

**U.S. Department of the Interior  
Bureau of Land Management**

**Decision Record for  
Environmental Assessment  
Anticline Electrification Project Phase I**

**DOI-BLM-WY-100-2012-86-EA**

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**BLM**



## Decision Record

### **Decision**

It is my decision to select Alternative II as described in the Anticline Electrification Project Phase I Environmental Assessment (EA). The EA and the FONSI analyzed the selected alternative and found no significant impacts. Implementation of this decision will result in construction of 25 kV distribution power lines both overhead and underground; a 10-mile amendment to the Paradise 230 kV transmission line previously authorized under right-of-way WYW-172153; a 69 kV transmission line and a substation for the 69 kV transmission line. The 25 kV distribution lines would be constructed in 2012, the 230 kV transmission line would likely be constructed in 2013 or later and the 69 kV transmission line and substation would likely be constructed in 2014 or later.

Approval is conditioned upon and subject to the following requirements:

- The applicant will follow the stipulations within the rights-of-way grants and temporary use permits and the applicant prepared Plans of Development (POD) and Reclamation Plans incorporated into these documents.
- The Applicant will comply with all identified mitigation and monitoring measures identified as necessary to minimize impacts.

### **Authority**

The distribution and transmission lines and substation will be approved under Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). The BLM, as the authorized agency of the Department of the Interior, administers provisions of Federal Land Policy and Management Act under the right-of-way regulations at 43 CFR 2800.

### **Plan Conformance and Consistency**

The proposed action and alternatives have been reviewed and found to be in conformance with the "Pinedale Field Office Record of Decision and Resource Management Plan," (RMP, June 2008), as amended.

This project is consistent with plans and policies of the Department of the Interior and Bureau of Land Management, other federal agencies, state governments and local governments to the extent that the guidance and local plans are also consistent with the purposes, policies and programs of federal law and regulation applicable to public lands.

### **Alternatives Considered**

In addition to the selected alternative, Alternative II the EA considered three other alternatives.

- Alternative I the "No Action Alternative" was not selected because it would meet the purpose of the action.
- Alternative III consists of constructing only the 25 kV distribution system.
- Alternative IV consists of constructing only the 25 kV and the 69 kV transmission line and substation.

Alternatives considered but eliminated from detailed study:

- An alternative for the entire distribution system to be constructed underground. Regulations requiring PacifiCorp to maintain voltage and reliability standards, capacitance, reduced expansion flexibility and maintenance concerns prevent this alternative from being a feasible alternative. PacifiCorp would not be able to accomplish the purpose of the project of providing electricity to the large industrial customers using only underground lines.

## **Rationale for Decision**

The decision to issue the rights-of-way (ROW) grants and temporary use permits (TUP) to PacifiCorp is based on the impact analysis contained in the above referenced EA. The analysis shows that there will be no undue or unnecessary environmental impacts to the environment caused by construction, reclamation, operation, maintenance, or abandonment of the power lines while adhering to the Plans of Development and stipulations set forth under the ROW grants and TUP permits.

The purpose of the action is to add infrastructure to provide electricity to local oil and gas operators in the Pinedale Anticline area, reducing their dependence on internal combustion generators and motors. The Pinedale region will see the following reductions in emissions as the result of this project:

Chemical	Total Tons Per Year (TPY)
Nitrogen Oxides (NOx)	54.1
Carbon Monoxide (CO)	65.2
Volatile Organic Compounds (VOC)	39.6
Sulfur Dioxide (SO2)	1.2
Particulate Matter (PM)	1.2
Hazardous Air Pollutants (HAP)	2.9
Formaldehyde	1

Nothing has been discovered which would preclude the BLM from authorizing the project as specified in the project EA and PODs and as described in this Decision Record.

## **CONSULTATION AND COORDINATION**

### **Public Scoping and Review**

An internal planning and scoping meeting was held January 5, 2012, attendees including PFO Inter-disciplinary (ID) team members and PacifiCorp's staff/contractors. The key scoping issue identified during the meeting was the use of underground lines where possible and overhead lines where necessary. Other issues identified during the meeting included the need for resource assessment requirements (biological/cultural/paleontological), the need for perch minimizing design, sage grouse no surface occupancy zones, crossing of the Lander Road and Wagner Variant, route options and the project timeline.

Public scoping for the Proposed Action began January 6, 2012. An open house public meeting was held on February 1, 2012, at the BLM PFO, at which 24 people signed in. Comments were accepted until February 10, 2012. BLM received 91 comments from 22 commenters from the general public and local, state and national entities. Comments primarily focused on wildlife and cultural resource concerns including the recommendation to bury as many of the lines as possible. Comments received also requested that additional segments of the 230 kV transmission line be relocated to the 25 kV corridor and that the 230 kV line remain entirely within the existing authorized corridor. The EA has been prepared with alternatives designed to address these comments.

On May 21, 2012, the Anticline Electrification Phase I EA was released for a 30-day public review and was sent to 15 state or local government agencies, and 17 individuals, including all of those individuals who provided comments during the public scoping period and 57 media sources. The EA was also posted on the BLM website.

A total of 10 separate comments letters were received on the EA. From these letters, 11 substantive comments were identified. Exhibit A stating the comments and BLM response accompanies the Decision Record and is part of the permanent file.

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

Pursuant to the Endangered Species Act (ESA), informal consultation was completed with the U.S. Fish and Wildlife Service, which concurred via letter dated August 16, 2012, that the action will have “no affect” on Black-footed ferret, Canada lynx, Gray wolf, Colorado pikeminnow, Bonytail, Humpback chub, Razorback sucker and Ute ladies’-tresses. The project is not likely to jeopardize continued existence; of Greater Sage-Grouse with a provisional determination of “may affect not likely to adversely affect” for the species if listed under ESA.

### **Tribes**

The Eastern Shoshone Tribe of the Wind River Reservation, Arapaho Tribal Business Council and Shoshone-Bannock Tribes of the Fort Hall Reservation were notified of this project during the EA process, requesting information regarding tribal issues or concerns relative to the project. The Eastern Shoshone Tribe conducted an onsite of the project. It has been documented through numerous emails and voice mails with the Eastern Shoshone Tribe’s Cultural & Spiritual Representative that they have no issues or concerns with the project.

## **COMPLIANCE AND MONITORING**

PacifiCorp and BLM will provide qualified representatives on the ground during construction to validate construction, reclamation, other approved design and compliance commensurate with the provisions of the Decision Record.

PacifiCorp will provide a 3<sup>rd</sup> party environmental compliance (EC) monitor during project construction. The EC will report directly to the BLM Compliance Specialist and shall have the authority to act upon, and implement instructions from the BLM Compliance Specialist.

A pre-construction meeting will be held to coordinate specific BLM requirements prior to initiation of construction activities. Appropriate remedial action will be taken by PacifiCorp in the event unacceptable impacts are identified.

## APPEAL

This decision shall take effect immediately upon issuance of a Grant Issued decision signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay, see 43 CFR 2801.10 for appeals on rights-of-way. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at PO Box 768, Pinedale, Wyoming 82941. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

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

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, CO 80215, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

SIGNATURE

  
F-2015 Shane DeForest  
Field Manager  
Pinedale Field Office

  
Date

Response to Comments on the Anticline Electrification Phase I EA

This response to comments document provides answers to questions and clarification to the concerns that were brought forth from the public on EA. The comments and responses are arranged by resource. Topics include wildlife resources, reclamation and cultural/historic resources.

\*\*\*\*\* WILDLIFE RESOURCES\*\*\*\*\*

- 1) Expressed concern regarding the 10 mile 230 kV amended route. Continue to support the original approved route along Highways 191 and 351. Amended route will result in disturbance of approx. 3 miles of undisturbed areas that provide nesting habitat for greater sage-grouse.

Alternative 4 was created to assess the impacts of this proposal. Additional factors that were considered regarding the 230 kV alternatives is the potential need for 230 kV service at the Falcon site. If the site requests service, an overhead 230 kV line would be required to loop from Highway 191 to the site and back out to the highway, which would result in disturbance to the subject area. Also, if operators requests distribution service in DA5, distribution lines would be constructed through the area as well.

- 2) Concerned that the 230 kV line may provide raptors an additional perching source, potentially impacting sage-grouse.

Perch discouragers would be utilized on the upper and lower cross arms of the 230 kV H-frame structures and pole caps would be installed on the pole tops to minimize perching opportunities for raptors.

- 3) Recommend distribution lines be buried wherever possible.

Distribution lines are proposed to be buried where possible. Lines designated as backbone power supply would remain overhead. Tap lines would be buried except in locations where the lines are required to cross the designated pipeline corridors. Additional information is contained in the EA.

- 4) Encourage use of best scientific methods to deter raptor perching in order to minimize impacts to sage-grouse.

The proposed overhead distribution and 69 kV transmission lines would be raptor safe in accordance with APLIC recommendations, using a perch minimizing design (including pole caps). 230 kV transmission H-frame structures would include perch discouragers and pole caps.

- 5) Support the use of raptor deterrents to protect raptors from collision or electrocution.

The lines would be built to avian safe specifications to minimize electrocutions and would include flight diverters at the New Fork River crossing to minimize collisions.

- 6) Recommend monitoring overhead lines to identify the effectiveness of applied methods.

Rocky Mountain Power is currently conducting raptor monitoring on the 16 mile Cimarex project near Big Piney Wyoming to monitor the effectiveness of perch discouragers and post side-mount insulators in the prevention of perching by raptors. Rocky Mountain Power also conducts statewide raptor monitoring in Wyoming on an annual basis.

\*\*\*\*\*RECLAMATION \*\*\*\*\*

- 7) Recommend areas that are disturbed in the course of this action be reclaimed and monitored to meet current reclamation criteria as described in the Reclamation Plan for the 2008 Pinedale Anticline Record of Decision. Reclamation of surface disturbance should be initiated during the first appropriate season and include native shrubs, forbs and grasses to restore habitat function as soon as possible.

A reclamation plan is incorporated into each right-of-way and temporary use permit authorization. Seed mix was developed through coordination with the JIO/PAPO office.

\*\*\*\*\*CULTURAL/HISTORIC TRAIL RESOURCES\*\*\*\*\*

- 8) Wish to renew their continued request that all heavy equipment operators working in the field receive in-depth training regarding the importance of avoiding and respecting all cultural resources in the area.

Cultural Resources training would be conducted with the construction personnel prior to initiation of construction.

- 9) Trust that special consideration will be paid to ensuring that these electrification projects have little to no impact on the recently established New Fork Crossing Historical Park. It would obviously be a great shame if this model outcome of Section 106 mitigation were disturbed in any way by subsequent activities in the project area.

The proposed distribution and transmission lines would have no effect on the New Fork Crossing Historical Park.

10) Both the 25 kV and 69 kV under all routing options will have visual impacts on the setting of the Lander Road.

The visual setting of the Lander Road and the newly defined Wagner's Variant to the Lander Road will be adversely affected. The amended Lander Road Programmatic Agreement was developed to mitigate these very affects to the Lander Road/ Wagner Variant. The 25 kV distribution line, was directly addressed in the amended Lander Road Programmatic Agreement. Before the BLM will authorize the construction of the 69 kV transmission line it will required that the adverse effects to the Lander Road and Wagner Variant be mitigated.