

APPENDIX G

Basin Electric Cooperative Proposed 230 KV Transmission Line from Teckla to Carr Draw, Wyoming

EA Public Comments Received and Forest Service Responses

Comment(s) received from:

1. Wendell Funk, Palmyra, Illinois
2. USDI Bureau of Land Management, Buffalo Field Office
3. Tad Daly for Jerry Dilts, Gillette, Wyoming
4. Glen Barlow, Gillette, Wyoming
5. Joseph C. Maycock, Gillette, Wyoming
6. David Belus, Buffalo, Wyoming
7. J. Richard Mankin, Gillette, Wyoming
8. Eric S. Barlow, Gillette, Wyoming
9. Mitchel M. Maycock, Gillette, Wyoming
10. John Kolnik, USDI Bureau of Land Management, Buffalo Field Office

Comments and Forest Service Responses:

1. Whether or not the proposed action will have a significant adverse impact on air quality locally, regionally and/or nationally, and will contribute to global warming to a level that could exceed the human benefits to be gained by implementing the project.
Commenter (1)

The proposed project would not have a significant adverse impact on air quality locally, regionally or nationally. During the construction phase of the transmission line, the project would result in short-term emissions being but into the air environment from the operation of vehicles (tailpipe emissions) and the generation of fugitive dust along roads and at pole installation sites. These construction-related emissions would have a minor short-term direct impact on air quality locally. These construction-related impacts would be restricted to the relatively short period of construction along the proposed utility line corridor and would diminish, and for all intents and purposes would cease as soon as construction is complete. Because

construction-related emissions would not exceed National Ambient Air Quality Standards (NAAQS), the cumulative effect of construction activities on air quality in the region would be negligible.

The proposed transmission line would not produce greenhouse gases and, as the electric power that will flow through the lines would be generated independent of this project, there would be no global warming potential resulting from operation of the transmission line. A discussion of air quality impacts can be found on page 84 of the Environmental Assessment (EA).

2. Whether or not the proposed action could be implemented in a way that achieves the purpose and need for the project without involving any national grassland. (1)

Construction of the power line from the Teckla Substation key grid location that is located on National Forest System (NFS) lands in a way that avoids national grassland would not be possible. To locate off of NFS lands would require significant project design changes and would necessitate locating the existing key grid substation to a new location on private land.

3. Whether or not the proposed action will adversely impact the black-tailed prairie dog, and the re-introduction of the black-footed ferret on the Thunder Basin National Grassland (TBNG). (1)

The proposed transmission line would have no significant beneficial or adverse impact on the black-tailed prairie dog or the black-footed ferret. Prairie dog colonies were once located mostly on private land along the area of the right-of-way (ROW), however, these dog towns have been poisoned by those land owners. Numerous black-tailed prairie dog colonies exist elsewhere on Federal, State and private land in Campbell County, Wyoming. No known black-footed ferret populations are located within one (1) mile of the power line ROW, and no significant adverse impact to black-footed ferrets would be expected out of implementing the Proposed Action. A discussion of potential impacts to black-tailed prairie dogs and black-footed ferrets can be found on page 61 of the EA.

A black-footed ferret re-introduction site has been established on the TBNG. This re-introduction site is located at least fifteen (15) miles from the nearest point of the project. The proposed project would not affect this black-footed ferret re-introduction site.

4. Whether or not the proposed action will adversely impact surface water quality locally in drainages adjacent to the project area, and/or elsewhere in the Powder River Basin. (1)

No significant adverse impacts to surface water quality are anticipated. Surface water resources in the area of the proposed ROW are limited to several small streams/creeks, as well as impounded stock ponds on pastureland, and ephemeral drainages. All water bodies and associated buffer areas along the transmission line ROW that would be crossed are less than 30 feet wide. As a result, the proposed constructed pole interval of 800 feet would enable the proponent to physically span water bodies and buffer zones along the proposed transmission line corridor. In addition, H-frame poles would not be located adjacent to water bodies and wetlands that must be avoided as part of the proponent's environmental protection policies. Power line poles would be treated with pentachlorophenol. No significant adverse impact on surface water quality from this preservative is expected.

Construction activities would be conducted in accordance with a stream sedimentation and erosion control plan required by the land use permit. The plan would be included as part of a water quality protection plan to be submitted under Section 401 of the Clean Water Act. Components of this plan would include the use of best management practices (BMPs), avoidance of surface water and re-vegetation of all disturbed areas. After construction, no direct, indirect, or cumulative adverse impacts to surface water quality are anticipated, in part because surface disturbance would be limited to poles being placed in the ground. A discussion of surface water quality can be found on page 89 of the EA.

5. Whether or not the proposed action will have a beneficial effect or significant adverse impact on socio-economic conditions in local communities, regionally or nationally. (1)

No direct or indirect significant adverse impacts on local socioeconomic or other community conditions are anticipated. The proposed project would have no significant adverse impact on communities, regionally or nationally. The project would have a short-term beneficial effect on the local economy of Campbell County, Wyoming during the construction period of the proposed project for an estimated six (6) to twelve (12) months. It is expected that most the construction work force would be native to the Gillette area and Campbell County. The estimated labor cost for construction in 2001 dollars is \$10-12 million. The labor costs would be spread over and accrue revenue in the community during the up to one (1) year construction period and would include salaries, benefits and overtime for contract supervisors, skilled and unskilled labor, and the rental of various construction equipment. The average payroll is estimated at \$1 million per month.

The majority of income generated by construction and operation of the Proposed Action would be spent in the area and would result in increased sales tax receipts throughout the area. Assuming that 75 percent of these wages and salaries represent disposable income, and that the local spending capture rate is 20 percent

for non-local construction workers, a total of \$1 million to \$2 million in local spending for goods and services would be expected as a result of the proposed transmission line project. A discussion of socioeconomic impacts can be found on page 106 of the EA.

6. Whether or not the proposed project will have a significant adverse impact on the scenic (visual) condition and qualities of the environment in the area where the transmission line will be built. (1)

Many types of developments have impacted the landscape's natural state - a rolling sagebrush and short grass prairie, past and present. Linear features, including highways, local gravel and "two-track" roads, other existing power transmission lines, fences and railroads occur in the area of, and sometimes transect the proposed power line ROW. Transmission lines may negatively impact the visual appearance of a natural landscape, making the landscape appear more urban or developed. According to the 2002 Grassland Plan, the visual quality objective on NFS lands in the project area is "modification". This objective class provides for the existence of management activities that visually dominate the characteristic landscape. The Proposed Action meets the visual quality standards of the area for the USDA Forest Service, USDI - Bureau of Land Management, State of Wyoming, and Campbell County. Private land owners may not concur with the standard and its effect on scenic views on or for their private land. A discussion of scenery management and the effects of the project on the visual landscape in the project area can be found on page 115 of the EA.

7. Whether or not the proposed project will have an adverse impact on local resident's TV, radio and/or other signal reception needs, or on the health and safety of persons living or working near the transmission line. (1)

Interference with radio and television signals could occur in vehicles driving in the vicinity of, or in homes located near the transmission line. However, interference is expected to be minimal at most, as radio and television interference generally occurs near older transmission lines with loose or dirty insulators and spark gaps. Some AM radio interference may occur within 150 feet of the proposed transmission line. The proposed transmission line should not produce objectionable levels of television signal interference since the ROW avoids areas near occupied dwellings. A discussion of radio and television interference can be found on page 121 of the EA.

As with household electrical wiring, high voltage electric power transmission lines can inflict serious electric shocks if precautions are not taken to minimize the hazard. Avoidance of objects, such as antennas and irrigation equipment, near the ROW for the transmission line is a proper precaution that would be observed. All of the proponent's transmission lines are designed and constructed in accordance with the National Electrical Safety Code (NESC) standards to minimize shock

hazard. Operation of the transmission line would result in increased electric and magnetic fields (EMF) levels in the area adjacent to the transmission line. However, numerous sources of EMF exist in nature and in occupational and residential environments. In October 1996, the National Resource Council (NRC) completed a 17-year study of EMF and concluded that the evidence so far “does not show that exposure to these fields presents [any specific] human health hazard”. Because the majority of the proposed alignment would be located in rural, undeveloped areas away from where people live, the potential for effects is further diminished and no significant direct or indirect adverse impacts on Human health and safety are expected. A discussion of human health and safety and the proposed transmission line can be found on page 128 of the EA.

8. Whether or not the proposed site-specific power line project will bring the benefit of electric power and an improvement in the quality of life for rural families in rural areas as seems to be implied in the EA, or is solely and primarily for the benefit and purpose of providing electric power to, and meeting the energy demands of the large coal, oil and gas extractive industries in the Powder River Basin. (1)

The purpose of this project is to meet increased demand for electric power in the western Powder River Basin area, to improve power grid stability and to keep local power transmission system(s) technically “up to date” and in compliance with current industry standards. The proposed project is needed to maintain adequate voltage levels, to improve system reliability and continuity of service, and to reinforce the existing system to enable Basin Electric to serve the additional power requirements of the development of coal bed methane (CBM) resources in Campbell County. System load requirements are based on Basin Electric’s projected member load growth and the transmission system required. Performance needs include not only accommodation of future growth, but also enhancement of current overall system reliability in northeastern Wyoming. Enhancing overall system reliability in northeastern Wyoming would make indirect improvements to quality of life. This project would benefit all users of electric power in the western Powder River Basin area. A discussion of the purpose and need for this project can be found on page 3 of the Environmental Assessment.

9. Whether or not the proposed action will provide the alleged sustained, long-term benefit to the people and communities locally and regionally, or only a relatively short-term benefit to these communities during the period of mineral extraction. (1)

The local utility provider has built a 69 kV system to deliver power to its distribution substations. This 69 kV system is not, however, adequate to serve the projected load to the area west of Gillette. The local utility provider is already hard-pressed to maintain voltage in the western edge of the existing 69 kV systems. As a result, a 230 kV source is needed in this western region of the system. The significant expense associated with constructing and maintaining a 230 kV

transmission line requires long-term benefits. Short-term benefits would not justify this type of project. See also the response to Comment #8, above. A discussion of the purpose and need for this project can be found on page 3 of the EA.

10. Whether or not the transmission line should utilize existing transmission line / utility corridors to minimize land use conflicts and conserve as much as possible of the untouched scenery of Wyoming. (3) (4) (8) (9) (10)

The proposed transmission line would connect with existing substations at Teckla and Carr Draw and proposed combustion turbines (CT) at Hartzog and Barber Creek. Transmission lines may negatively impact the visual appearance of a natural landscape, making the landscape appear more urban or developed. According to the Grassland Plan, Visual Quality Objective for the area is classified as modification, a classification that allows management activities to visually dominate the original characteristic landscape.

It would not be feasible for the proposed transmission line to follow existing utility corridors, only, to connect with the existing infrastructure of the electric power transmission system grid. The Forest Service interdisciplinary team considered several alternatives to the proposed action and the proposed transmission line corridor location and used comprehensive screening criteria to test the validity, reasonableness and/or practicality of each of those alternatives. The proposed action better meets more of those criteria than any of the other alternatives considered, and includes the benefit of the minimization of the total number of power line angle points. The Proposed Action meets the visual quality standards of the USDA Forest Service, USDI Bureau of Land Management, State of Wyoming, and Campbell County. A discussion of scenery management can be found on page 115 of the EA.

11. Whether or not a proposed land exchange with the USDA Forest Service in the area of the proposed transmission line route has any bearing now on the consideration of Alternative 6 that would cross approximately three and one-half more miles of Federal Land, as described in the EA. (3)

There is a proposed land exchange that could result in this effect. The completion and/or final configuration of land exchanges involve fragile bilateral negotiations between parties. Completion and/or final configuration of ownerships are always uncertain. It is speculative to forecast what the final outcome of a proposed land exchange will be. The land exchange may not happen. Because of these many factors and variables, current land ownership and status is used for analysis. (Note: the merits of the proposed land exchange referred in the comment, and the experience of the private party involved in that exchange do make it less speculative than is typical.)

12. Whether or not the use of existing corridors eliminates the need to acquire new easements, since existing easements may already be adequate or may simply need to be modified or enlarged. (3)

The acquisition of new easement agreements, even though in some cases they may be little more than an expansion of an existing easement or parallel to an existing easement, will be required.

13. Whether or not the power line route considered in Alternative 6 is the “better route” and should have been fully analyzed in detail as a viable alternative to the Proposed Action. (3)

Alternative 6 was considered but eliminated from detailed study for reasons disclosed on pages 18 and 19 of the EA. These reasons include the additional miles of power line construction, the high number of miles of ROW that would occur on Federal (public) land, the large number of power line turns and angles required to avoid occupied dwellings and other improvements, landowner objections, the large number of railroad crossings, and technical system load reliability concerns associated with the placement of the proposed power line parallel and adjacent to an existing transmission line. See also the response under Comment #22, for information about the Forest decision pending for this project and what is and is not within the authority and jurisdiction of the agency responsible official. See also the responses to comment nos. 15 and 16 as regards the important role of landowner and proponent negotiation and agreement in determining the final ROW location on private land all along the ROW.

14. Whether or not the EA objections, (“wind or other problematic events” could damage both lines disrupting power from both lines”) to Alternative six (6) about parallel power lines are valid concerns, i.e. the power lines meet at the Teckla Station and run parallel with each other some distance. (3)

A portion of the route for Alternative 6 would parallel an existing transmission line. Parallel alignments of transmission lines are acceptable when other alternatives do not exist. However, the parallel alignment of Alternative 6 presents electrical system load reliability concerns. Impacts from wind or other events could damage both lines, and undermine or disrupt the transmission of electricity on both lines. These types of events would disrupt power in the entire electrical grid system, whereas a non-parallel alignment would maintain one segment of the electrical grid, permitting electricity to be rerouted. Problematic events damaging transmission lines are not uncommon and damage to transmission lines occurs even when events are not catastrophic. Basin Electric engineers prefer to not construct parallel transmission lines. A discussion of parallel transmission lines can be found on page 18 of the Environmental Assessment.

15. Whether or not it is fair and correct for Basin Electric Cooperative to acquire perpetual easements, while the easements from the State of Wyoming and BLM have termination terms and require annual payments with fee adjustment provisions. (4) (5) (6) (8) (9)

This issue is governed by State and Federal laws, is subject to negotiations between landowners and the proponent, and is outside the scope of the site-specific environmental effects analysis of the project proposed and Forest Service jurisdiction.

16. Whether or not the proposed power lines will financially devalue the private land they cross. (4) (5) (6) (8)

The dollar value of private land in the area near and where the proposed power transmission line would be built could be affected. Compensation to private land owners, including the method, type, form, and/or negotiated specific dollar payment amounts is a matter between those landowners and Basin Electric Cooperative, and would be the product of formal agreements reached between those parties.

17. Whether or not, since the proposed power line will be operated by a public utility, the power line should be constructed on public Federal and State land, and not on private land, wherever possible. (4)

On Federal lands the applicable land management plan governs land uses. On National Forest System Lands, the basic strategy is to not encumber those lands with outstanding rights unless they are necessary and in the public interest, and opportunities to locate the use on non-Federal land has been examined, pursued and exhausted. United States Department of Interior – Bureau of Land Management policies are similar to the Forest Service. State law governs private and State-owned lands.

18. Whether or not the “proposed best action” addresses the needs of Basin Electric and its customers while also minimizing the concerns of, and impacts to landowners. (5) (6) (7) (8) (9)

The Proposed Action is the action brought to the Forest Service for the agency’s consideration by Basin Electric Cooperative more than two (2) years ago. Presumably then, it fully meets the needs of Basin Electric, and also its consumers in northeastern Wyoming by enhancing overall electric power delivery system reliability. Prior to conducting field surveys and proposing a route to Forest Service officials, Basin Electric representatives met with landowners all along the proposed transmission line route to identify potential issues and conflicts, and to assess the

level of local landowner support and cooperation, and considered various alternative corridor routes, at least in part in this regard. The level of landowner participation and cooperation during those early days of project planning to a large extent influenced the location of the route that was presented to Forest Service officials and is the Proposed Action analyzed as documented in the EA. By doing this, it was possible for Basin Electric to address and mitigate many, if not all, landowner concerns and impacts. A discussion of the route selection process can be found on pages 12, 16 and 17 of the EA.

19. Whether or not the power line will meet scenic integrity objectives of the area or unreasonably adversely impact the views from private land. (4) (5) (8)

Many types of past and present activities and development have impacted the landscape's natural state of sagebrush and short grass prairie. Linear features of highways, gravel roads, and two-track roads, existing transmission lines, fencing, and railroads transect the proposed ROW. Transmission lines may negatively impact the visual appearance of a natural landscape, making the landscape appear more urban or developed. The level of impact on views and scenery is a subjective determination and depends on an individual's preferences and background. Objectively, the Proposed Action meets the visual quality standards of the USDA Forest Service, USDI Bureau of Land Management, State of Wyoming, and Campbell County. A discussion of scenery management can be found on page 115 of the Environmental Assessment.

20. Whether or not the biological assessment and biological evaluation is adequate with regard to the analysis of effects of the proposed action on prairie dogs, sage grouse and swift fox. (5) (8) (9)

The Forest Service and BLM wildlife biologists have determined that the biological assessment and biological evaluation completed adequately addresses the potential effects of the project on threatened, endangered and sensitive animal and plant species that do or could occur in the analysis area.

21. Whether or not the EA includes documentation of the analysis of a reasonable range of alternatives to the proposed action for the portion of the power line that will be located north of Hartzog substation, including alternative(s) that capture the recommendations made by Mitchel M. Maycock and Joseph C. Maycock, who are landowners in that area. (8) (9)

The specific route of the power line beyond the initial approximately 4,500 feet of National Forest System Lands near the Teckla Substation is outside Forest Service jurisdiction, and has been or will be negotiated between other landowners and the proponent, and is governed by State law. According to officials at Basin Electric

Cooperative, the area north of the Hartzog substation presented them with few if any practical routing options other than what they have proposed due to the need to connect the existing Hartzog, Barber Creek and Carr Draw substations and proposed combustion turbines along the power line route. While best accommodating terrain features, the proposed action provides the shortest possible power line segment connecting the Barber Creek and Hartzog substations. Connecting with the existing electrical system infrastructure is a requirement of all alternatives that were considered in detail. The electric power transmission line location (alternative) supported by Mitchel M. Maycock and Joseph C. Maycock would not connect with the Barber Creek substation. A discussion of alternatives considered can be found beginning on page 13 of the EA.

22. Whether or not the public scoping process steps, opportunities and efforts taken by the proponent and the Government meet the minimum requirements of NEPA (National Environmental Policy Act of 1969) for full public involvement. (4) (5) (6) (7) (8) (9)

The level of public scoping that occurred has been reviewed. The Forest Service ID team has determined that the public scoping efforts are at least minimally in compliance with 40 CFR Part 1501.7, the regulation for implementing the *Procedural Provisions of the National Environmental Policy Act*, and with 36 CFR, Part 215.5: *Notice, Comment and Appeal Procedures for National Forest System Projects and Activities*.

Those persons that missed, or otherwise did not have or take the opportunity to comment during the initial public scoping period that occurred in 2002 had the opportunity more recently to review and comment on the environmental effects analysis and the entire EA document, and those persons who commented have gained status to appeal the final agency decision, if they so chose.

(It should be noted here that the Forest Service decision to be made is whether or not, and if so where, to grant an easement over approximately 4,400 feet of National Forest System land beginning at the Teckla Substation and going west. The Environmental Assessment and project record provides adequate information and the analysis results needed to make this decision. The minimum-needed level of specificity in the analysis is to (1) display the site specific impacts on the National Forest System lands and (2) determine if a "finding of no significant impact (40 CFR, Part 1508.13)" as stated in 40 CFR, Part 1500.4(q) is appropriate.

Due to the requirement of 40 CFR, Part 1508.7 to consider the cumulative impacts from reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or persons undertakes such other actions, the analysis includes the potential significant beneficial effects and adverse impacts from the proposed power line on other land ownerships along the entire 71-mile proposed route. To determine if there is a basis for,

and a "finding of no significant adverse cumulative impact" can be made for the portion of the project not on National Forest System lands, the analysis considered, and the EA discloses, expected resource impacts along the entire 71 miles of the power line route and ROW.

It should be kept clear in the readers mind that the Forest Service has no jurisdiction over deeded lands and has no decision to make regarding what would occur and where it would occur on those deeded private lands, or on lands administered by other agencies with lands located along the proposed route of the project. The Forest Service decision does not preclude any other Federal, State, or private landowners elsewhere along the route of the power line from further negotiating the final alignment of the power line right-of-way across their Federal, State or private land. A BLM official will make a separate and independent decision as to if, how and where the proposed transmission line would cross public land administered by that Federal agency.)

(end)