

APPENDIX F
DRAFT COMPENSATORY MITIGATION PLAN FOR UNAVOIDABLE
IMPACTS TO HISTORIC TRAILS

DRAFT (September 6, 2013)

**COMPENSATORY MITIGATION PLAN
FOR UNAVOIDABLE IMPACTS TO
HISTORIC TRAILS**

Gateway West Transmission Line Project

Prepared for:

Bureau of Land Management

Wyoming State Office
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Prepared by:



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ACRONYMS AND ABBREVIATIONS

APE	Area of Potential Effect
BLM	Bureau of Land Management
Companies	Rocky Mountain Power and Idaho Power Company
EPM	environmental protection measure
EIS	Environmental Impact Statement
Gateway West	Gateway West Transmission Line Project
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HALS	Historic American Landscapes Survey
HPTP	Historic Properties Treatment Plan
NRHP	National Register of Historic Places
OATT	Open Access Transmission Tariff
PA	Programmatic Agreement
POD	Plan of Development
Project	Gateway West Transmission Line Project
SHPO	State Historic Preservation Office

1 **1.0 INTRODUCTION**

2 PacifiCorp (doing business as Rocky Mountain Power) and Idaho Power Company (Companies)
3 have provided this *Compensatory Mitigation Plan for Unavoidable Impacts to Historic Trails*
4 (Plan) to the Bureau of Land Management (BLM) as one of several plans to fully mitigate for
5 impacts identified by the Companies and/or the permitting agencies from the construction,
6 operation, and maintenance of the Gateway West Transmission Line Project (Gateway West or
7 Project). The intent of this Plan is to demonstrate that, through coordination with the BLM, the
8 Wyoming and Idaho State Historic Preservation Offices (SHPOs), and other Interested Parties to
9 the Programmatic Agreement (PA), the Companies have a robust and reliable approach to
10 compensating for unavoidable impacts to historic trails and have fully committed to funding
11 direct compensatory mitigation projects and a monitoring program to report on the success of the
12 projects over time during construction, treatment, and implementation.

13 The Companies understand that the intent of the Plan is to consider the overall indirect impacts
14 to historic trails, project-wide, and to consider a mitigation plan that would look for an off-site
15 compensatory project or projects that would provide a substantial benefit to historic trails, rather
16 than try to compensate in a piecemeal fashion for individual impacts.

17

2.0 BACKGROUND

2.1 Project Description

The Companies are electric utilities that transmit electricity via a grid of transmission lines located throughout a six-state region. As an essential service provider, the Companies are required to operate under the oversight and regulatory controls of the Public Service Commission of Utah, the Wyoming Public Service Commission, and the Idaho Public Utilities Commission. Although the objectives of these multiple commissions vary somewhat, they do share a common goal of ensuring utilities such as the Companies provide safe, reliable, adequate, and efficient delivery of electricity.

The Companies are also public utilities under the jurisdiction of the Federal Energy Regulatory Commission. The Companies are obligated to expand their transmission systems 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 Open Access Transmission Tariff (OATT) (FERC 2008). The Companies' commitment under the OATT also requires planning for the expansion of the system to ensure that its transmission system meets industry, regulatory, and reliability standards.

The proposed 10 transmission line segments and 12 substations that comprise Gateway West (Figures 1 and 2) are needed to supplement existing transmission lines in order to relieve operating limitations, increase capacity, and improve reliability in the existing electric transmission grid, allowing for the delivery of up to 1,500 megawatts of additional energy for the Companies' larger service areas and to other interconnected systems.

The Project is independent of, and will be built regardless of, any particular new generation project. The transmission 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).

A more detailed description of the Project is provided in the Plan of Development (POD), the most recent version of which was submitted to the BLM by the Companies August 15, 2013, and is incorporated herein by reference. The POD provides more detailed information on the purpose and need; proposed route; project-related facilities; details associated with construction, operation, and maintenance of the Project; and applicant-proposed environmental protection measures (EPMs). Table 1 provides a brief summary of the segments and their lengths, both Proposed and BLM-Preferred Routes, as presented in the Final Environmental Impact Statement (EIS).

The Companies have advised BLM that they intend to build this Project in phases. Phase 1 encompasses Segments 1 through 4, from Windstar near Glenrock, Wyoming, to Populus, near Downey, Idaho, which the Companies call Segment D (Figure 1). Phase 2 encompasses the remaining segments (Figure 2). The Companies anticipate that construction will begin mid-2015 for Segments 1 through 4 and mid-2017 for the remaining segments. The Companies are still refining their schedule and may develop distinct work elements within Segments 1 through 4 for staged construction. The Companies will advise the BLM of any further changes in schedule.

1 **Table 1. Segment Summary**

Segment Number	Proposed Length	BLM-Preferred Length	Originating Substation	Terminating Substation
1W(a)	73.8	73.8	Windstar	Aeolus
1W(c)	73.6	73.6	Dave Johnston 230 kV	Aeolus
2	91.9	91.9	Aeolus	Creston
3	45.9	45.9	Creston 1/	Anticline
3A	5.1	5.1	Anticline	Jim Bridger 345-kV
4	197.6	197.6	Anticline	Populus
5	55.7	73.3	Populus	Borah
6 2/	0.5	0.5	Borah	Midpoint
7	118.2	130.2	Populus	Cedar Hill
8 3/	145.0	132.0	Midpoint	Hemingway
9 4/	162.8	171.4	Cedar Hill	Hemingway
10	34.4	34.4	Cedar Hill	Midpoint
TOTALS	990.4	1,029.7		

1/ Creston Substation has been eliminated from the Project but its location still serves as the terminus for Segments 2 and 3

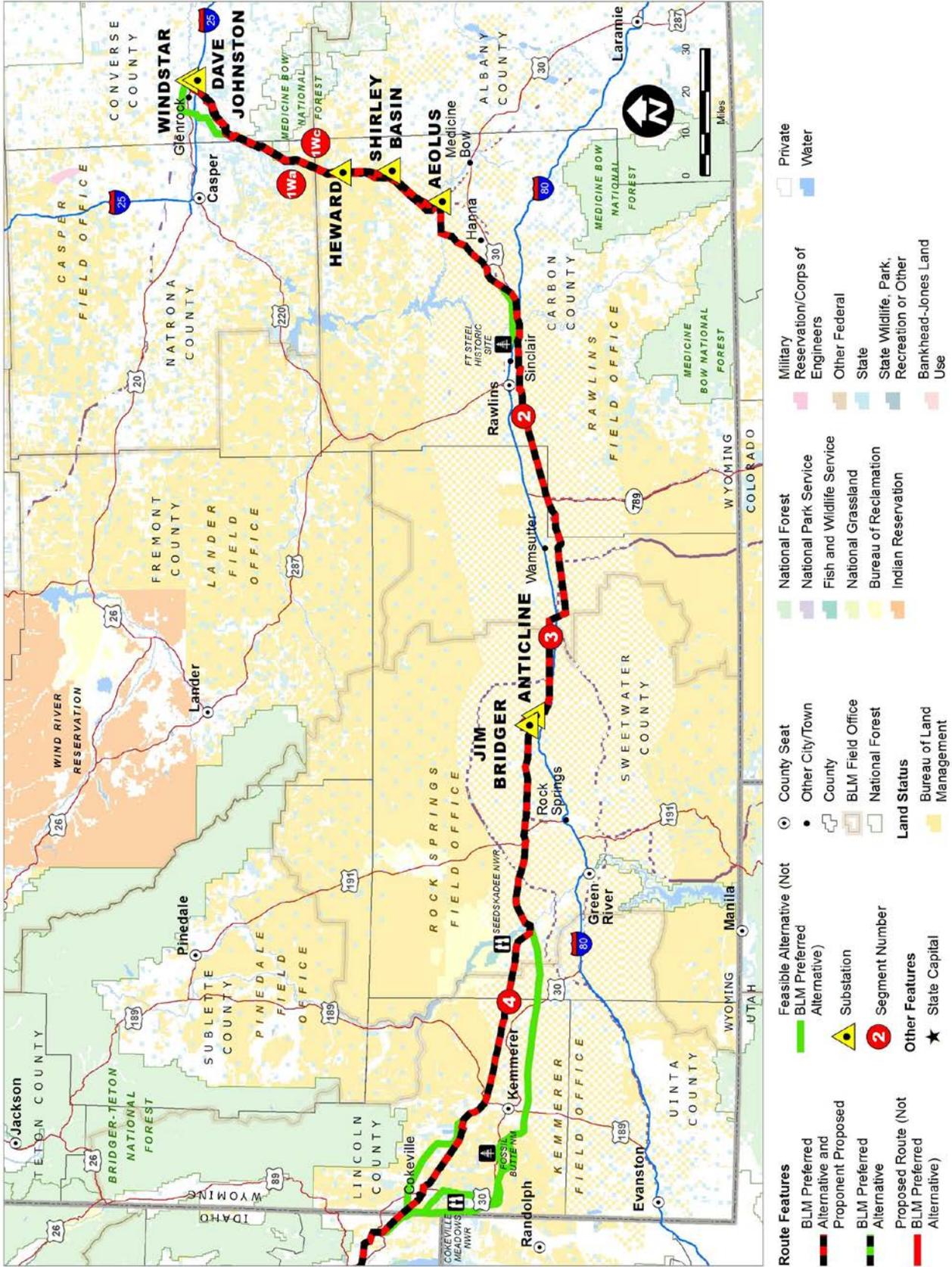
2/ Segment 6 disturbance limited to substations and approaching structures only

3/ Segment 8 as proposed includes the Proposed Route with Alternatives 8D and 8E

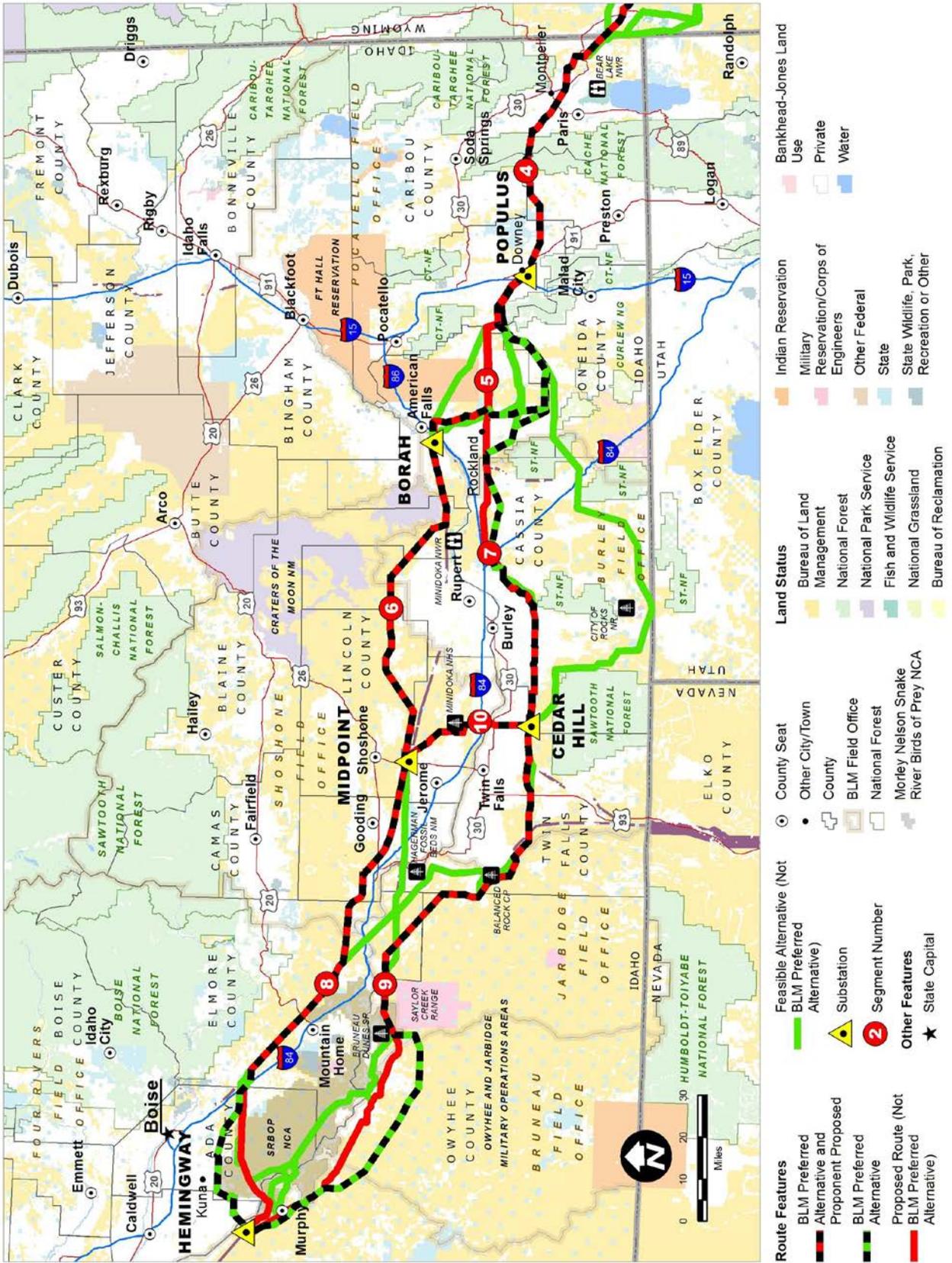
4/ Segment 9 as proposed includes the Proposed Route with Alternative 9G

2

3 The BLM-Preferred Route coincides with the Proposed Route in Segments 1 through 4, 6, and
4 10. The BLM has chosen different alternatives for portions of Segments 5, 7, 8, and 9 (See
5 Figures 1 and 2). The BLM-Preferred Route totals about 1,040 miles. This Plan is presented for
6 the 1,000-mile Proposed Route but will be modified to apply to the Route finally approved by
7 the BLM and other permitting agencies as needed.



1
2 **Figure 1. Wyoming Overview Map**



1
2 **Figure 2. Idaho Overview Map**

2.2 Programmatic Agreement

In consultation with and with the active participation of the Advisory Council on Historic Preservation, the BLM developed a PA to guide Project compliance with the National Historic Preservation Act. The BLM will require that the Project be executed in accordance with the conditions of the PA, which shall be appended to and made a part of the Record of Decision authorizing the granting of the right-of-way. The Construction Contractor will implement and comply with all stipulations outlined in the PA. The PA for Gateway West specifies that mitigation for unavoidable adverse effects to historic properties will be presented in a series of historic properties treatment plans (HPTPs) specific to the “segment” or work element, and in addition, “treatment guidelines for certain categories of adversely affected historic properties such as historic trails” will be provided in an umbrella HPTP (PA, Section V.A.)

The PA lists the kinds of mitigation measures that may be considered in an HPTP, which may include, but will not be limited to:

- Completion of National Register of Historic Places (NRHP) nomination forms.
- Conservation easements.
- Historic American Buildings Survey (HABS) documentation.
- Historic American Engineering Record (HAER) documentation.
- Historic American Landscapes Survey (HALS) documentation.
- Purchase of land containing National Historic Trail segments for long term protection.
- Partnerships and funding for public archaeology projects.
- Print publication (brochure/book).
- Visual media publication (website/podcast/video).

This Plan addresses guidelines for treatment of adversely affected historic trails.

2.3 Adverse Effects on Trails

Indirect impacts to historic trails most commonly include an alteration of the viewshed of an observer on the trail. The 500-kilovolt transmission line is considered a visual intrusion, particularly in areas where the landscape surrounding the trail has not been substantially altered by prior developments such as roads, oil and gas exploration and extraction, ranching, mining, or other anthropogenic disturbances/developments. Roads used to access the transmission line during construction and through operations and maintenance may also alter the viewshed. Furthermore, portions of the existing road network have been built over or along the same alignment as historic trails and have been used, or are currently used, for other public purposes. However, their use for Gateway West may require widening or other road improvements, which may be considered adverse effects upon the characteristics of the historic trail segment that make it a contributing segment to the overall historic property.

A study of visual impacts to historic trails and trail-related historic properties was conducted for the Project analysis area and discusses impacts to visual resources on Public lands and specifically analyzes the impacts of the Project on the setting of these historic properties where appropriate. The report *Trails of the West: A Review and Evaluation of Historic Trails In Wyoming and Idaho Along the Proposed Gateway West Transmission Line Project* (URS and

1 Tetra Tech 2011) is on file at the Idaho and Wyoming BLM Field and State Offices. This trails
2 report as well as the future determinations based on the agency review of the Class III cultural
3 reports will be considered in determining adequate compensatory mitigation through the
4 finalization of this plan and the segment HPTPs.

5

3.0 AVOIDANCE AND MINIMIZATION OF TRAILS IMPACTS

3.1 Siting and Routing

Siting and routing of the Project avoided adverse impacts to multiple resources, including but not limited to cultural resources. In many cases, avoidance of adverse impacts to one important resource, such as sage-grouse habitat, meant that other adverse impacts, including to trails, would occur. Wherever feasible, the Project alignment was routed to avoid or minimize impacts on trails, but there are some locations where adverse effects could not be avoided due to other constraints imposed on Project siting.

Minimization measures included:

- Micrositing of structures, their work areas, and ancillary work areas and permanent facilities such as regeneration stations to avoid direct impact to historic properties;
- Use of less efficient roads to avoid using roads that occupy or are aligned adjacent to contributing segments of historic trails;
- Avoidance of use of existing roads that were built over or across trails except where those roads are public;
- Use of existing roads “as-is” for short portions to avoid additional impacts due to the project to historic properties; and
- Where feasible, avoidance of new road construction along or across trails.

3.2 Project Features

There are several features of the proposed transmission line that reduce the visual impact on the landscape. These include:

- Dulled galvanized metal lattice towers or H-frame structures
- Non-specular (not shiny) conductors
- Non-reflective, non-refractive insulators

3.3 Cultural Resources Protection Plan

In addition to the avoidance and minimization measures listed above, the Cultural Resources Protection Plan includes an umbrella HPTP that provides a monitoring plan. The Draft Monitoring Plan, Attachment A to the HPTP, specifically addresses monitoring for cultural resources (including but not limited to historic properties determined to be eligible for the NRHP) during construction of the Project. This Monitoring Plan provides details regarding roles and responsibilities of various personnel in the field in coordination with the Appendix C (Environmental Management Compliance Plan) of the POD.

The purpose of the Monitoring Plan is to specify:

- how avoidance of known resources will be ensured and documented during construction,
- how monitors will interact with other environmental compliance staff as well as with the construction personnel, and

- how monitors will employ the Unanticipated Discovery Plan and, if necessary, the Plan of Action for compliance with Native American Graves Protection and Repatriation Act.

The Monitoring Plan addresses both cultural resources monitors and Native American monitors, and will be finalized and approved by the BLM with site-specific confidential mapping and a plan for protection of known resources for each segment for which the Companies request a Notice to Proceed.

The Cultural Resources Protection Plan also includes EPMs to ensure construction activities comply with state and federal requirements for protection of cultural resources are listed below. These EPMs are designed to avoid and minimize impacts to cultural resources, including but not necessarily limited to historic properties eligible for or listed on the NRHP, which include trails.

CR-1 All work conducted in accordance with the HPTP will be performed by qualified paleontologists and archeologists with trained assistants.

CR-2 An Inadvertent Discovery Plan will be included as part of the HPTP. This plan will specify what steps will be taken if a subsurface cultural resource or fossil is discovered during construction, including stopping construction in the vicinity of the find, notification of the appropriate land management agency, identification of a qualified archaeologist or paleontologist to conduct an evaluation of the find, and the development of an approved data recovery program or other mitigation measures.

CR-3 The Cultural Resource Monitoring and Mitigation Plan will include provisions for the preparation and curation of artifacts from federal lands and for the preparation of a final report based on the data recovered for activities on federal lands.

CR-4 Literature reviews and Class III surveys will be completed for cultural resources. A literature review will be conducted on public and private lands and will cover a study area of one-half mile on either side of the proposed and alternate transmission line alignments as well as areas identified for use as multi-use areas and access roads. Class III surveys covering the Area of Potential Effect (APE) as specified in the PA will be completed. A Class II Sample Survey was conducted that consisted of an intensive pedestrian survey of 15 percent of the length of all alternatives. One mile long by 500-foot-wide transect strips were surveyed along proposed and alternative routes on federal lands only, for use in detailed analysis in the EIS. This also included a detailed preliminary assessment of effects on historic trails on all lands within the APE, including existing trail condition and a visual effects assessment.

CR-5 If construction will adversely affect any properties listed on, or eligible for listing on, the NRHP, mitigation will be required. Mitigation will be in accordance with the HPTP and may include, but not be limited to, one or more of the following measures: a) avoidance through the use of relocation of structures through the design process, realignment of the route, relocation of temporary workspace, or changes in the construction and/or operational design; b) the use of landscaping or other techniques that will minimize or eliminate effects on the historic setting or ambience of standing structures; and c) data recovery, which may include the

1 systematic professional excavation of an archaeological site or the preparation of
2 photographic and/or measured drawings documenting standing structures.

3 CR-6 Avoidance areas will be flagged prior to construction activities. Flagging will be
4 removed once construction is completed in an area.

5 CR-7 To minimize unauthorized collecting of archaeological material or vandalism to
6 known archaeological sites, all workers will attend mandatory training on the
7 significance of cultural resources and the relevant federal regulations intended to
8 protect these resources.

9 CR-8 If human remains are discovered, construction will be halted and the coroner will
10 be notified and measures specified in the HPTP will be followed.

11 CR-9 On National Forest System lands, a management plan should be developed for
12 each historic property nominated to the NRHP. The plan should be drafted during
13 the nomination process. The National Heritage Strategy should be used to guide
14 decisions on issues related to the Heritage Program.

15 Even with avoidance and minimization measures, some impacts were not practicably avoidable.
16 The following framework for selecting and funding offsite compensatory mitigation projects will
17 apply project-wide.

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4.0 FRAMEWORK FOR OFF-SITE COMPENSATORY MITIGATION FOR TRAILS IMPACTS

Projects to be funded will meet the following requirements:

1. Provide a substantial benefit to the preservation or restoration of trails, or contribute to the public understanding of trails through documentation, education, or visitor program enhancement.
2. Be sponsored by a recognized federal, state, or local government entity or a well-known and respected nongovernmental organization. In the case of a conservation easement, the easement must be recognized by the SHPO as protecting important historic properties and must be managed in perpetuity by a third-party easement manager such as the Wyoming Stockgrowers Land Trust, using a legal instrument that guarantees the success of the conservation easement.
3. Be acceptable to the BLM and to the SHPO where the impact, as well as the project, is located.
4. Have a clear and documented means of accepting outside funding.
5. Include a monitoring and reporting component so that the Interested Parties of the PA have the opportunity to review project implementation.

4.1 Possible Mitigation Projects

The following mitigation projects are listed as possible options for development of a complete portfolio of acceptable off-site mitigation projects that will fully compensate for unavoidable impacts to historic trails from the Project.

The Companies are pursuing a potential conservation easement to preserve several hundred acres of private lands surrounding important trails resources in Wyoming. This conservation easement would permit the landowner to continue ranching but would remove the threat of subdivision. The Companies anticipate that this conservation easement would be held and managed by the Wyoming Stockgrowers Land Trust and would adequately compensate for all Project indirect effects on historic roads and trails. The landowner has traditionally allowed individuals and groups such as the Oregon-California Trails Association access to the property and will continue to provide such access when it is requested in advance, and with the landowner's right to control access at all times intact. A value for this easement has not been established as of early September 2013.

The Companies are also pursuing alternative compensatory mitigation projects in case the conservation easement cannot be finalized. These projects include:

1. Funding the summer field study program that is part of the Western American History major at Central Wyoming College. Professor Todd Guenther has developed a program that "utilizes an interdisciplinary approach to explore the history, prehistory, anthropology and geography of the peoples that have lived near or crossed the Continental Divide." This program takes students to the field to learn the techniques of finding and recording sites and completing the needed forms for these sites to be acceptable to the Wyoming SHPO. While the field classes have worked in the South

1 Pass area near Lander, Wyoming, Professor Guenther has indicated his willingness to
2 consider work further south, in the Kemmerer Field Office, if the BLM is interested in
3 providing him guidance, suggesting important resources needing documentation, and of
4 course providing the needed permits. Estimated cost is \$50,000 per two-week field class.

5 2. Funding one or more projects proposed and sponsored by the Idaho State Parks
6 Department, which may include:

- 7 • City of Rocks: possible conservation easement for the Granite Pass area, south of the
8 park, to preserve cultural landscape and trails, which could be held by the Idaho State
9 Parks or a third-party land trust (rough estimate of \$700-\$1,000 per acre for a
10 conservation easement).
- 11 • City of Rocks: contribute financially to a project to place existing overhead
12 distribution lines underground. The local rural electrical cooperative has offered up
13 40 percent of the cost and the park has obtained funding to do the portion on public
14 lands, but needs financial assistance for the portions on private lands within the park
15 area (rough estimate around \$100,000).
- 16 • City of Rocks: possible land purchase within the City of Rocks (prices are set by
17 appraisal only, with likely prices ranging from \$350,000 to \$1.3 million, depending
18 on parcel size, but hundreds of acres each).
- 19 • Bruneau Dunes: Several paving projects to improve Americans with Disabilities Act
20 access, ranging from \$20,000 to \$85,500.
- 21 • Three Island: Trails improvement projects and visitor center improvements, ranging
22 from \$20,000 to \$70,000.
- 23 • Massacre Rocks: Repairs at day use area, estimated \$25,000.

24 The Companies will work with the BLM and the Wyoming and Idaho SHPOs to select an
25 appropriate portfolio of projects that will fully compensate for impacts to trails due to the project,
26 and will be proportionate to those impacts.

27

1 **5.0 REFERENCES**

2 FERC (Federal Energy Regulatory Commission). 2008. Order-890. Pro Forma Open Access
3 Transmission Tariff, Appendix C.

4 URS and Tetra Tech. 2011. *Trails of the West: A Review and Evaluation of Historic Trails In*
5 *Wyoming and Idaho Along the Proposed Gateway West Transmission Line Project.*

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