Part 2800 are and remain in effect pending appeal (43 CFR 2801.10(b)). Since this ROW decision was issued under 43 CFR Part 2800, it is and remains in effect as of the date of issuance.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, your notice of appeal must be filed with the State Director, Bureau of Land Management, Wyoming State Office, P.O. Box 1828, Cheyenne, WY 82003 or hand delivered to 5353 Yellowstone Road, Cheyenne, WY 82009, within 30 days from the date of this decision. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, 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 in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

See Appendix N for filing information related to appeals and requesting a stay.

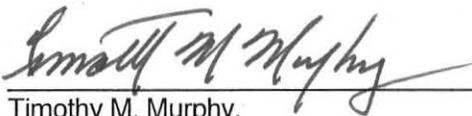
Approved by:

  
\_\_\_\_\_  
Donald A. Simpson  
Wyoming State Director  
Bureau of Land Management  
U.S. Department of the Interior

NOV 12 2013

Date

I concur:

  
\_\_\_\_\_  
Timothy M. Murphy,  
Acting Idaho State Director  
Bureau of Land Management  
U.S. Department of the Interior

NOV 12 2013

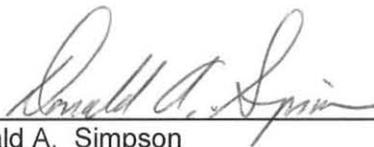
Date

## 6.2 LAND USE PLAN AMENDMENTS

Five land use plan amendments in Wyoming are needed to bring the Selected Alternative, as modified, into conformance with management objectives in the Green River and Kemmerer RMPs. It is my decision to:

1. Amend the Green River RMP to allow the construction and placement of the Gateway West Transmission Line on public land classified as VRM Class II in Section 10, T. 20 N., R. 109 W.
2. Amend the Kemmerer RMP to allow the Gateway West Transmission Line to cross the Sublette NHT in Section 11, T. 23 N., R. 118 W., placing the transmission towers as far from the trail as feasible for mitigation.
3. Amend the Kemmerer RMP to allow the Gateway West Transmission Line in a VRM Class II area without changing the VRM classification in areas north and east of U.S. Highway 30/State Highway 89, so long as it follows the three existing 345-kV transmission lines in the VRM Class II area.
4. Amend the Kemmerer RMP to allow the Gateway West Transmission Line where it would otherwise be in conflict with historic landscape preservation objectives; provided micro-siting and other mitigation measures are employed to minimize the visual impacts to historic sites, trail segments and contributing landscapes; consistent with other approved measures in the National Historic Trails Treatment Plan, developed under the approved Programmatic Agreement.
5. Amend the Kemmerer RMP to allow the Gateway West Transmission Line where it would otherwise be in conflict with the management objectives for the Rock Creek/Tunp Special Management Area.

Approved by:



Donald A. Simpson  
Wyoming State Director  
Bureau of Land Management  
U.S. Department of the Interior

NOV 12 2013

Date