

Notice of Proposed Action for Scoping and Comment Period

Holy Cross Energy Avon-to-Gilman 115-kV Transmission Line

**Eagle/Holy Cross Ranger District, White River National Forest
Eagle County, Colorado**

Comments Welcome

The White River National Forest (WRNF) welcomes your comments regarding the proposed Holy Cross Energy (HCE) Avon-to-Gilman 115-kV Transmission Line project. Your comments will help us complete an Environmental Assessment (EA). The EA will be used to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Instructions for submitting comments are described on the last page.

This Notice of Proposed Action (NOPA) has been prepared to solicit public comments in response to the Purpose and Need for Action; the Proposed Action; and potential alternatives to the Proposed Action. Potential effects of the Proposed Action to the human and biological environment will be analyzed and disclosed in an EA, which will consider public comments received in response to this NOPA. If the Forest Service determines there are no significant impacts, that finding along with the EA, a draft Decision Notice and FONSI will be published for a 45-day objection period. If no specific written comments are received during this designated opportunity for comment, the project will not be subject to objection. Following the 45-day objection period, the Forest Service will publish a final Decision Notice and FONSI. If the EA concludes a potential for significant impacts exists, an EIS will be prepared.

Please note that this 30-day period (March 2 to April 1, 2020) is serving as both scoping and the sole comment period for the Proposed Action. There will not be another opportunity to comment. A public informational open house will be held in the USFS Holy Cross Ranger Station at 24747 U.S. Hwy 24, Minturn, Colorado on Thursday March 12, 2020 from 4:30 to 7pm.

This NOPA also is requesting your comments under Section 106 of the National Historic Preservation Act (NHPA), as amended. Consultation under the NHPA seeks to determine the views about an undertaking and its effects on historic properties for consideration in decision making by the agency official (36 CFR 800).

Background

HCE, in coordination with Xcel Energy, performs periodic reviews of the regional electric system to evaluate known weaknesses or problem areas. Because the existing electrical system in the Avon-Minturn-Vail area is a “radial” rather than a “loop” system, there is no

backup for some portions of the electrical grid. A radial system is essentially a dead-end, with a single supply for a group of customers. A loop system provides alternative energy sources that can be switched to feed energy, avoiding outages if part of the system fails. For the Minturn and Red Cliff communities, engaging backup energy supplies relies on hand-switching power supplies on the ground, which can be problematic in inclement weather. Over the last three years, HCE has coordinated with affected communities and has held public outreach meetings.

Purpose and Need for Action

The purpose of the project is to provide increased service reliability to HCE customers located in the communities of Vail, EagleVail, Avon, Edwards, and parts of Eagle, and to serve as a backup transmission circuit for the communities of Minturn, Red Cliff, and surrounding areas. The need for the proposed project is driven by current risks of electrical outages and service interruptions due to a lack of redundancy in the current local transmission circuit. Enhanced reliability would benefit public safety, local and regional economies, and national security.

Proposed Action Alternative

To address the purpose and need, the Forest Service proposes to provide a Special Use Authorization (SUA) to HCE, allowing them to construct, operate and maintain the transmission line (see map). Under the proposed action, WRNF would issue a SUA to HCE for a 115kV electric transmission line providing circuit connectivity between the substation at Avon and the substation at Gilman. The proposed action includes construction of new power structures along 8.9 miles of new transmission line; right-of-way clearing and removal of hazard trees; conductor stringing and splicing work; staging and access via vehicle, ATV, and helicopter; and minor maintenance and patrolling. Approximately three miles of the total transmission line alignment occurs on National Forest System (NFS) land, and about three miles of the total alignment is anticipated to be placed underground. Specific sections to be buried on NFS land will be determined as part of the final alternative development (note that the Forest Service cannot dictate where the line is buried for the portions of the project that are not on NFS land). The remainder of the transmission line would be on overhead transmission structures. Supporting structures for the overhead portion of the line would be primarily single-pole wood or steel, ranging from 50 to 75 feet in height. The WRNF SUA also would authorize the continued use of existing and new access roads for the associated construction and maintenance activities. Some existing access roads would require improvement for use by the project, and short “spur” roads to structures may be needed. Two areas of limited ground (road) access are anticipated to require helicopter-only construction. These areas are 1) from south of the Avon substation southeast to the vicinity of Dowd Junction (I-70 and Highway 24 intersection) and 2) steep slopes south of Two Elk Creek (see map).

The transmission line would run southeast from the Avon substation and transition to underground north of the town of Minturn, pass through the east side of Minturn before transitioning back to overhead construction, and terminate at the Gilman substation. The project is within Townships 5 and 6 South, Range 81 West, 6th Principal Meridian, Eagle

County, Colorado. Much of the proposed route is within existing right-of-way already occupied by other existing linear utility facilities/infrastructure including an HCE distribution line, and a gas pipeline and distribution line operated by Xcel Energy. Construction would take about eight months and would occur when conditions are favorable (late spring through fall timeframe).

Forest Service Management Direction

The 2002 White River National Forest Land and Resource Management Plan (Forest Plan), provides current direction, management goals, objectives, and standards and guidelines for activities across the WRNF that are general requirements for the administration of NFS lands. The general objective of the Forest Plan is to provide strategic, forest-wide direction to guide all resource management activities occurring within the WRNF. The Proposed Action is anticipated to be consistent with the Forest Plan; specifically, Goal 2 (Multiple Benefits to People), Objective 2c (Improve the capability of national forests and rangelands to sustain desired uses, values, products, and services) on pages 1 through 11, as well as the Standards and Guidelines for Utility Corridors listed on pages 2 through 45.

The project area is located within the Category 5 Forest Plan-designated management areas (MA's) described below, which are managed to meet both ecological and human needs and are characterized by substantially modified natural environments. The project will be designed to conform to the Forest Plan and all other laws, regulations, and policies. Forest Plan standards and guidelines will be applied as appropriate to meet Forest Plan goals and desired conditions.

5.4 Forested Flora & Fauna Habitats

This MA seeks to provide a mix of forested ecosystems and while managing human needs including wildlife and aquatic habitats, livestock grazing, and forest production. Applicable MA 5.4 standards and guidelines include the following:

- New roads and trails needed to implement management in the area should be low-standard, single-purpose roads.
- Travel ways open to summer motorized travel will not exceed an average travel way density of two miles per square mile.
- Protect, enhance, and restore habitat for native fishes.

5.41 Deer & Elk Winter Range

Lands in this MA are managed to provide adequate quality forage, cover and solitude for deer, elk and other species. Human activities are managed so that deer and elk can effectively use the area. Applicable MA 5.41 standards and guidelines include the following:

- Vegetation composition and structure are managed to meet the needs of deer, elk, and other species on their winter ranges within the constraints of the conservation of biological diversity and the maintenance and enhancement of sensitive habitats.
- Over-the-snow vehicle use is restricted to designated routes and play areas unless authorized by special use permit or for emergency use.
- All new roads passing through this area will avoid important forage, cover, and birthing areas.

- Roads and trails needed to implement management in the area should be low-standard, single-purpose roads.
- Avoid crossing these areas with new arterial and collector roads.
- Restrict recreation activities that would disturb deer and elk during winter and spring periods.
- Discourage special uses that require access during winter and spring periods.
- Where trees and shrubs are sparse, and terrain is the primary factor providing cover, minimize human activity during periods when elk and deer are concentrated in the area.

5.43 Elk Habitat

Lands in this MA are managed for elk habitat and some human activities including, non-motorized recreation, timber harvesting and livestock grazing. Applicable MA 5.43 standards and guidelines include the following:

- Travelways open to motorized travel will not exceed an average travelway density of one-half mile per square mile during seasonal periods when the area is designated for calving, migration, winter, or summer habitat (see Wildlife Guideline 2, below).
- Vegetation management practices will be used to maintain or improve elk habitat.
- Provide adequate forage to sustain elk populations.
- The following dates may be used for restrictions of activities, depending upon the objectives for which the area was established.
(Proposed alignment overlaps with polygon 34, only applicable to calving)
Calving - May 15 to June 20.

5.5 Forested Landscape Linkages

Lands in this management area are managed to provide migration and movement corridors for forest carnivores and other wildlife species. Human use and recreation activities are limited to predominately non-motorized, backcountry recreation. Motorized areas are primarily access routes and may include seasonal travel restrictions. Applicable MA 5.5 standards and guidelines include the following:

- Designated travelways are open to motorized and mechanized travel when such use is compatible with the area objectives.
- Roads needed to implement management in the area should be low-standard, single-purpose roads and should be closed or decommissioned following management activities.
- Development of new recreation facilities and expansion of existing facilities will be discouraged.
- Open motorized and mechanized travelway density will not increase.
- Over-the-snow vehicles are restricted to designated routes and play areas.
- Recreation use of these areas may be restricted to ensure the effectiveness of the area for use by forest carnivores and other wide-ranging wildlife species. Potential security habitats will be protected from concentrated recreational use.
- Potential security habitats will be protected from intensive recreational use or development.

Nature of Decision to be Made

For this project, the responsible official is the WRNF Forest Supervisor. In order to make a decision, the responsible official will review the EA, Purpose and Need for Action, Proposed Action (and other potential alternatives), all public comments, and the administrative record to determine:

1. Whether to conclude the Environmental Assessment by releasing a Decision Notice and FONSI, or by releasing a Notice of Intent to prepare an EIS.
2. Upon completion of all environmental analysis, whether the proposed action will proceed as proposed, as modified by an alternative, or not at all.
3. If it proceeds, what design features/mitigation measures and monitoring requirements should be applied to the proposed action.

Public Involvement

No public scoping has occurred for the Forest Service EA process. However, HCE has been conducting public outreach related to the project since 2016, including meetings with the Town of Minturn and landowners, and meetings open to the public. The project was first listed in HCE's Schedule of Proposed Actions in November 2019 and updates have been provided quarterly. Further information about this project can be found on the Forest Service website at <http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=57224>.

Alternatives to the Proposed Action

No Action

The No Action Alternative provides a baseline for comparing the effects of the action alternatives. The No Action Alternative essentially reflects a continuation of existing management practices without changes, additions, or upgrades. No new facilities or recreational opportunities would be approved under the No Action Alternative. In accordance with Forest Service Handbook 1909.15, Chapter 40, Section 41.22, and 36 CFR 220.7(b)(2)(ii) the EA will not include an analysis of the No Action Alternative. The Forest Service Handbook states:

A stand-alone no-action alternative is not required. However, the effect of taking no action should correlate closely with the purpose and need. In other words, the effects of not taking action should provide a compelling reason for taking action and, therefore, should be consistent with the purpose and need for action. (FSH 1909.15). Under the No Action Alternative, the risks associated with a terminal rather than a loop system would not be resolved. The no action alternative does not address the purpose and need for the proposed action to provide necessary system upgrades and redundancy and to improve service and reliability for the local communities served. Existing infrastructure would continue to be used to provide electrical service to nearby communities. The area would continue to be used for municipal purposes, recreation, personal use forest product gathering, hunting and grazing. If the existing line energizing Vail fails, the town, including emergency services, could lose power for an extended time while power is restored. There could be associated impacts to the surrounding communities related to lost business and services.

Other Alternatives Considered but Eliminated from Detailed Study

An alternative that would shift the line outside of Minturn toward the east was considered but eliminated due to concerns about impacts to roadless areas and undisturbed vegetation communities and wildlife habitat.

An alternative that would shift the line outside of Minturn toward the west was considered but eliminated due to concerns about impacts to Meadow Mountain and extensive use for recreational activities by local residents.

An alternative that would parallel the existing transmission lines that run east from the Avon substation toward Vail, then cross I-70 was considered but eliminated because it would place the new line in the same corridor and therefore would not provide redundant functionality. The intention for the new line is to provide an independent corridor that would function if the existing line fails due to an adverse event within the existing corridor.

Effects and Issues to Consider

The EA will focus on issues identified to date, and those identified during public and agency scoping. The EA will also address the potential effects of the proposed action and alternatives to the following: public safety, hydrology, soils, wildlife / aquatic biology, scenery, cultural resources, recreation, timber and vegetation, and waste/hazards. The EA will be issue-driven and contain detail commensurate to the degree to which a resource may be affected.

Issues are cause and effect relationships that arise as a result of the proposed action. Initially, the Forest Service has identified the following issues to be considered:

Issue #1: The project may increase diminish the visual quality of the Minturn area, including Dowd Junction/Minturn Gateway, Mountain Meadow, local trails, Top of the Rockies Scenic Byway, and the town of Minturn itself.

Issue #2: The project may increase the risk of wildfire in the areas it is proposed to cross. Alternatively, the powerline may be placed in locations where it is susceptible to wildfire from potential ignition sources, such as the Minturn Shooting Range.

Issue #3: The project may change the occurrence of electromagnetic fields.

Issue #4: The project may impact developed and dispersed recreation uses.

Other issues raised in response to this NOPA will be considered and addressed in the environmental analysis. Some issues may be addressed through modification of the proposed action, development of a new alternative, or mitigation measures.

Comment Process

The purpose of this public comment period is to provide opportunities to the public for early and meaningful participation in the process. Please note that this comment period is serving as both scoping and the sole comment period for the project. The public is encouraged to provide specific written comments on this proposal, including supporting reasons for the responsible official to consider, as no additional 'opportunity to comment' periods will occur.

Specific written comments must be within the scope of and have a direct relationship to the Proposed Action.

Specific written comments on the proposed project will be accepted for 30 calendar days following publication of this notice in the *Glenwood Springs Post Independent* (March 2 to April 1, 2020). The publication date in the newspaper of record is the exclusive means for calculating the comment period. The regulations prohibit extending the length of the comment period.

Written comments must be submitted via mail, fax, electronically, or in person (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to: Mr. Scott Fitzwilliams, Forest Supervisor, c/o Matt Klein, Realty Specialist, White River National Forest, PO Box 190, Minturn, CO 81645; FAX (970) 827-9343. Comments may also be submitted online at: <https://cara.ecosystem-management.org/Public/CommentInput?Project=57224>.

Persons commenting should include: 1) name, address, telephone number, organization represented, if any; 2) title of project for which the comment is being submitted (Holy Cross Energy Avon-to-Gilman Electric Transmission Line); and 3) specific facts and supporting reasons for the Responsible Official to consider.

It is the responsibility of persons providing comments to submit them by the close of the comment period. Only those who submit timely and specific written comments will have eligibility to file an objection to the project under 36 CFR § 218.8. Names and contact information submitted with comments will become part of the public record and may be released under the Freedom of Information Act.

This legal notice also serves to notify and invite public comment on the proposal as stipulated in 36 CFR 800.3 of the National Historic Preservation Act.

Additional information regarding this action and the comment process can be obtained from: Matt Klein, Realty Specialist for the Eagle-Holy Cross Ranger District, White River National Forest, 24747 U.S. Hwy 24, P.O. Box 190, Minturn CO 81645, 970-827-5182, matthew.klein@usda.gov. A public informational open house will be held in the USFS Holy Cross Ranger Station at 24747 U.S. Hwy 24, Minturn CO, on Thursday March 12, 2020 from 4:30 to 7pm.

Timetable for NEPA Analysis

Initiation of combined comment and scoping period: March 2, 2020

Public open house: March 12, 2020

End of combined comment and scoping period: April 1, 2020

Estimated decision date: Summer 2020

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