

Appendix E. Summary of Environmental Effects and Basis for Determination

Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project
Final Environmental Assessment
(DOI-BLM-CO-S000-2013-0001)

Resources									
	Access, Roads, and Transportation	Cultural	Forest and Timber Suitable Timber	Geology and Minerals High Landslide Areas	Lands with Wilderness Characteristics/Nominated ACECs	Soils	Gunnison Sage-Grouse Occupied Habitat	Visual	Socioeconomics
Alternative A									
Alternative A (Proposed Action) – Realignment of Dolores River Crossing and Upgrade-in-Place at Dry Creek Basin	<i>Negligible to low, short-term effects</i> from use of existing public access roads and several new roads during construction and maintenance. 2.6 miles of new access road; 5.2 miles of reclaimed access road.	<i>Negligible effects where avoided, localized, low to high and long-term where mitigated.</i> 50 historic properties within general project area, adverse effects would require mitigation. 38 other, non-eligible cultural resources potentially impacted (primarily lithic scatters). Additional surveys planned. A treatment plan would be implemented.	<i>Moderate and long-term.</i> 111 acre clearing in suitable timber.	<i>Negligible to low, and long-term.</i> 62 acres of effect to high landslide hazard areas.	Lands with wilderness characteristics, <i>Low, long-term beneficial effect</i> due to removing structures and reducing ROW width in Dolores River Canyon. No new clearing or structure footprints. Potential to expand Snaggletooth unit. Nominated ACECs, <i>negligible effects.</i> No impairment to relevant and important values.	<i>Low, short-term and negligible, long-term effect.</i> Total 138.6 acres of new surface disturbance.	<i>Low, long-term beneficial effects (Dry Creek Basin).</i> Distance to lek, 3.8 miles. New long-term disturbance of 9.5 acres in occupied habitat, including 6.6 acres in critical habitat. 22 fewer structures and perch discouragers relative to baseline would reduce the presence of avian predators, providing a net benefit to GuSG. No change in HE. Tri-State funding for 500-acre lek preservation and habitat improvement funding. Many existing roads would be used in their current state. Flight diverters would reduce collision risk; possible new effects of increased pole height.	<i>Low, long-term effects project-wide</i>	<i>Negligible to low, short-term effects</i> from potential increase in housing demand and short-term secondary effects from local spending.
Dolores River Crossing realignment only	<i>Negligible, short-term effect.</i> 1.4 miles new access road; 3.6 miles reclaimed access road; 0.5 miles new temporary access road.	<i>Negligible effects where avoided, localized low to high and long-term where mitigated.</i> Additional survey to be completed prior to construction; based on prior survey and known site density, no additional historic properties estimated. Estimate of about 4 to 5 other cultural resources (non-eligible) potentially impacted; most common non-eligible site type is lithic scatter.	<i>Low and long-term.</i> 37.3 acres cleared in suitable timber	<i>Low and long-term.</i> 14.3 acres of effect to high landslide hazard areas; flat slopes (<10%) for construction and maintenance	<i>Low, long-term beneficial effect</i> due to moving structures and reducing ROW width in Dolores River Canyon; decrease in time visible to river user. About 0.02 acres temporary effect to lands inventoried (but not managed) for wilderness characteristics. Nominated ACECs, <i>negligible effects.</i> No impairment to relevant and important values, Snaggletooth nominated ACEC.	<i>Low and long-term.</i> Total 14.3 acres of new surface disturbance	<i>Not applicable</i>	<i>Low to moderate, long-term effects due to taller structures and wider ROW.</i> Low/moderate: KOP 1, view of north rim Moderate/high: KOP 2, view of north rim Low/negligible: KOP 10, 11, 12 Effects offset by removal of powerline from existing position; also, powerline is an expected component of the landscape and used as a frame of reference for river users. Consistent with VRM class II and III.	<i>Negligible to low, short-term effects</i> from potential increase in housing demand and short-term secondary effects from local spending.

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	Access, Roads, and Transportation	Cultural	Forest and Timber Suitable Timber	Geology and Minerals High Landslide Areas	Lands with Wilderness Characteristics/Nominated ACECs	Soils	Gunnison Sage-Grouse Occupied Habitat	Visual	Socioeconomics
Dry Creek Basin upgrade-in-place only	<i>Negligible, short-term effect.</i> 0.2 mile new access road; 0.3 mile reclaimed access road	<i>Negligible effects where avoided, localized low to high and long-term where mitigated.</i> About 2 non-eligible sites would be impacted; primary site type is lithic scatter.	<i>No effect.</i> Lands Generally Not Suitable for Timber Production.	<i>Low and long-term.</i> 5 acres of effect to high landslide hazard areas.	<i>Lands with wilderness characteristics not applicable.</i> Nominated ACECs, <i>negligible effects.</i> No impairment to relevant and important values, Snaggletooth nominated ACEC.	<i>Low and long-term.</i> Total 10.3 acres of new surface disturbance.	<i>Low, beneficial long-term effects.</i> Distance to lek, 3.8 miles. New long-term disturbance of 9.5 acres in occupied habitat, including 6.6 acres in critical habitat. 22 fewer structures and perch discouragers relative to baseline would reduce the presence of avian predators, providing a net benefit to GuSG. No change in HE. Tri-State funding for 500-acre lek preservation and habitat improvement funding. Many existing roads would be used in their current state. Flight diverters would reduce collision risk; possible new effects of increased pole height.	<i>Low/negligible, long-term effects</i> due to taller structures. Negligible effects to KOP 6 due to distance.	<i>Negligible to low, short-term effects</i> from potential increase in housing demand and short-term secondary effects from local spending.
Alternative B									
Alternative B - No Action	<i>No new effect; ongoing maintenance use as authorized by existing ROW;</i> ongoing use of existing public access roads during maintenance 0.0 miles of new access road; 0.0 miles of reclaimed access road; 251 miles of existing access roads.	<i>No new effects.</i>	<i>No new effects;</i> ongoing negligible and long-term maintenance in existing ROW. 156 acres of suitable timber category is in existing ROW; ongoing vegetation management.	<i>No new effects;</i> ongoing erosion requires maintenance in Dolores River Canyon.	Lands with wilderness characteristics, <i>No beneficial effect.</i> Existing structures remain in Dolores River Canyon below rim. Nominated ACECs, <i>No effect.</i> No change to relevant and important values.	<i>No new effects.</i> Existing surface disturbance from roads and structures would not change.	<i>No new effects;</i> no change in HE. No new effects to occupied range. 72 structures without perch discouragers remain in occupied habitat	<i>No new effects.</i>	<i>Negligible to low, short-term effects</i> from potential increase in housing demand and short-term secondary effects from local spending.
Alternative C									
Alternative C - Dolores River Crossing Routing Option (Alternative A Incorporating Upgrade-in-Place at Dolores River Crossing)	<i>Intensity and duration of effect is the same as for Alternative A.</i> 1.7 miles of new access roads; 3.0 miles of reclaimed access roads.	<i>Intensity and duration of effect is the same as for Alternative A.</i> No additional historic properties impacted at the Dolores River Crossing upgrade-in-place. 3 non-eligible cultural resources could be impacted; primary site type is lithic scatter.	<i>Low to moderate and long-term.</i> Total 77.8 acres clearing in suitable timber.	<i>Low, long-term effects for new access road maintenance</i> Total 58 acres of effect to high landslide areas. Extreme slopes (>30%) for construction and maintenance.	Lands with wilderness characteristics, <i>intensity and duration of effect similar to Alternative A.</i> About 0.70 acres effect to lands inventoried but not managed for wilderness characteristics. Nominated ACECs; <i>negligible effects.</i> No impairment to relevant and important values.	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total 134.6 acres of new surface disturbance.	<i>Intensity and duration of effect is the same as for Alternative A.</i>	<i>Low long-term effects project-wide.</i>	<i>Negligible to low, short-term effects</i> from potential increase in housing demand and short-term secondary effects from local spending.

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Resources									
	Access, Roads, and Transportation	Cultural	Forest and Timber Suitable Timber	Geology and Minerals High Landslide Areas	Lands with Wilderness Characteristics/Nominated ACECs	Soils	Gunnison Sage-Grouse Occupied Habitat	Visual	Socioeconomics
Alternative C - Dry Creek Basin Routing Option (Alternative A Incorporating Realignment at Dry Creek Basin) note; alignment on north side of SH 141 shown first in parentheses; south side shown second	<i>Intensity and duration of effect is the same as for Alternative A.</i> (10.20 10.9 miles of new access roads; (12.7) 12.8 miles of reclaimed access roads.	<i>Intensity and duration of effect is the same as for Alternative A.</i> 1 other historic properties and an estimate of about 4 non-eligible cultural resources potentially impacted, based on interpolation for Dry Creek Basin Routing Option. Primary non-eligible site type is lithic scatter. Addition of large, modern steel structures along SH 141 under the realignment option in Dry Creek Basin could alter the historic feeling and setting of the road.	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total 111 acres clearing in suitable timber.	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total (65.6) 66 acres of effect to high landslide hazard areas Flat slopes (<10%) for construction and maintenance.	Lands with wilderness characteristics, <i>intensity and duration of effect same as Alternative A.</i> Nominated ACECs; <i>negligible effects.</i> No impairment to relevant and important values.	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total (142.7) 143.1 acres of new surface disturbance.	<i>Low new, long-term effects; beneficial effects due to decreased habitat fragmentation (Dry Creek Basin).</i> Distance to lek (4.7) 4.9 miles. New long-term disturbance of (11.5) 11.7 acres to occupied habitat, including 10.0/10.4 acres of critical habitat. Reclaimed existing roadways total 4.2 acres in occupied habitat. (15) 18 fewer structures relative to baseline, and addition of perch discouragers would reduce the presence of avian predators, providing a net benefit to GuSG. Long-term reduced HE on (607) 645 acres. With removal of existing line, net improvement of HE on (2,983) 3,011 acres of occupied habitat, including (1,905) 1,932 acres of critical habitat. Co-locating the transmission line disturbance corridor with the existing highway corridor would reduce overall habitat fragmentation for the life of the line. Flight diverters would reduce collision risk; possible new effects of increased pole height.	<i>Low long-term effects project-wide; moderate long-term effects at Dolores River Crossing and high long-term effects at Dry Creek Basin</i> due to realignment along SH 141. Same as A for Dolores River Crossing	

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Alternative C - Dolores River Crossing and Dry Creek Basin Routing Options (Alternative A Incorporating Upgrade-in-Place at Dolores River Crossing and Realignment at Dry Creek Basin; note; alignment on north side of SH 141 shown first in parentheses; south side shown second)	<i>Intensity and duration of effect is the same as for Alternative A.</i> (9.4) 10 miles of new access roads; (10.5) 10.5 miles of reclaimed access roads.	<i>Intensity and duration of effect is the same as for Alternative A and Alternative C as previously disclosed.</i>	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total 77.8 acres clearing in suitable timber.	<i>Low, long-term effects</i> for new access road maintenance. Total (61.6) 62.1 acres of effect to high landslide areas. Extreme slopes (>30%) for construction and maintenance.	Lands with wilderness characteristics, <i>intensity and duration of effect similar to Alternative A.</i> About 0.70 acres effect to lands inventoried but not managed for wilderness characteristics. Nominated ACECs; <i>negligible effects.</i> No impairment to relevant and important values.	<i>Intensity and duration of effect is the same as for Alternative A.</i> Total (138.7) 139.1 acres of new surface disturbance.	<i>Low beneficial long-term effects; effects due to decreased habitat fragmentation (Dry Creek Basin).</i> Distance to lek (4.7) 4.9 miles. New long-term disturbance of (11.5) 11.7 acres to occupied habitat, including 10.0/10.4 acres of critical habitat. Reclaimed existing roadways total 4.2 acres in occupied habitat. (15) 18 fewer structures relative to baseline, and addition of perch discouragers would reduce the presence of avian predators, providing a net benefit to GuSG. Long-term reduced HE on (607) 645 acres. With removal of existing line, net improvement of HE on (2,983) 3,011 acres of occupied habitat, including (1,905) 1,932 acres of critical habitat. Collocating the transmission line disturbance corridor with the existing highway corridor would reduce overall habitat fragmentation for the life of the line. Flight diverters would reduce collision risk; possible new effects of increased pole height.	<i>Low long-term effects project-wide; moderate long-term effects at Dolores River Crossing and high long-term effects at Dry Creek Basin.</i> Due to realignment along SH 141.	
Dolores River Crossing upgrade-in-place only	<i>Negligible, short-term effect.</i> 0.5 mile new access road; 1.3 miles reclaimed access road.	No additional historic properties impacted at the Dolores River Crossing upgrade-in-place. 3 non-eligible cultural resources (lithic scatters) may be affected by the upgrade-in-place.	<i>Low and long-term</i> 4.1 acres clearing in suitable timber.	<i>Low and long-term.</i> 10.3 acres of effect to high landslide hazard areas. Extreme slopes (>30%) for construction and maintenance.	Lands with wilderness characteristics, <i>Low, long term beneficial effect</i> due to moving structures and reducing ROW width in Dolores River Canyon. Increase in time visible to river user. Nominated ACECs, <i>negligible effects.</i> No impairment to relevant and important values.	<i>Low and long-term.</i> Total 8 acres of new surface disturbance.	<i>Not applicable</i>	<i>Moderate long-term effects at Dolores River Crossing</i> due to taller structures and new access road. Low/Negligible: KOP 1 and 12 due to distance and direction of view. Low/Beneficial: KOP 11 and 10 due to screening Moderate: KOP 2 due to taller structures and new road. Powerline is an expected part of the component if the landscape and used as a frame of reference for river users. Consistent with VRM Class II and III.	

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<p>Dry Creek Basin realignment only (note; alignment on north side of SH 141 shown first in parentheses; south side shown second)</p>	<p><i>Negligible, short-term effect.</i> (7.9) 8.5 miles new access road; (7.8) 7.8 miles reclaimed access road.</p>	<p>An estimate of 1 other historic properties and 4 potential non-eligible cultural resources potentially impacted, based on interpolation for Dry Creek Basin Routing Option. Primary site type in the project area is lithic scatter. Addition of large, modern steel structures along SH 141 under the realignment option in Dry Creek Basin could alter the historic feeling and setting of the road.</p>	<p><i>No effect.</i> 0 acres clearing in suitable timber. Lands Generally Not Suitable for Timber Production.</p>	<p><i>Low and long-term.</i> (8.6) 9.1 acres of effect to high landslide hazard areas.</p>	<p>Lands with wilderness characteristics, <i>Not applicable.</i> Nominated ACECs, <i>negligible effects.</i> No impairment to relevant and important values for Dry Creek Basin nominated ACEC.</p>	<p><i>Low and long-term.</i> Total (4.4) 12.5 acres of new surface disturbance.</p>	<p><i>Low new, long-term effects; beneficial effects due to decreased habitat fragmentation (Dry Creek Basin).</i> Distance to lek (4.7) 4.9 miles. New long-term disturbance of (11.5) 11.7 acres to occupied habitat, including 10.0/10.4 acres of critical habitat. Reclaimed existing roadways total 4.2 acres in occupied habitat. (15) 18 fewer structures relative to baseline, and addition of perch discouragers would reduce the presence of avian predators, providing a net benefit to GuSG. Long-term reduced HE on (607) 645 acres. With removal of existing line, net improvement of HE on (2,983) 3,011 acres of occupied habitat, including (1,905) 1,932 acres of critical habitat. Collocating the transmission line disturbance corridor with the existing highway corridor would reduce overall habitat fragmentation for the life of the line. Flight diverters would reduce collision risk; possible new effects of increased pole height.</p>	<p><i>Moderate to high long-term effects</i> at KOP 6, to residents and to SH 141 travelers. Beneficial effect to U29 Rd travelers in middle of basin</p>	

APPENDIX F

COMMENT AND RESPONSE DOCUMENT

**TRI-STATE MONTROSE-NUCLA-CAHONE
TRANSMISSION LINE IMPROVEMENT PROJECT**

August 2016

**U.S. Department of the Interior
Bureau of Land Management
Colorado Southwest District
Montrose, Colorado**

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Appendix F List of Acronyms

ACEC	Area of Critical Environmental Concern
APLIC	Avian Power Line Interaction Committee
BLM	Bureau of Land Management
BMP	Best Management Practices
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CH	Critical Habitat
CPCN	Certificate of Public Convenience and Necessity
CPUC	Colorado Public Utilities Commission
CPW	Colorado Parks and Wildlife
CR	County Road
DBH	Diameter at Breast Height
DN	Decision Notice
DR	Decision Record
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMF	Electro-Magnetic Field
EPM	Environmental Protection Measures
ESA	Endangered Species Act
FEA	Final Environmental Assessment
FLPMA	Federal Land Policy and Management Act
FONSI	Finding of no Significant Impact
GMU	Game Management Unit
GMUG NF	Grand Mesa, Uncompahgre, and Gunnison National Forest
GuSG	Gunnison Sage-Grouse
HE	Habitat Effectiveness
KOP	Key Observation Point
kV	Kilovolt
LRMP	Land and Resource Management Plan
LWC	Lands with Wilderness Characteristics
MBTA	Migratory Bird Treaty Act
MNC	Montrose-Nucla-Cahone
NEPA	National Environmental Policy Act
NERC	North American Energy Reliability Council
NESC	National Electrical Safety Code
NF	National Forest
NFS	National Forest System
NTP	Notice to Proceed
PEA	Preliminary Environmental Assessment
POD	Plan of Development
QA/QC	Quality Assurance/ Quality Control
RMP	Resource Management Plan
ROD	Record of Decision
ROW	Right-of-Way
SH	State Highway
SIO	Scenic Integrity Objective
SJNF	San Juan National Forest

SUA	Special Use Authorization
SWMP	Storm Water Management Plan
TRFO	Tres Rio Field Office
UFO	Uncompahgre Field Office
U.S.C.	United States Code
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VQO	Visual Quality Objective
VRM	Visual Resource Management

Background

History

Tri-State is a wholesale electric power producer/supplier that serves 44 rural electric cooperatives and public power districts in Colorado, New Mexico, Wyoming, and Nebraska. Tri-State’s transmission system in southwestern Colorado relies on a number of 115-kilovolt (kV) circuits, including the existing Montrose-Nucla-Cahone (MNC) transmission line. Tri-State has submitted applications to the Bureau of Land Management (BLM) and the United States Forest Service (USFS) (collectively referred to as the agencies), for authorizations to improve the existing MNC 115-kV transmission line to a 230-kV transmission line, and to operate and maintain the new 230-kV transmission line and optical ground wire, referred to as “fiber optic cable” throughout the EA (BLM ROW grant COC 063427; see Section 2.3.7.3). The transmission line is located in Dolores, San Miguel, Montrose and Ouray Counties, in Colorado.

If approved, Tri-State would use primarily wooden H-frame structures which would be approximately 25 feet taller and 10 feet wider than the existing structures. Tri-State proposes to use the existing 115-kV 100-foot right-of-way (ROW) for the rebuild to the greatest extent possible. The new 230-kV transmission line would require an additional 50 feet of ROW clearing for a total of 150-foot-wide ROW. Tri-State would primarily use approximately 241 miles of roads not including state highways, currently used for the existing line. About 67 miles of these roads are down line access located under the existing MNC line. Approximately 6 miles of new access/spur roads would be needed. Tri-State’s proposed action also includes upgrades to the existing Cahone and Montrose substations and a new substation near Nucla, Colorado.

Details of the proposed project are presented in Tri-State’s draft Plan of Development (POD) (Appendix D of the EA). The Final Plan of Development would reflect the terms and conditions for mitigation, construction, maintenance, and reclamation stipulated in the agencies’ decision documents, should the agencies approve an Action Alternative.

The EA analyzes Tri-State's Proposed Action, the No Action Alternative, and three combinations of BLM routing options. There are a total of four combinations of Action Alternatives that are possible for the project.

- Alternative A, Tri-State's Proposed Action: Upgrade-in-place with realignments at the Dolores River crossing and near the Cahone substation.
- Alternative B, No Action: In the No Action Alternative, the existing MNC 115-kV transmission line associated access roads would remain and the transmission line would not be improved.
- Alternative C, BLM Routing Options:
 - Dolores River Crossing Routing Option: Alternative A incorporating an upgrade-in-place variation at Dolores River crossing;
 - Dry Creek Basin Routing Option: Alternative A incorporating a realignment parallel to State Highway 141 in Dry Creek Basin;
 - Both Routing Options: Alternative A incorporating the upgrade-in-place variation at Dolores River crossing and the realignment in Dry Creek Basin.

After consideration of public comment on the Preliminary EA (PEA), the BLM has identified the agency preferred alternative in the Final EA (FEA). The identification of a preferred alternative does not constitute a commitment or decision in principle. The BLM's decision on the proposed project would be documented in a Decision Record (DR) following publication of the FEA. The USFS would issue a Decision Notice (DN).

On November 3, 2015, the BLM issued a public notice announcing the availability of the PEA for public review and comment. The release of the PEA initiated a formal 30-day public comment period that ended on December 3, 2015. The BLM followed EA procedures as outlined by the Council on Environmental Quality (CEQ) 40 Code of Federal Regulations (CFR) § 1502.9. The public was asked to submit comments via email or regular mail.

According to BLM guidance (Handbook H-1790-1), substantive comments address one or more of the following:

- question, with reasonable basis, the accuracy of information in the EA.
- question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis.
- present new information relevant to the analysis.
- present reasonable alternatives other than those analyzed in the EA.
- cause changes or revisions in one or more of the alternatives.

Comments that are not considered substantive include the following:

- comments in favor of or against the proposed action or alternatives without reasoning that meet the criteria listed above (such as "we disagree with Alternative Two and believe the BLM should select Alternative Three").
- comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meet the criteria listed above (such as "more grazing

- should be permitted”).
- comments that don’t pertain to the project area or the project (such as “the government should eliminate all dams,” when the project is about a grazing permit).
- comments that take the form of vague, open-ended questions.

Methodology

During the comment period, the BLM received 65 submissions from the public, agencies, tribes, organizations, and businesses. The BLM and USFS Interdisciplinary Team, composed of representatives of the Colorado State Offices, and BLM third-party contractors (ERO Resources Corporation and Galileo Project, LLC) read all of the submissions. Using the guidelines discussed above, the BLM determined which comments were substantive. All submissions were entered into a database that recorded individual comments, the submission’s author and address, and corresponding key word(s).

The BLM appreciates the time and effort the public and agencies put into their comments. The BLM followed CEQ regulations found at 40 CFR § 1503.4 and developed responses and/or revised the FEA in response to substantive comments. During this process, the comments were sorted by topic to aid the BLM in identifying trends and seeing the full range of public opinion regarding particular topics. Reviewing comments in this manner facilitated the development of comprehensive responses.

Organization of the Comments and Responses

Substantive Comments and Responses: Substantive comments are sorted by topic in this section including comments from agencies, tribes, businesses, organizations, and individuals. Each comment has an identifying code to allow tracking of the comments and responses in a database with each respondent and each piece of correspondence. Please note that comments may have been consolidated or edited for grammar and clarity.

Copies of Letters from Agencies and Tribes. In accordance with BLM policy, only letters received from federal, state, and local agencies and from Native American Tribes are reprinted in full in Exhibit A. The letters received and reprinted are (in order of appearance in Exhibit A):

- City of Montrose
- Colorado Farm Bureau
- Colorado Parks and Wildlife (CPW)
- Hopi Tribe
- Montrose County - Board of County Commissioners
- Pueblo of Acoma
- Pueblo of Santa Ana
- San Miguel County (SMCo)
- Town of Nucla
- United States Fish and Wildlife Service (USFWS)
- Pueblo of San Felipe

List of Commenters

Last Name	First Name	Affiliation
Alexander	Cindy	N/A
Bergh	Nathan	N/A
Binkly	Gail	4 Corners Free Press
Bladow	Joel	Tri-State
Boyle	Patrick	N/A
Brandt	Laurie	Colorado Plateau Mountain Bike Trail Association, Inc.
Braun	Clait	Grouse Inc.
Bronec	Jasen	Delta Montrose Electric Association
Carlisle	Sarah	N/A
Cohen	Patricia	N/A
Conrad	Lane	N/A
Crocker-Bedford	Cole	N/A
Culver	Melanie	N/A
Dellinger	Josh	Empire Electric Association
Dorsey	Patricia	Colorado Parks and Wildlife
Fellin	Mac A.	N/A
Fiddes	Elisabeth S	N/A
Frankmore	Robert	N/A
Garcia	Damian	Pueblo of Acoma
Head	Sandy	Montrose Economic Development Corporation
Heir	Geoffrey	N/A
Ireland	Terry	USFWS
Jackson, Jr	Martin	N/A
Johnson	Phillip	N/A
Kramer	James	N/A
Kuwanwisiwma	Leigh	Hopi Tribe
Little	Donald	N/A
Lock	Dave	N/A
Macha	Mark	N/A
Marolf	Karyn	N/A
McCarville	Sean	N/A
McInnes	Mike	N/A
Molvar	Erik	WildEarth Guardians
Morley	Jayne	N/A
Morris	Dawna	Town of Nucla
Mueller	Megan	Rocky Mountain Wild & the Wilderness Society
Neeley	Mona	N/A
Nordin	Bryan	N/A
Norris-Snell	Mandy	N/A
Reece	Christian	CLUB 20

Last Name	First Name	Affiliation
Robertson	Amy	N/A
Robertson	Leigh	Sheep Mountain Alliance
Rojas	Roberto	N/A
Romero	David	City of Montrose
Rozycki	Mike	San Miguel County
Rugile	Elizabeth	N/A
Sangimino	Missa	N/A
Schiffbauer	Martin	N/A
Sedinger	James	N/A
Seglund	Julia	Montrose Association of Realtors
Shelley	Phillip	Pueblo of Santa Ana
Snyder	Sidney & Phyllis	N/A
Sposic	Jenny	Montrose Chamber of Commerce
Stout	Pinu`u	Pueblo of San Felipe
Tueller	Douglas	Tueller and Associates
Tyll	John	N/A
Unknown	Unknown	N/A
Van Wagenen	Nina	N/A
Vorthmann	Chad	Colorado Farm Bureau
Warner	Faith	N/A
Waschbush	Jon	Montrose County - Board of County Commissioners
Wilcoxson	Brian	N/A
Winton	Lyndsey	N/A
Woodward	Brigid	N/A
Wos	Thomas	N/A
Young	Brad	N/A
Young	Bill	N/A

Comments and Responses

New Land Use Permits and Approvals

The Bureau of Land Management (BLM) lacks authority on private land (Topic 1101)

Total Number of Comments: 3

Comment No.: CL56

Organization: N/A

Commenter: Cole Crocker-Bedford

Comment Excerpt Text:

The BLM has no legal authority to mandate a move of the transmission line across 9 miles of Dry Creek Basin where BLM Public Lands are merely 1.5 miles of the length.

Comment No.: CL59a

Organization: Tueller and Associates (Dec 3)

Commenter: Douglas Tueller

Comment Excerpt Text:

Lack of BLM Authority to Regulate Private Lands: We are aware of no inchoate powers of the BLM to regulate or require Tri-State to remove manmade structures from private lands to new locations on other private lands. Thus, absent evidence of consent by the affected private landowners, we are unaware of any power of the BLM to require Tri-State to pursue the BLM Options, at least as set forth in the PEA. If we are mistaken in this understanding, please provide and/or amend the PEA to reflect any such authority held by the BLM. Failure to do so constitutes a natural defect in the PEA.

Comment No.: CL59a

Organization: Tueller and Associates (Dec 3)

Commenter: Douglas Tueller

Comment Excerpt Text:

The BLM lacks authority to determine the location of the upgraded lines. The BLM Options appear to contemplate requiring realignment and relocation of the Existing Transmission Lines from their current location on one set of private properties in the Basin so as to construct a new set of Upgraded Lines on another set of private properties within the Basin.

Summary

The BLM lacks authority to require Tri-State to move the transmission line on private lands without the consent of those landowners. Please provide evidence of authority or revise the Preliminary Environmental Assessment (PEA).

Response

Section 1.5 of the Final Environmental Assessment (FEA), (Decision to be Made) has been clarified. BLM's decision, as well as United States Forest Service's (USFS), decision, is specific to public land. The existing line crosses 34.7 miles of BLM-managed land, 22.7 miles of National Forest System (NFS), lands, and 22.6 miles of state and private lands. Therefore, portions of the transmission line corridor and access roads for the project on BLM lands require Right-of-Way (ROW), approval from the BLM and Special Use Authorization (SUA) from the USFS. Easements would be required over private land for the remaining portion of the transmission line and access roads. As a last resort, if a required easement through private property cannot be acquired through negotiation with the landowner, Tri-State has the ability to acquire that interest through condemnation. Tri-State can file a condemnation action (petition) in the county where the property is located. Instead of a landowner-negotiated compensation agreement, the value of the easement is determined through litigation. The courts also determine the timing for Tri-State's use of the easement, which may be immediate possession or deferred possession.

San Miguel County Land Use Code

San Miguel County Land Use Code (Topic 1201)

Total Number of Comments: 13

Comment No.: CL56

Organization: N/A

Commenter: Cole Crocker-Bedford

Comment Excerpt Text:

The BLM certainly MUST follow the San Miguel County Land Use Code (or convince the San Miguel County Board of County Commissioners to change its Land Use Code).

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Development activities in the West End shall be encouraged to preserve historical, archaeological and natural resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed with as little intrusion as possible on property rights, emphasis added.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County Land Use Code Section 5-709, which states that all proposed aboveground transmission line extensions are to be routed to avoid paralleling major transportation routes, such as SH 141.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The subject property that would be involved in and affected by the proposed Realignment Option is located within the West End (WE) Zone District.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA makes short shrift of the relevant provisions of the County's adopted Master Plan for the West End of the County, which includes this section of Dry Creek Basin where Tri-State's existing 115kV Transmission Line is located and the proposed upgraded 230 kV line would be constructed.

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The BLM publication "A Desk Guide to Cooperating Agency Relationships and Coordination with-Intergovernmental Partners", 2012 edition, includes a section titled "Meeting coordination and consistency requirements" at pages 31-34 that addresses the relationship between the BLM's land use planning and project approval process and local government land use planning and regulatory requirements. Among regulatory provisions applicable to the BLM's PEA process for Tri-State's proposed 230 kV transmission line project 43 CFR Ch. II, §1610.3. Coordination with other Federal agencies, State and local governments, and Indian Tribes, §1610.3-1 Coordination of planning efforts and §1610.3-2 Consistency Requirements.

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

PEA does not appear to address the "Consistency requirements" in 43 CFR §1610.3-2, applicable to the County's adopted WE Master Plan provisions as they pertain to the proposed location of Tri-State's 230 kV transmission line in Dry Creek Basin in Section 1.7 or elsewhere in the document.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

Upgrading the Transmission Line in place would result in the least possible adverse impact. Land Use Code Section 2-1 Conformance with Adopted Comprehensive Plan, which the WE Master Plan is a part of, states it is the policy of the County to insure that the use and development of land within San Miguel County and any actions committing such land to development or a change in use are consistent with San Miguel County's adopted Comprehensive Plans. The proposed realignment routing option identified in the PEA is not consistent with the WE Master Plan.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

It is the policy of San Miguel County to locate public utilities and utility lines to create the least amount of impact on County residents and the natural environment.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA is not responsive to the previous comments San Miguel County provided concerning the County Master Plan for the West End that applies to Dry Creek Basin, nor is it responsive to the comments provided concerning the County Land Use Code Section 5-709 Public Utilities Structures and Electricity Transmission and Distribution Lines.

Comment No.: CL63b
Organization: SMC
Commenter: Mike Rozycki

Comment Excerpt Text:

Missing from this section of the PEA is any discussion of the relevant provisions of the County's adopted Master or Comprehensive Plan for the West End of the County which includes the section of Dry Creek Basin where Tri-State's existing 115 kV transmission line is located and the proposed upgraded 230 kV line would be constructed, or any discussion of the relevant County land use policies in Article 2 of the County's Land Use Code, as well as the Land Use Code's review standards for all West End Zone District special uses.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

San Miguel County is not included in the list of affected parties involved in balancing of concerns.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Table 11 should have incorporated a column regarding compliance with San Miguel County Land Use Plan as well as impacts to private landowners so it captures a matrix of all issues pertinent to sage-grouse raised during scoping.

Summary

The BLM failed to address the "Consistency requirements" in 43 Code of Federal Regulations (CFR) §1610.3-2, applicable to San Miguel County's adopted West End Master Plan provisions, as they pertain to the proposed location of Tri-State's 230-kV transmission line in Dry Creek Basin, in Section 1.7 or elsewhere in the document. There is also no discussion in the National Environmental Policy Act (NEPA) document of the relevant County land use policies in Article 2 of the County's Land Use Code, as well as the Land Use Code's review standards for all West End Zone District special uses. The PEA is not responsive to Land Use Code Section 5-709 concerns.

Response

In accordance with 40 CFR 1502.16(c), the analysis must identify possible conflicts between the proposed action (and each alternative) and the objectives of Federal, State, regional, local, and tribal land use plans, policies, or controls for the area concerned. Additional information regarding possible conflicts with County land use code (per 40 CFR 1502.16(b) and 40 CFR 1506.2 (d)) has been added to the FEA (Section 1.7). San Miguel County was added to the list of concerned entities in Section 2.2.2.

Clarify and edit Environmental Assessment (EA) language regarding County Land Use Code (Topic 1202)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

[In reference to PEA section 1.7.1, page 12, 2nd paragraph]: insert as beginning of second paragraph. “Montrose, San Miguel, Ouray, and Dolores counties will grant various land use permits listed in Table 1. The proposed action will comply with all local land use regulations. If the reroute in Dry Creek Basin is selected it would not comply with San Miguel Land Use Code section 5- 709. San Miguel...”

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

[In reference to PEA section 1.7.1, page 12, 2nd paragraph]: this section should be broken out to specifically identify regulations and guidance associated with operating a transmission line as well as incorporating a discussion about and reference to regulations and land use plans for San Miguel County, Montrose County, and Dolores County. The BLM is required to take into consideration local land uses in their NEPA process.

Summary

The PEA failed to address local regulations and land use plan compliance for Montrose, Ouray, and Dolores counties as well as San Miguel County.

Response

In accordance with 40 CFR 1502.16(c), additional information regarding potential conflicts with County land use code for Montrose, Ouray and Dolores counties, in addition to San Miguel County, has been added to the FEA (Section 1.71.2.2). Table 2 also includes all the elements of the local land use regulations that would need to be complied with for any alternative. San Miguel county has indicated that the realignment along SH 141 (alternative C) would not be in compliance with San Miguel County Land Use Code.

Agency Decisions

Structure of the EA does not facilitate the decision-making process (Topic 1501)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Structure of the PEA does not Facilitate the Decision Process: The structure of the PEA does not facilitate analysis of the project or its impacts. There are few maps or descriptions of the existing environment (baseline condition), particularly in the case of the GuSG. The affected environment chapter identifies the existing MNC transmission line as a BLM designated utility corridor and as the environmental baseline for analysis, but this baseline is not carried forward under the big game and GuSG discussions in Chapter 4. The impact analysis for big game and GuSG should have consistently incorporated the environmental baseline (existing transmission ROW) similar to other resources analyzed, including sensitive species, to address additive impacts from increasing the ROW and structures from 115kV to a 230-kV, similar to the approach taken for sensitive wildlife species and other resources analyzed in the PEA. The FEA should clearly and consistently be structured to help the decision-maker understand the impact from the project.

Summary

The structure of the PEA failed to facilitate the decision process. More baseline maps should be included. Baseline conditions are not considered in evaluation of effects, specifically for big game and Gunnison Sage-Grouse (GuSG). The impact analysis should focus on additive effects.

Response

The BLM NEPA handbook (H-1790-1) states the environmental assessment should be organized so that the flow of information is logical and easy to follow. The recommended EA format is intended to present the analytical information in a manner that both informs decision-making and enhances general reader understanding of the proposal, the analysis process, and the results. The EA follows the recommended outline in Appendix 9 of the BLM NEPA Handbook. In addition, according to the handbook, the affected environment description may be presented as its own section or combined with environmental effects, and discussion of impacts may either be organized by alternative with impact topics as subheadings or by impact topic with alternatives as subheadings. The EA facilitates the decision process. Also see topics 3121, 3701, 4121, 4135, 4139, and 4151. Several new figures have been added and supplemented with tables (Figure 30, Tables 21 and 22) for GuSG baseline.

Comment about consistency with TRFO LRMP (Topic 1502)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

It should be clearly stated that the proposed design and location of both Action Alternatives would meet the TRFO RMP requirements for sage-grouse as defined in this paragraph.

Summary

BLM should clearly state that the proposed design and location of both Action Alternatives would meet the TRFO RMP requirements for GuSG, as defined in this paragraph.

Response

Section 4.3.6.2.2, Management and Effect Analysis Approach has been updated with the following text, "Both action alternatives would implement the aforementioned guidance relative to GuSG described in the TRFO RMP (BLM 2015) pertaining to power lines (see EPM table).

Alternative Development

Analysis of impacts within the State Highway (SH) 141 analysis area south of the Basin Store (Topic 2001)

Total Number of Comments: 4

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA never acknowledges which side of the highway was selected for analysis. The PEA identifies a corridor in the project description but then never discusses how this corridor was analyzed.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis failed to address both sides of the highway even though a corridor was presented for analysis. It is critical that the EA disclose the impacts to private landowners as well as GuSG depending on the side of Highway 141 being analyzed.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA only addresses the alignment on the south side of Highway 141 which results in very different outcomes given the current methodology being incorporated and challenged.

Comment No.: CL59b
Organization: Tueller and Associates (March 18)
Commenter: Douglas Tueller

Comment Excerpt Text:

More specifically, a relocation along the north side of the Highway not only would avoid unnecessary fragmentation of wildlife habitat, but also would consolidate the various human-related improvements and activities to a limited area — including utilizing the current Highway crossing rather than a costly, disruptive move.

Summary

The BLM's analysis failed to address both sides of SH 141, even though a corridor was presented for analysis. The EA should address impacts of the action within both sides of the highway for comparison.

Response

The FEA has been revised at section 4.3.10 to include a table and figure (see Table 15 and Figure 23) showing affected land ownership relative to the north and south side of SH 141, a discussion regarding effects to private landowners has been included in the FEA at section 4.6.10. In addition, the FEA has been revised at sections 4.6.6 and 4.7.6 to define the corridor used for analysis and disclose the difference with regard to potential impacts to GuSG habitat for the Dry Creek Basin realignment south of SH 141 and north of SH 141, and at sections 4.6.1 and 4.7.1. The revisions discuss differences to access, roads, and transportation relative to the north or south side of SH 141.

Alternatives Considered But Eliminated

Tri-State should bury the line in GuSG occupied habitat (Topic 2101)

Total Number of Comments: 2

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW recommended that the rebuilt transmission line be buried and located within the SH 141 ROW to improve habitat conditions for GuSG in Dry Creek Basin consistent with the recommendations provided for this type of development in the Gunnison Sage-grouse Rangewide Conservation Plan (RCP 2005) and BLM Washington Office Instructional Memorandum No. 2014-100 (BLM 2014) (“Avoid routing aboveground transmission lines within occupied [GuSG] habitat.”)

Comment No.: CL53

Organization: WildEarth Guardians

Commenter: Erik Molvar

Comment Excerpt Text:

If there are sections of the line which must cross sage grouse habitat due to the complete absence of legally available alternatives, any such section of line should be buried underground. Doing so will not entirely avoid impacts to sage grouse, but will minimize them, pursuant to the directives of Secretarial Order 3330.

Summary

The BLM should bury the transmission line in GuSG occupied habitat to improve habitat conditions and to be consistent with the GuSG Range wide Conservation Plan, BLM WO-IM-2014-100, and Secretarial Order 3330.

Response

As described in Section 2.4.2 of the PEA, the option of burying the line through the Dry Creek Basin was considered but dismissed due to diminished lifespan for the line, increased cost, and because the extent of ground disturbance and disturbance to habitat associated with the installation, operation, increased duration of power outage in the event of a failure, maintenance, and future repair of underground power line is greater than for a comparable overhead line. An underground line would require a continuous trench at least 3 feet wide and 5 feet deep and concrete manholes or large splice vaults at regular intervals. For an above-ground line, a single augured foundation several feet in diameter is needed every 400 to as much as 1,000 feet. The cost of building steel overhead transmission lines is estimated at \$784,200 per mile, compared to the cost of building the line underground, estimated between \$5.4 and \$5.6 million per mile. Substantial costs would be incurred for the infrastructure that would have a fraction of the lifespan of the overhead alternative.

Request routing around GuSG critical habitat (Topic 2102)

Total Number of Comments: 1

Comment No.: CL53

Organization: WildEarth Guardians

Commenter: Erik Molvar

Comment Excerpt Text:

BLM must consider re-routing the line to avoid designated Critical Habitat for the species in order to avoid adverse modification to these habitats, both on public and private lands (as this project certainly has a federal nexus) pursuant to the Endangered Species Act (“ESA”)

Summary

The BLM should consider re-routing the transmission line around GuSG critical habitat to avoid effects to GuSG habitat, pursuant to the Endangered Species Act.

Response

This alternative was considered but eliminated from analysis, as described in Section 2.4.3 of the PEA, because it would lead to greater environmental effects due to extensive new ground disturbance. A reroute would be substantially longer (34 miles of new transmission line) and over challenging terrain, resulting in new resource effects from access road construction in steep, dissected landscapes. A new ROW associated with this alternative would be about 618 acres. This reroute was also considered economically infeasible. Construction costs would be about \$6 million more than constructing in the existing alignment.

Requests both routing around critical habitat and burying the transmission line to meet a Finding of no Significant Impact (FONSI), for the GuSG (Topic 2103)

Total Number of Comments: 6

Comment No.: CL41

Organization: Grouse Inc.

Commenter: Clait Braun

Comment Excerpt Text:

The best solution would be to completely remove the powerline if one wanted to rebuild viable populations.

Comment No.: CL41

Organization: Grouse Inc.

Commenter: Clait Braun

Comment Excerpt Text:

The Preliminary Environmental Assessment falls far short of identifying expected impacts and fails to consider more reasonable alternatives such as burying the transmission lines in all area where sagebrush habitats occur on or in expected migration routes.

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

If the powerline is required to be moved as a result of the GuSG, then the appropriate entities should pay whatever cost necessary to minimize its disturbance to the landowners.

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

The EA should evaluate all alternative reroute options, including but not limited to those that will take the line further north or underground.

Comment No.: CL59b
Organization: Tueller and Associates (March 18)
Commenter: Douglas Tueller

Comment Excerpt Text:

The increased costs of this extension would prove substantial, even without considering the demands, time requirements and costs associated with acquiring easements for this new alignment. Such additional costs would also include condemnation expenses, including for any portions that should cross the Young Property. Further, various landowners almost certainly will require serious study of undergrounding requirements for any such relocated Upgraded Lines.

Comment No.: CL53
Organization: WildEarth Guardians
Commenter: Erik Molvar

Comment Excerpt Text:

Exclusion of the powerline from Critical Habitat and burial of the line as it passes through Critical Habitat are both reasonable alternatives that substantially reduce impacts to GuSG, and as such deserve full and detailed assessment and consideration under NEPA's 'range of alternatives' requirements.

Summary

The BLM should consider both routing around critical habitat and burying the transmission line to meet a FONSI for impacts to the GuSG.

Response

Routing the transmission line around critical habitat and undergrounding the transmission line were considered but eliminated from analysis as described in Sections 2.4.2 and 2.4.3 of the PEA, because those alternatives would lead to greater environmental effects due to extensive new ground disturbance. A reroute would be substantially longer (34 miles of new transmission line) and new access roads would be needed and over challenging terrain, resulting in new resource effects from access road construction in steep, dissected landscapes. A new ROW associated with this alternative would be about 618 acres. This reroute was also considered economically infeasible. Total construction costs would be about \$6 million more for the reroute, compared to constructing in the existing alignment. See Chapter 4, Sections 4.3.6 and 4.5.6 regarding effects to GuSG. Tri-State has committed to beneficial measures as detailed in Plan of Development (POD), Appendix B, Biological Resource and Protection Plan.

Alt C is not a reasonable alternative and should be eliminated from the analysis (Topic 2105)

Total Number of Comments: 2

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

2.3 Alternatives 2.3.4 Alternative C-Dry Creek Basin Routing Option (Alternative A Incorporating Realignment at Dry Creek Basin) discusses an alternative project alignment that would shift the location of several miles of the project right-of-way located within the Dry Creek Basin area of unincorporated San Miguel County from federally owned public lands under BLM management to several tracts of land located adjacent to Colorado State Highway 141 right-of-way to either the north or south side of the road that are either in private ownership or are owned by State of Colorado, Division of Parks and Wildlife, which property is not under the legal jurisdiction of either the BLM or any other federal public land management agency.

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

NEPA Alternatives that are not within the BLM's legal jurisdiction to implement, such as the Alternative discussed in Section 2.3.4, Alternative C-Dry Creek Basin Routing Option (Alternative A Incorporating Realignment at Dry Creek Basin) should be determined to not be "reasonable" and eliminated from consideration as a "reasonable" alternative for purposes of the BLM Decision Record and Finding of No Significant Impact ("FONSI") for this proposed project.

Summary

BLM should eliminate Alt C from the analysis because it is not a reasonable alternative.

Response

The NEPA directs BLM to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources...” (NEPA Sec 102(2)(C)). In determining the alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of implementing an alternative. “Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.” (Question 2a, Council on Environmental Quality (CEQ), Forty Most Asked Questions Concerning CEQ's NEPA Regulations, March 23, 1981). You can only define whether an alternative is “reasonable” in reference to the purpose and need for the action. The purpose and need statement was constructed to reflect the discretion available to the BLM and the agencies’ jurisdiction, therefore Alternative C is reasonable because the decision to be made section reflects the BLM’s jurisdiction relative to Alternative C.

More information should be presented regarding impacts of the no action alternative to Tri-State's system (Topic 2107)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The No Action discussed does not adequately discuss impacts to Tri-State’s system as identified in the purpose and need.

Summary

The BLM should include more information regarding impacts of the no action alternative to Tri-State's existing system.

Response

Under the No Action Alternative, the agencies would not grant Tri-State's request for a ROW grant and an SUA, allowing the line to be improved. The existing 115-kV transmission line from Nucla to Cahone and associated access roads would remain, and the transmission line would not be upgraded to 230-kV. Impacts to resources as well as Tri-State's system are described in the Environmental Effects section of the FEA, see Chapter 4.0. Tri-State's statement of reasons for proposing an upgrade to the transmission line is described in Section 1.2 of the PEA. The impacts of the No Action are described in Section 3.4.9 (near end of section).

Comment Suggesting new EPMs/Changes to EPMs Suggests timing restrictions for hunting season (Topic 2501)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW is also concerned about the potential short-term impacts to hunting recreation in areas adjacent to the ROW during construction. We suggest incorporating an EPM or mitigation measure that requires avoiding construction activities during big game rifle seasons (October 10 through November 20).

Summary

Commenter is concerned about the potential short-term impacts to hunting recreation in areas adjacent to the ROW during construction.

Response

Effects to hunting recreation, particularly in Colorado Game Management Unit (GMU) 61, a Quality (Trophy) unit, would be short-term. There could be localized and temporary safety issue for construction workers, and localized temporary impacts to hunters. Game Management Unit (GMU), is a large unit, and a small portion would be affected by construction activities. About 13 miles of the project pass through GMU 61, as well as about 44 miles of access roads. Environmental Protection Measure (EPM) R-2 has been updated to include specific location and timing constraints requested by CPW.

Tri-State should be responsible for implementing the Biological Protection Plan, Not the SM Working Group. (Topic 2502)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW notes that the San Miguel GuSG Working Group may not be able to manage the projects described in the Biological Protection Plan and recommends that the applicant maintain the primary responsibility for project implementation.

Summary

San Miguel GuSG Working Group may not be able to manage the projects described in the Biological Protection Plan and recommends that the applicant maintain the primary responsibility for project implementation.

Response

POD Appendix B has been revised and no longer refers to the San Miguel Working Group.

Suggests closures to public access in big game areas (Topic 2503)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW recommends that BLM and the applicant incorporate physical barriers and other measures to preclude public access and travel along the ROW in order to maintain the security that it provides to big game and to minimize the impact of this realignment.

Summary

BLM and the applicant should incorporate physical barriers and other measures to preclude public access and travel along the ROW in order to maintain the security that it provides to big game and to minimize the impact of the realignment.

Response

As described in Table 8 of the EA, Tri-Stare's Environmental Protection Measures (EPM) for Construction, EPM AR-4 specifies that BLM and USFS will identify closure devices to protect key sensitive areas. The down line road in general is open for public access and has been open since the line was built in the 1950's. Existing and proposed gates can be found on the map set in POD Appendix W.

Areas within 4 miles of a lek should be subject to seasonal construction restrictions (Topic 2504)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

BLM Instructional Memorandum 2014-100 requires prohibition of surface disturbance within 4 miles of a lek Dec. 1 through March 15 to protect winter habitat, and during breeding season, March 1 through June 30. The FEA should acknowledge these restrictions for any alternative that passes within four miles of an active lek.

Summary

BLM Instructional Memorandum 2014-100 requires prohibition of surface disturbance within four miles of a lek December 1 through March 15 to protect winter habitat, and during breeding season, March 1 through June 30. The FEA should acknowledge these restrictions for any alternative that passes within four miles of an active lek.

Response

The BLM TRFO Land Use Plan requires timing restrictions from December 1 through March 15th, and March 1 through June 30th. The existing active lek is about 3.8 miles from the existing transmission line, as well as Alternative A, as shown in PEA Figure 23, Table 11, and Table 20. BLM is required to include the timing restriction consistent with the RMP decisions, as a stipulation of the Notice to Proceed.

Suggests expansion of protective buffer on waterways (EPM WQ-5) (Topic 2505)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW recommends extending the applicant's proposed variable 30 to 100-foot construction buffer around surface waters, wetlands, and riparian areas (EPM WQ-5) to 300 feet.

Summary

BLM should consider extending the applicant's proposed protective buffer on waterways (EPM WQ-5) to 300 feet.

Response

The BLM has determined that the 100-foot buffer is sufficient for water ways setbacks based on the analysis and based on management direction in each current Resource Management Plan for both agencies. EPM's are Tri-State's voluntary measures and they have determined no change will be made.

Recommends incorporating a requirement that any structures installed for crossing waterways be designed, constructed and installed in a manner that does not limit fish or river otter passage. (Topic 2506)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW also recommends incorporating a requirement that any structures installed for crossing waterways be designed, constructed and installed in a manner that does not limit fish or river otter passage.

Summary

BLM should consider incorporating design features into waterway crossings to ensure that fish and river otter passage is not limited.

Response

The FEA was revised to incorporate changes to EPM WQ-16 and WQ-17. Low water crossings will be designed and constructed per USDA, United States Department of Agriculture, USFS Technical Reference, "Low Water Crossings: geomorphic, biological and engineering design considerations." WQ-16 includes the goal of "allowing fish passage where fish were historically present."

Suggests flight diverters in sensitive areas (Topic 2507)

Total Number of Comments: 2

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

In addition, in areas where the transmission line crosses surface waters, wetlands and riparian areas, CPW recommends marking the line with bird-diverters to help prevent bird/line collisions.

Comment No.: CL66

Organization: USFWS

Commenter: Terry Ireland

Comment Excerpt Text:

As an additional consideration, in conjunction with installment of spikes on the davit arms, the arms should be 8 inches wide or less, to more effectively limit the arms from being used as hunting perches and perhaps nesting. The most effective flight diverters should be used to limit collisions with the lines by sage-grouse and other birds.

Summary

BLM should incorporate flight diverters in locations where the line crosses surface waters, wetlands and riparian areas or GuSG habitat.

Response

All action alternatives include avian protection measures, such as flight diverters, to reduce bird/line collisions, as discussed in EPM BR-6. Tri-State is reducing the risk of collisions with powerlines and will incorporate recommendations developed by the Avian Power Line Interaction Committee and the United States Fish and Wildlife (USFWS). Tri-State committed in their Conservation Strategy (POD Appendix B) to install flight diverters in GuSG occupied habitat.

Concerned about reclamation and weed management on closed roads (Topic 2508)

Total Number of Comments: 1

Comment No.: CL56

Organization: N/A

Commenter: Cole Crocker-Bedford

Comment Excerpt Text:

The EA assumes that the existing roads that service the current power line will be successfully closed and revegetated after the transmission line is moved; however, based on many past examples it is more likely that most of the "closed" roads will continue to be used by the public and ranchers, and will turn into eroding and weed infested abandoned areas.

Summary

Commenter noted that closed roads could continue to be used by the public, which would result in ongoing long-term erosion and weed management degradation.

Response

There are design features included in the proposal to address the closed roads concerns. EPM NW-2 explains that a detailed reclamation and noxious weed management plan will be approved by the appropriate agency prior to the issuance of a ROW grant. In addition, as discussed in EPM VG-7, reclamation will be deemed complete once vegetation has been reclaimed to 70 percent pre-construction conditions, or at the discretion of the agency authorized agent. Tri-State will coordinate with the land management agencies to continue use of physical barriers such as boulders or locked gates, and to add additional barriers in sensitive areas (see EPM AR-4).

Suggest Bill Zeedyk's methods for roads to minimize maintenance needs (Topic 2509)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

We would request that Tri-State use Bill Zeedyk's methods to build and restore roads and erosion in order to minimize future maintenance needs.

Summary

Commenter requested that Tri-State use Bill Zeedyk's methods to build and restore roads and erosion in order to minimize future maintenance needs.

Response

This comment has been provided to Tri-State directly for their consideration and incorporation into FEA Appendix D, Plan of Development. Bill Zeedyk's structures were designed for restoring natural hydrology and addressing erosion in channels, not roads. Roads will be designed to address erosion concerns (see EPM AR-1 through AR-7 in Table 9, FEA).

Suggested change to GuSG-8: Lower speeds should be required on less developed roads and workers trained to watch for GuSG. (Topic 2510)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

Lower speeds should be required on less-developed roads, e.g., the maintenance roads under the transmission lines. In addition, workers should be trained to watch for grouse.

Summary

Lower speeds should be required on less-developed roads, e.g., the maintenance roads under the transmission lines. In addition, workers should be trained to watch for GuSG.

Response

The FEA includes a EPM GuSG-8 as follows: "Maintenance and construction crews will be required to drive 35 miles per hour (mph) or less on all roads associated with GuSG occupied habitat in Dry Creek Basin (with the exception of SH 141) to minimize vehicle collisions with GuSG". On less developed roads (e.g., under transmission lines), crews will drive 25 miles per hour (mph) or less due to narrow dirt road conditions. Workers will be trained to watch for grouse. (GuSG-10)

Suggested change to GuSG-11: Use native, locally sourced seeds (Topic 2511)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

All efforts should be made to use native ecotypes of seed that's as locally-sourced as possible.

Summary

Commenter suggested a change to GuSG-11, requiring use of native, locally sourced seeds for reclamation.

Response

See EPM VG-7. Native seed mixes that have been approved by the authorizing agency will be used for reclamation. The FEA was revised to include more specific information regarding seed sources for reclamation, see Appendix D, POD (POD Appendix P). Seed mixes have been designed by BLM and USFS ecologists to utilize local ecotypes to the greatest extent. Where local ecotypes are not available in volumes necessary to meet project demand, regional ecotypes have been selected or are identified as alternates, and if regional ecotypes are not available then appropriate native species have been selected to establish approximate native species composition to maintain plant community resiliency and allow for successional processes.

Suggested change to GuSG-12: Treat noxious weeds caused by original Transmission Line. (Topic 2512)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

We ask that the following addition be made, "Tri-State and its contractor(s) will also treat noxious weeds infestations most likely caused by the original installation of the transmission line (e.g., weeds that are under the transmission line or along roads build to access/maintain the line, but aren't seen in nearby habitat)."

Summary

Commenter suggested a change to GuSG-12, requiring treatment of noxious weed infestations likely caused by original transmission line installation and ongoing maintenance.

Response

The FEA includes a revised EPM GuSG-12. Further, a collaborative approach to weed management between Tri-State and the BLM is described in the FEA Appendix D, POD (POD Appendix S). This collaborative approach will address weed infestations within and adjacent to the ROW.

Suggested change to GuSG-13: Fix problems with perch discouragers as they are noticed (Topic 2513)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

We ask that If Tri-State employees are out more than once/year and see a problem with a perch discourager, it should be fixed right away.

Summary

BLM should change to GuSG-13 to say that Tri-State will fix problems with perch discouragers as they are noticed.

Response

As noted in EPM GuSG-13, "Tri-State would maintain and repair the perch discouragers for the life of the transmission line."

Suggested change to EPM NW-1 (Topic 2514)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

EPM NW-1 is not feasible; it is implying we need to do multiple years of treatment before construction can begin?

Summary

Commenter suggested EPM NW-1 is not feasible because of the construction schedule.

Response

EPM NW-1 in the FEA states, "if timing of construction permits, will pre-treat the ROW." This statement acknowledges that multiple year pre-treatment may not be possible and requires pre-treatment occur "if timing of construction permits." In addition, weed treatments have historically occurred and are ongoing in a cooperative effort including the agencies, county weed management, the Uncompahgre Plateau Project, and Tri-State.

Corona rings will not be installed with the new insulator type (Topic 2515)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Drop N-2 altogether since corona rings will not be installed on new insulator type.

Summary

The BLM should not include EPM N-2 in the FEA because Corona rings will not be installed with the new insulator type.

Response

EPM N-2 has been removed from the FEA. EPMs are design features of the proposed action as proposed by Tri-State.

Edit to page B-9 in Appendix B (Biological Protection Measures) (Topic 2516)

Total Number of Comments: 1

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:
We request that after CPW, you add “the San Miguel Basin Gunnison Sage-grouse Working Group.”

Summary

Request that the San Miguel Basin GuSG Working Group be added in POD Appendix B.

Response

The working group is made up of members from the BLM, CPW, and the county, so no edit needed.

Edit to POD Appendix B; request clarification that funds are specifically applied to GuSG and GuSG habitat (Topic 2517)

Total Number of Comments: 1

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:
p. B-10 says: Increase critical habitat protected in perpetuity; and, May provide additional funding to CPW for long-term management of land. These could be 2 different things: expand implies buying more land, while management is different. If funds are used for management, it should be for GUSG and GUSG habitat, not other purposes.

Summary

Request clarification in POD Appendix B that funds are specifically applied to GuSG and GuSG habitat.

Response

Tri-State has rewritten their voluntary Conservation Strategy, which is part of POD Appendix B, Biological Resource Protection Plan. This Plan now includes specific land purchase information.

Comment Requesting Additional Detail

Seed mix info needed in Ch 2 (Topic 2601)

Total Number of Comments: 2

Comment No.: CL58
Organization: CPW
Commenter: Patricia Dorsey

Comment Excerpt Text:

The PEA does not contain a description of preferred reclamation seed mixes that would be used on public or private lands (with landowner approval). Please provide in the FEA the preferred seed mixes that would be used by the applicant (if acceptable to the landowner), matched to specific ecological site conditions within the ROW. CPW suggests using a reclamation seed mix that avoids aggressive non-native grasses and forbs in order to promote the reestablishment of native grasses, forbs, and shrubs relied upon by wildlife.

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

...we would like to continue discussions with you on what species of native plants are proposed to be used for revegetation of disturbed areas in Dry Creek Basin.

Summary

BLM should provide reclamation seed mixes for both privately and publically managed land. Seed mixes should be matched to site conditions throughout the project area, and should avoid aggressive non-native grasses and forbs in favor of native

Response

FEA relevant sections in Chapter 2 and Appendix D, POD (POD Appendix S and P) were revised to include more specific information regarding revegetation and weed management, including seed mix information and seed sources for reclamation.

A more detailed GuSG mitigation plan must be prepared (Topic 2603)

Total Number of Comments: 4

Comment No.: CL58
Organization: CPW
Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW also notes that some potential projects currently listed in the Biological Protection Plan are not feasible.

Comment No.: CL58
Organization: CPW
Commenter: Patricia Dorsey

Comment Excerpt Text:

If Alternative A is selected, CPW recommends that a more detailed GuSG Mitigation Plan be prepared prior to and included in the FEA.

Comment No.: CL62
Organization: Rocky Mountain Wild & the Wilderness Society
Commenter: Megan Mueller

Comment Excerpt Text:

In order to ensure that compensatory mitigation is effective, BLM should describe specific compensatory mitigation that the proponent and BLM will be required to implement to offset the impacts of the realignment in Dry Creek Basin.

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

We would like to continue to work with you on the appropriate level of mitigation for Gunnison sage-grouse if the line is rebuilt in the current alignment..... moving the line to the road is expected to cause a net improvement of effective sage-grouse habitat by about 2,163 acres. As such, and specific to this project, the Service will not request compensatory mitigation if the line is moved adjacent to the highway.

Summary

BLM should prepare a more detailed GuSG mitigation plan to offset the impacts of both action alternatives in Dry Creek Basin.

Response

The FEA Appendix D, POD (POD Appendix B) was revised to include a more detailed conservation plan for GuSG.

BLM must select a final structure type for NEPA analysis (Topic 2604)

Total Number of Comments: 1

Comment No.: CL53
Organization: WildEarth Guardians
Commenter: Erik Molvar

Comment Excerpt Text:

Without fully settling on a type of structure, the agencies are unable to credibly assess the magnitude of impacts of raptor perching, a NEPA 'hard look' issue.

Summary

The BLM should select a final structure type for NEPA analysis; otherwise impacts are not fully assessed for raptor perching.

Response

As described in Section 2.2.2.4 (Table 4) of the PEA, “Information provided is based on preliminary design conducted for the proposed project, using standard effect measurements for proposed structure types.” The EA analyzed effects using the most protective design, a steel monopole that is self-supporting (i.e. doesn't require guys), and includes perch discourager design as shown in Figure 19.

FEA needs to disclose big game closure dates applicable to construction activities (Topic 2605)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

Please include in the FEA a more explicit description of the RMP big game closure dates that apply to construction activities and where the closed areas are located along the ROW. Please also describe any proposed big game closures that would apply to private lands and discuss how closures would be managed during construction given the interspersed private and public lands along the ROW.

Summary

The BLM should include a more explicit description of the Resource Management Plan (RMP), big game closure dates that apply to construction activities and where the closed areas are located along the ROW. Please also describe any proposed big game closures that would apply to private lands, and discuss how closures would be managed during construction given the interspersed private and public lands along the ROW.

Response

Additional description of the RMP big game closure dates that apply to construction activities is included in relevant sections of Chapter 2 of the FEA and Appendix D, POD (POD Appendix G, Environmental Compliance & Monitoring Plan). Big game closures would not be implemented on private lands: the BLM has no authority on private lands. However, Tri-State has coordinated with private landowners and CPW for other specific timing constraints

GUSG Population Status in DCB

PEA does not adequately describe the existing population status of GUSG in Dry Creek Basin; important lek and translocation data was omitted from PEA (Topic 3111)

Total Number of Comments: 7

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

The EA does not contain an adequate discussion of the precarious status of the San Miguel Basin population of GuSG.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Using the same method of estimating GuSG populations described above, this would suggest a Dry Creek Basin population of 24 birds despite the relocation of an unspecified number of birds from the Gunnison Basin population. This indicates that the birds are not persisting or thriving in Dry Creek Basin.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Page 120 of the EA states, "...in 2001, researchers estimated 392 total birds inhabited the San Miguel Basin," but fails to document the population trends in Dry Creek Basin. The EA only states (at the bottom of page 120) that since 1992 the population of GuSG in Dry Creek Basin has been declining. The EA further states that the spring 2015 estimate of GuSG population numbers in Dry Creek Basin were fewer than 70 individuals-how much fewer is unclear. Additionally, it is not disclosed how this estimate was derived.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Existing data is critical to describing the affected environment, which is a necessary prior to completion of an impact analysis for GuSG in Dry Creek Basin. This assessment should have also addressed... a qualitative discussion of the habitat within both Action Alternatives...it is our understanding there was an active lek near the power line that was there until the mid-90s...The affected environment fails to address/incorporate any of this information which is critical to the general public understanding the existing environment and historic population trends and demographics for GuSG in the Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

CPW has telemetry data on resident and translocated grouse movements and habitat use that could inform this question, but no data of this sort is presented... The number and location of translocations per year were readily available to the BLM for the PEA analysis. This type of information is crucial for assessing the environmental baseline for GuSG in Dry Creek Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis also fails to incorporate baseline information on GuSG demographics, lek counts, and movements in Dry Creek Basin.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:

The analysis provided in the Draft EA overstates the impacts of the Existing Transmission Lines. In fact, Section 3.5.6.1 of the Draft EA mentions that GuSG populations in the late 1950s (when the Existing Transmission Lines were constructed) only totaled nine birds. Yet, in 2014, the population had increased to 70 GuSG, despite the continued presence of the Existing Transmission Lines. This proves that even after the installation of the Existing Transmission Line the GuSG actually have increased in the intervening decades since this installation.

Summary

The BLM should provide additional discussion of the population status of GuSG in the Dry Creek Basin, including lek count data and population trends from 1992 through 2015. The information presented in the PEA indicates that GuSG actually have increased since the installation of the transmission line. The BLM should also incorporate CPW data into the environmental baseline, including information on the number and location of GuSG translocations per year and telemetry data on resident and translocated GuSG movements and habitat use. The BLM should provide a qualitative discussion of the habitat within both Action Alternatives.

Response

In response to public comments, the BLM restructured the FEA to include a more thorough discussion of baseline conditions for the San Miguel Basin GuSG Populations, including more specific information for the Dry Creek Basin, Miramonte Reservoir, and Monticello-Dove Creek subpopulations in Section 3.5.6.1. Discussion of GuSG population status and trends, where known, is included. Additional lek count and telemetry data from CPW for the Dry Creek Basin and Miramonte Reservoir areas was summarized and presented in Section 3.5.6.1 to better characterize the subpopulations and show population trends and the sources of the data. The discussion includes disclosure of the data limitations; the data set is somewhat limited and interpolations on a small data set can lead to inaccurate conclusions. In addition, per a non-disclosure agreement with CPW, these data can be used only to assist with the preparation of the EA and may not be displayed or distributed to any other party. The limited amount of vegetation information available has been presented. Vegetation data for Dry Creek Basin collected in accordance with the BLM Sage-grouse Habitat Assessment Framework has been provided. For comments about the use of telemetry data and describing GuSG movements in the Dry Creek Basin, see response to topic 3121.

Dry Creek Basin GuSG population is not viable; viability not described. (Topic 3112)

Total Number of Comments: 4

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

While the Dry Creek Basin has been classified as occupied, it is my understanding that the single active lek in the area has had very few males in recent years in spite of substantial translations of sage- grouse into the area. The EA reports substantial declines in number of sage- grouse in the regional population, raising some question about the viability of sage-grouse in the region. The EA reports no sign of sage-grouse within 1.25 miles of the proposed project. The most reasonable conclusion is that the Dry Creek Basin is no longer capable of supporting a viable sage-grouse population.

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

To some extent effects of the upgrade on sage-grouse may be a moot point unless there are independent data, not included in the EA, supporting the hypothesis that the Dry Creek Basin is capable of supporting a viable sage-grouse population, even in the absence of the existing line.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The description of the affected environment as it relates to the GuSG population in Dry Creek Basin fails to include complete lek count data, the best available scientific data, and is therefore incomplete and misleading. A complete description of the affected environment would include a discussion about the viability of the breeding population of sage-grouse in Dry Creek Basin, similar to the discussion in the Xcel FEA about the apparent lack of viability of the Poncha Pass population of GuSG.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The Dry Creek Basin subpopulation is currently a remnant population, incapable of maintaining demographic and certainly genetic viability without significant management intervention.

Summary

The PEA reports substantial declines in number of GuSG in the regional population, raising some question about the viability of GuSG in the region. The PEA reports no sign of GuSG within 1.25 miles of the proposed project. The most reasonable conclusion is that the Dry Creek Basin is no longer capable of supporting a viable GuSG population.

Response

US Fish and Wildlife Service included most of the Dry Creek Basin not already included in a Candidate Conservation Agreement with Assurances in its November 2014 designation of critical habitat for GuSG (USFWS 2014). In its listing of GuSG and designation of critical habitat, the US Fish and Wildlife Service was required to thoroughly evaluate the status of the species and identify the physical and biological features essential to the conservation of GuSG in areas occupied by GuSG at the time of listing. The BLM must comply with the, Endangered Species Act (ESA), and must be consistent with the goals of the, Land and Resource Management Plan (LRMP). An analysis of the viability of the Dry Creek Basin subpopulation is the responsibility of the USFWS, and beyond the scope of this analysis. For comments about the use of lek count data, see response to topic 3121. For comments on evidence of GuSG use of the Dry Creek basin, see response to topic 3121.

GUSG Habitat Quality/use in DCB

Existing GuSG habitat quality and habitat use in the Dry Creek Basin not adequately described. Important telemetry data was omitted from PEA. (Topic 3121)

Total Number of Comments: 8

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

I found no detailed description of habitats in undisturbed areas, which might assist in evaluating the potential of the Dry Creek Basin to support sage-grouse. Of particular importance are habitats providing forbs during midsummer as such habitats are essential for recruitment of young sage-grouse into the breeding population. Such habitats are often overlooked but we have found them to be most likely to limit sage- grouse populations in Nevada. While the Dry Creek Basin has been classified as occupied, it is my understanding that the single active lek in the area has had very few males in recent years in spite of substantial translations of sage- grouse into the area. The EA reports substantial declines in number of sage- grouse in the regional population, raising some question about the viability of sage-grouse in the region. The EA reports no sign of sage-grouse within 1.25 miles of the proposed project. The most reasonable conclusion is that the Dry Creek Basin is no longer capable of supporting a viable sage-grouse population.

Comment No.: CL56

Organization: N/A

Commenter: Cole Crocker-Bedford

Comment Excerpt Text:

I endorse Remington's GuSG analysis with respect the transmission line upgrade. Among other issues, he points out that Dry Creek Basin appears to be only marginal habitat for the GuSG. I will add only my opinion that even if every existing road and human structure were to be removed from Dry Creek Basin, I suspect that the habitat would remain marginal for GuSG due to the near absence of moist swales... that was caused when gullies formed that drained the swales. The gullies were due to irrigation practices and overgrazing 1870-1940.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The habitat in Dry Creek Basin is only marginally effective and suitable for GuSG in its existing baseline condition.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The existing Land Health Assessment finds that 93% of the San Miguel Basin GuSG occupied habitat fails to meet Standard Three for landscape health with regard to the health of the vegetative community.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The BLM conducted a Land Health Assessment for Dry Creek Basin in 2006...Tri-State would request if there have been updates to this assessment in recent years, that information is incorporated into the FEA...The assessment goes on to identify the suspected causal factors in meeting objectives for threatened and endangered species including GuSG (Page 4): Within control of agency: current livestock grazing practices, pinyon-juniper encroachment into sage brush, oil and gas leases. Outside control of agency: historic livestock grazing practices, traffic on county roads, historic and current suppression of fire in pinyon-juniper and sagebrush communities, big game use, drought, predation, oil and gas development...The FEA must include this pertinent information as it pertains to GuSG habitat and recovery in Dry Creek Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The paragraph indicates that sage-grouse are currently avoiding the power line and the highway yet there is no science or discussion of lek and telemetry data to support this assertion anywhere in Chapters 3 and 4.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA analysis quantifies the amount of habitat lost through direct disturbance or indirectly through avoidance/fragmentation, but makes no attempt to describe the relative quality of that habitat or use by GuSG.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA fails to describe any aspect of the relative quality or degree of use of habitat either within Dry Creek Basin, the ROW for the line, or the putative 1,000 meter area of reduced habitat effectiveness.

Summary

Existing GuSG habitat quality and habitat use in the Dry Creek Basin is not adequately described. Dry Creek Basin appears to be only marginal habitat for the GuSG and the habitat would remain marginal for GuSG due to the near absence of moist swales caused by irrigation practices and overgrazing. The existing Land Health Assessment finds that 93% of the San Miguel Basin GuSG occupied habitat fails to meet Standard Three for landscape health. Telemetry data was omitted from PEA. The PEA reports substantial declines in number of GuSG in the regional population, raising some question about the viability of GuSG in the region. The PEA needs to provide additional science or discussion of lek and telemetry data to support the claim that GuSG are currently avoiding the power line and the highway.

Response

The FEA was restructured to include a more thorough discussion of baseline conditions, including a discussion of GuSG distribution, based on existing telemetry data in Section 3.5.6. The discussion includes disclosure of the data limitations. As discussed in Section 3.5.6 of the FEA, the telemetry data available is raw data and has not been analyzed to verify data assumptions or account for confounding variables, limiting the ability to draw conclusions about GuSG movements, habitat, or distribution in the Dry Creek Basin. Reasonable assumptions regarding habitat are described in the FEA, including that habitat conditions do not vary based on the position on the line, and habitat quality is not influencing GuSG selection around the line. In response to public comments, the discussion of existing habitat conditions in the Dry Creek Basin was also expanded in Section 3.5.6 to describe general local habitat conditions, more specific vegetation conditions, and past and current climatic conditions. Site-specific information about existing direct and indirect anthropogenic disturbances, observations of GuSG, and vegetation data for the Dry Creek Basin is incorporated into the FEA. Recent habitat monitoring data collected by BLM in the Dry Creek Basin between 2013 and 2015 has been incorporated in the FEA. For information about the indirect effects of the existing transmission line in the Dry Creek Basin, see response to topic 3133. For information about the use of telemetry data and describing GuSG movements in the Dry Creek Basin, see response to topic 3111. See response to topic 3142 for information about other factors influencing GuSG in the Dry Creek Basin and see response to topic 3112 for information about population viability.

Existing Transmission Line Effects

PEA fails to acknowledge existing line as part of the existing environment for GuSG (Topic 3132)

Total Number of Comments: 8

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

In reading the draft EA it's not clear to me that the existing 115 KV line was considered as part of the baseline condition. [...] I could find no data on abundance of avian predators in the project area so it is difficult to assess whether the existing line might have influenced dynamics of local raven or raptor populations.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA fails to correctly weigh the impacts of the alternative against a fully analyzed baseline condition.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA fails to recognize the impact of the current line to GuSG as a baseline condition.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Misrepresents the impacts of Tri-State's proposed action, in large part, by failure to consider the incremental impacts when compared to the baseline (or "existing") environment, specifically in regards to the GuSG. The information presented for several resource topics in the PEA is inconsistent between chapters and is represented in a manner that does not clearly or accurately identify the true distinctions between the action alternatives, which is necessary for the decision making process.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

"The affected environment provides the baseline condition for the comparison and evaluation of environmental consequences in Chapter 4". We have included the reference for this statement here as the affected environment (baseline) was not what was carried forward for resource analysis in Chapter 4, particularly for big game and GuSG.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

To support Tri State concern that the existing alignment is not being treated as the environmental baseline for sage-grouse-the BLM RMP further supports this assumption: “The 2013 RMP for the San Juan National Forest (SJNF), and BLM TRFO describes the existing Tri-State transmission line as a designated utility corridor”.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The BLM biologist recently clarified the existing transmission line should have been the environmental baseline so the quantitative analysis, including the Tri-State’s protested discussion of indirect effects needs to represent this baseline. Information in the column for Alternative B would be more helpful if it provided specific numbers and detail delineating what the existing baseline is versus just stating “no change”. Please add number of structures, in addition to acres disturbed, for each alternative.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Mention of indirect effects fails to address the existing baseline condition.

Summary

It is not clear that the existing 115-kV line was considered as part of the baseline condition. Data needed to evaluate the influence of the existing line on local raven or raptor populations was not presented in the PEA. The incremental impacts to GuSG when compared to the baseline (or "existing") environment were unclear. The information presented does not clearly distinguish the effects of the action alternatives. Please add to Table 11 the number of structures, in addition to acres disturbed, for each alternative.

Response

Section 3.5.6 of the FEA was restructured to include a more thorough discussion of baseline conditions, including indirect effects of the existing transmission line. Table 11 was revised in the FEA to include number of structures, in addition to acres disturbed, for each alternative including the No Action alternative. Numbers presented in all tables were checked for consistency in the FEA. See response to topic 4139 for information about effects of avian predators.

GuSG avoidance of transmission line corridor; effects of transmission line on GuSG movement (Topic 3133)

Total Number of Comments: 4

Comment No.: CL41
Organization: Grouse Inc.
Commenter: Clait Braun

Comment Excerpt Text:
The present powerline has contributed to the poor survival of GuSG in these areas and helped lead to reduced population size over time.

Comment No.: CL37
Organization: N/A
Commenter: Bill Young

Comment Excerpt Text:
It has never affected the movement of the sage hens in that area. I have seen them through that whole area on both sides of the Powerline.

Comment No.: CL64
Organization: N/A
Commenter: Cindy Alexander

Comment Excerpt Text:
It has never affected the movement of the sage hens in that area. I have seen them through that whole area on both sides of the Powerline.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:
The radio telemetry data collected in the San Miguel Basin indicates that GuSG are moving across the Tri- State power line ROW back and forth from the east and west side of the Basin and from Dry Creek Basin to Hamilton Mesa and Miramonte, which would require crossing roads and power lines.

Summary

Several public comments were contradictory on the effect, or lack of effect, of the transmission line on GuSG movements and avoidance of suitable habitat.

Response

BLM acknowledges that GuSG use both sides of the existing transmission line and occasionally cross both the transmission line and SH 141. However, the occasional presence of GuSG does not dismiss the potential impacts of avoidance of overhead structures and reduced use of suitable habitat under and near the transmission line. Section 3.5.6 of the FEA includes an expanded discussion of the potential avoidance by GuSG of the existing transmission line and a more thorough discussion of the purpose, literature support, assumptions and limitations of the zone of influence used to evaluate potential avoidance behavior, which was revised to 600 meters. See response to topic 3121 for information about providing additional baseline data on GuSG distribution and movements from telemetry data. The BLM has also included additional discussion and research on the indirect effects of tall structures on GuSG survival and reproduction for both the existing line and Action Alternatives.

Comments related to GuSG population effects and demographics (Topic 3134)

Total Number of Comments: 1

Comment No.: CL59b

Organization: Tueller and Associates (March 18)

Commenter: Douglas Tueller

Comment Excerpt Text:

The EA fails to properly analyze and utilize past and present information regarding grouse demographics including survival rates to reach the conclusion that Dry Creek Basin has “the characteristics to support sustainable populations”. This is a critical missing piece of the analysis and affected environment.

Summary

The BLM failed to utilize past and present information regarding GuSG demographics, including survival rates, to support the conclusion that Dry Creek Basin has “the characteristics to support sustainable populations.”

Response

A more thorough discussion of baseline conditions, including a discussion of GuSG demographics based on existing data from CPW and BLM, is provided in Section 3.5.6.1 of the FEA. The determination of the ability of the Dry Creek Basin to support sustainable populations is the responsibility of the USFWS. The USFWS has made this determination by listing the Dry Creek Basin as critical habitat for the survival and recovery of GuSG.

Limitations of existing data for drawing conclusions about existing transmission line effects were not disclosed (Topic 3137)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The FEA should incorporate all pertinent and relevant existing information available for GuSG in Dry Creek Basin and the assumptions/limitations associated with the data as appropriate. Information that should be incorporated into the FEA includes but is not limited to: vegetation/habitat quality, telemetry data, historic lek data, and historic and current population trends in the Basin.

Summary

The BLM should incorporate all pertinent and relevant existing information available for GuSG in Dry Creek Basin, including vegetation/habitat quality, telemetry data, historic lek data, and historic and current population trends in the Basin and the assumptions/limitations associated with the data, as appropriate.

Response

The BLM based its analysis on the best available science, after conducting an extensive search for literature about GuSG. Only the most pertinent literature sources were cited in the FEA. Discussions about the limitations of the data available for GuSG in drawing conclusions about potential effects of anthropogenic activities and features, and the uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA. (See Section 3.5.6.1.5). See response to topics 3111 and 3121 for comments about the use of telemetry and lek data.

Other Existing Effects on GuSG Habitat

The coyote population increase is a threat to the GuSG (Topic 3141)

Total Number of Comments: 6

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

If the EA should evaluate coyote predation, it would clearly demonstrate that coyote predation is the primary deterrent for the lack of a flourishing population of GuSG.

Comment No.: CL64

Organization: N/A

Commenter: Cindy Alexander

Comment Excerpt Text:

The main thing that has affected sage hen population in that area is that the ranchers in the area stopped running sheep and stopped controlling coyotes. That occurred in around 1980 to 1985 and since that time the population of coyotes in the area has exploded.

Comment No.: CL52

Organization: N/A

Commenter: Karyn Marolf

Comment Excerpt Text:

As for sage hens if you want to help them call the CPW and have them get a handle on predator control. Coyotes are way out of control.

Comment No.: CL37

Organization: N/A

Commenter: Bill Young

Comment Excerpt Text:

The main thing that has affected sage hen population in that area is that the ranchers in the area stopped running sheep and stopped controlling coyotes. That occurred in around 1980 to 1985 and since that time the population of coyotes in the area has exploded.

Comment No.: CL59a

Organization: Tueller and Associates (Dec 3)

Commenter: Douglas Tueller

Comment Excerpt Text:

If current populations of GuSG are at risk, the Impacted Parties believe this is due to an increase in land predators.

Comment No.: CL59b
Organization: Tueller and Associates (March 18)
Commenter: Douglas Tueller

Comment Excerpt Text:

These well-acquainted parties virtually all believe that the populations of these birds much more are adversely impacted by surging coyote and other predator populations than by perceived possible "shadow" and/or other impacts created by any Tri-State transmission power lines.

Summary

Ranchers in the area stopped running sheep and stopped controlling coyotes in the 1980s and since that time the population of coyotes in the area has exploded. GuSG populations are more adversely impacted by surging populations of coyotes and other predators than by other impacts from Tri-State transmission power lines.

Response

Section 3.5.6 was revised to explain that coyotes, as well as ravens and other predators, may be affecting the Dry Creek Basin GuSG population, but that no data exists to justify any clear conclusions about current or past coyote predation of GuSG. Although information regarding raven population expansion and increased abundance associated with power lines is available, there is no known relationship between power lines and coyotes.

Other factors influencing GuSG habitat in Dry Creek Basin were not disclosed (Topic 3142)

Total Number of Comments: 6

Comment No.: CL58
Organization: CPW
Commenter: Patricia Dorsey

Comment Excerpt Text:

The summary does not include habitat decline resulting from anthropogenic activities. Instead, habitat decline is grouped with threats that are of a lesser degree or limited to localized areas. However, the USFWS listed habitat decline as one of the most substantial threats.

Comment No.: CL65
Organization: N/A
Commenter: James Sedinger

Comment Excerpt Text:

The Dry Creek Basin has substantial anthropogenic disturbance in addition to the existing transmission line. These disturbances include what appears to be gas development, several roads, and agricultural areas, all of which could negatively impact sage-grouse. I found no detailed description of habitats in undisturbed areas, which might assist in evaluating the potential of the Dry Creek Basin to support sage-grouse.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County believes that a variety of factors that are not discussed in the EA are influencing the effectiveness of the habitat for GuSG in Dry Creek Basin. These factors include drought, climate change, historic and perhaps current BLM rangeland management practices, development of the Broad Canyon Landfill in close proximity to Dry Creek Basin, increasing corvid populations in the area, and changes in predator management that have occurred over the years.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There is also no quantitative or qualitative discussion of the other stressors in the Dry Creek Basin that are affecting grouse survival.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA acknowledges the presence of existing human disturbances within Dry Creek Basin...but makes no attempt to quantify the extent.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis only addresses these two features yet Figure 24 identifies numerous disturbances which are not quantified and discussed anywhere in the affected environment.

Summary

The Dry Creek Basin has substantial anthropogenic disturbance in addition to the existing transmission line and the EA needs a quantitative or qualitative discussion of other disturbances. The USFWS listed habitat decline as one of the most substantial threats to GuSG and the discussion should include habitat decline resulting from anthropogenic activities.

Response

A more thorough discussion and analysis of other factors influencing GuSG in the Dry Creek Basin, including roads, oil and gas development, predators, land use, habitat decline, and climate is provided in Section 3.5.6.1 and Section 5.3.5 of the FEA. These factors are discussed in relation to the alternatives. See response to topic 4139 for a discussion on the influence of the Broad Canyon Landfill on attracting avian predators.

Critical Habitat in Dry Creek Basin

Area under the power line is not critical habitat (Topic 3151)

Total Number of Comments: 8

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

Since the area of disturbance consists of the existing transmission lines constructed in 1958, then the existing powerline and its location are not considered critical habitat.

Comment No.: CL63b

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

This subsection includes an inaccurate characterization of the United States Fish and Wildlife Service's ("USFWS") "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for GuSG; Final Rule, 50, CFR, Part 17, Section 17.95."

Comment No.: CL63b

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

This characterization of the USFWS Habitat Designation Rule for the GuSG appears to accurately interpret the actual text of the Rule as published in the Federal Register on 11/30/15, which states at " §17.95, Critical habitat-fish and wildlife, (b) Birds... GuSG (Centrocercus Minimus) (3) Critical habitat for GuSG does not include manmade structures (such as buildings, airports runways, roads, and other paved areas) and the land on which they are located existing within the boundaries of designated critical habitat on December 22, 2014."

Comment No.: CL63b

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

An accurate reading of the plain language of the USFWS GuSG habitat designation rule text supports the interpretation that the listing of specific types of manmade structures within the parenthetical language is intended to serve as examples or illustrations of various types of manmade structures, not as words of limitation that would restrict such manmade structures to only those listed in the parenthetical's language.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The existing 115 kV Transmission Line is a manmade structure and the land under the line falls within this exclusion from Critical Habitat for the GuSG, and therefore should not be considered Critical Habitat.

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

Tri-State's proposed alternative, that would locate the upgraded 230 kV transmission line along the existing transmission line right-of-way within Dry Creek Basin, would not result in the project being located within GuSG designated critical habitat as set forth in the USFWS's critical habitat designation final rule. That rule explicitly provides that man-made structures, such as power lines and the land on which they are located, are not considered to be located within GuSG designated critical habitat.

Comment No.: CL63b
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

Lands covered by paved roads, buildings, or other manmade structures on the effective date of this rule are not included in critical habitat designated under this rule. A right-of-way that is not paved would be considered to be critical habitat.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:

Improper Designation of the Existing Transmission Lines as Located in Critical Habitat under Applicable Federal Regulations.

Summary

USFWS Critical Habitat Designation Rule states critical habitat for GuSG does not include manmade structures (such as buildings, airports runways, roads, and other paved areas) and the land on which they are located existing within the boundaries of designated critical habitat on December 22, 2014.

Response

A more thorough discussion of designated critical habitat in the Dry Creek Basin, including the definition, regulatory context, and application of the designation in the Dry Creek Basin is provided in Sections 1.7 and 3.5.6.1 of the FEA. The USFWS states that all lands under the transmission line in the Dry Creek Basin would be considered critical habitat with the exception of the poles themselves (USFWS Pers Comm). Regardless of habitat designation, the BLM must still consider impacts to the species.

GuSG ACEC in DCB

Concern project may impact values of proposed Dry Creek Basin Areas of Critical Environmental Concern (ACEC) (Topic 3191)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

Please include in the FEA a discussion of the relevant and important values identified in the RMP for the proposed Dry Creek Basin ACEC and how those will be protected under each Alternative.

Summary

A commenter expressed concern that the project may impact relevant and important values of the proposed Dry Creek Basin ACEC. BLM should document the identified relevant and important values and disclose potential impacts and protective design features.

Response

The current Tri-State transmission line intersects 4 of the 18 nominated ACECs areas identified as meeting relevance and importance criteria and currently evaluated in the TRFO RMP ACEC amendment (the existing transmission line does not intersect the designated boundaries of the Gypsum Valley ACEC, but the boundaries of the nominated ACEC for Gypsum Valley are expanded and would intersect the project area). The proposed realignment would intersect 1-2 miles within two nominated ACECs, including the nominated Dry Creek Basin ACEC. Protection of identified relevance and importance values associated with each area will be considered during site-specific analysis. Consistent with the TRFO RMP, the BLM will not approve activities in the nominated areas that would impair the potential relevant and important values identified until a determination is made through the plan amendment (see TRFO RMP Record of Decision (ROD), Section 2.3). GuSG and its habitat were the primary resource criteria for which the Dry Creek Basin area was nominated. The FEA has been revised to include new sections which analyze impacts of the alternatives relative to each intersected nominated ACEC area (FEA Sections 3.5.9, 4.3.9, 4.4.9, 4.5.9, 4.6.9, and 4.7.9).

Visual Resources

Visual resources baseline should clearly include the impacts of the existing line (Topic 3601)

Total Number of Comments: 2

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

3). The analysis states the line is highly visible in Dry Creek Basin on the south end. This discussion and the entire visual resource analysis for Dry Creek Basin need to be properly quantified- how many structures, how many miles, etc.? The analysis does not assist the reader in understanding where the visual resource concerns occur and from what specific areas will each alternative be visible and should have assessed both sides of the Highway 141 corridor for Alternative C.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Because the bulk of the proposed project would be rebuilt along the existing right of way, only “additive” visual impacts would result. Existing visual impacts of the 115 Kilovolt (kV), transmission line are already present.

Summary

The BLM should clearly include the existing transmission line in the visual resources baseline. BLM should identify specific locations where the existing line is visible and include additional quantitative analysis for all alternatives. The changes associated with the upgrade in place should be discussed in context of the baseline.

Response

The existing line is described in the PEA as part of the characteristic landscape (please see PEA section 3.5.7.3). New effects resulting from the alternatives are described in the Environmental Effects sections. Additional information regarding number of structures visible from the Basin Store and the existing crossing location have been added to Appendix C to the FEA (Visual Resources Report).

Elk Habitat Conditions

Concerns about description of baseline conditions for big game (Topic 3701)

Total Number of Comments: 2

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

The Dolores Rim in the vicinity of the East Pines contains one of the largest concentrations of the wintering elk in all of southwest Colorado. The Dolores River is...a forested area that is locally significant for big game and big game hunters due to its unique unfragmented character.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

“The affected environment provides the baseline condition for the comparison and evaluation of environmental consequences in Chapter 4”. We have included the reference for this statement here as the affected environment (baseline) was not what was carried forward for resource analysis in Chapter 4, particularly for big game and GuSG.

Summary

There are concerns that the Dolores River crossing is in a forested area that is locally significant for big game and big game hunters due to its unique unfragmented character.

Response

Additional information about big game habitat conditions, particularly at the Dolores River Crossing, has been added to the FEA at section 3.4.11. However, the habitat conditions at the south rim, Dolores River Crossing comprise an area with many County graded and maintained roads, existing road access to Tri-State’s existing 115-kV transmission line, as well as casual use areas and roads. Tri-State would use existing roads to the greatest extent possible, as shown in Figure 6, and would construct spur roads to each structure off of the existing road network.

Non Resource Specific Comments on Impact Analysis

EA should include a summary of impact determinations by resource analyzed (Topic 4001)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The FEA should include a summary of impact determinations by resource analyzed.

Summary

The BLM should include a summary of impacts determinations by resource analyzed.

Response

The PEA includes impact determinations in the tables (see tables 11, 20, and Appendix E expanded summary impacts tables) and in the individual resources sections (4.3 through 4.7). The FEA has been clarified and refined relative to effects determinations as needed due to changes to the Action Alternatives and as a result of substantive public comments received. Preliminary impact determinations for species listed under the Endangered Species Act may be included; however, formal determinations can only be made by the U.S. Fish and Wildlife Service.

PEA inappropriately classifies all changes as an adverse impact and does not describe short-term vs. long-term effects (Topic 4002)

Total Number of Comments: 2

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The analysis confuses change with effect even though the PEA defines an “Environmental Effect as a change in the quality or quantity of a given resource due to modification in the existing environment resulting from project related activity”. These changes need to be addressed in terms of short-term and long-term effect. For some resources, over the long-term, there may be no effect or a beneficial effect and this is not addressed in resource analysis.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

In most instances, the PEA appears to equate any change in the existing environment with an adverse impact...compounded by the harmful, misleading and inaccurate representation in the PEA that where a change is not identified as being beneficial, the effect of the change is considered to have a negative impact.

Summary

The PEA inappropriately classifies all changes as adverse impacts and does not describe short-term vs. long-term effects.

Response

As stated on page 134 of the PEA, duration of effect was considered and reported throughout the PEA (sections 4.3 through 4.7). Short-term is defined on page 134 as less than 3 years, and long-term as greater than 3 years. Some effects are described as beneficial. For example, Section 4.3.8 describes effects to lands with wilderness characteristics under the Proposed Action as “low, long-term beneficial effects...”. Where relevant, resources analyzed and effects have been edited and clarified with information, including impacts determinations as a result of public comments and additional research.

Clarification to impact assumption (Topic 4003)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

This bullet contains a statement that “For purposes of analysis impacts to all resources except Forest and Timber Resources are assumed to be short-term”. This contradicts the grouse and big game analysis in the EA.

Summary

The PEA contains a contradiction in the GuSG and big game analysis. A bullet that states “for purposes of analysis impacts to all resources except Forest and Timber Resources are assumed to be short-term,” contradicts the GuSG and big game analysis in the PEA.

Response

At section 4.1.1, the FEA has been revised to add the word “vegetation” to this bullet. The bullet reference is related specifically to revegetation activities, and was intended to convey the concept that forest and timber resource revegetation is a long-term effort while revegetation of other vegetation classes (i.e., grasses, shrubs, etc) would be short-term.

Need to incorporate Alt B into summary Table 20 (Topic 4004)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

For consistency, this table should have included a column for the No Action Alternative so the action alternatives could be compared to the baseline conditions.

Summary

BLM should incorporate Alternative B into summary Table 20.

Response

The intention of Table 20 is specifically to compare the routing options at the two potential realignment areas. Impacts of the No Action are included in the PEA narrative (see PEA Section 4.4, Alternative B: No Action Alternative). In addition, Appendix E contains a Summary of Environmental Effects and Basis for Determination table.

Request for clarification of new, graded and reclaimed roads for Dolores River Crossing (Topic 4005)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The table fails to explain that the access road for the re-alignment where it leaves the existing transmission line will be down-line and will require primarily vegetation removal and very limited grading is required. Total acres of road grading and road reclamation for the action alternatives should be included.

Summary

BLM should disclose acreage of road grading and road reclamation for the Dolores River Crossing Realignment (Alternative A).

Response

The FEA discloses the miles of new and reclaimed roads for comparison (see Table 25).

GuSG General Impact Analysis Comments

FEA should incorporate all appropriate literature and disclose the uncertainty and inconsistency in that literature. (Topic 4101)

Total Number of Comments: 4

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The PEA should have disclosed the uncertainty and inconsistency in the literature pertaining to transmission line impacts on GuSG, versus attempting to draw inaccurate and inappropriate inference from oil and gas studies, improper citations of existing literature, and reference other surrogates, particularly the lesser prairie chicken. Tri-State has provided references and other literature cited in our comment letter for consideration in the FEA.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The GuSG analysis is Flawed in Several Respects: The PEA, Preliminary Environmental Assessment, overstates the adverse impact of the MNC Transmission line improvement project to GuSG because of a variety of procedural errors and a failure to use or appropriately interpret the best available science relative to transmission line impacts on sage-grouse.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The PEA also inaccurately cites references on transmission impacts on sage-grouse and fails to incorporate applicable information and research relating to Greater Sage-Grouse.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

There is relevant literature on the impacts of the Falcon-Gondor transmission line in Eureka County, Nevada, on greater sage-grouse that was not considered in the PEA...Blomberg et al.(2010) reported on progress through year 8, and found that the best model of daily nest survival included distance from the road, but not from the transmission line, so there was no

support for an effect of distance from the line... where spurious correlations that don't support conventional wisdom are explained away...There was no support for distance from the line impacting male movements relative to leks. Gibson et al. (2013) in a final report incorporating data from all 10 years of the study found no support for distance from the line on nest site selection or female nesting propensity.

Summary

The BLM should incorporate all appropriate literature on transmission line effects, verify the accuracy of the literature cited, and disclose the uncertainty and inconsistency in that literature.

Response

The analysis has been updated based on literature primarily focused on sage-grouse. BLM based its analysis on the best available science, after conducting an extensive search for literature about GuSG. Only the most pertinent literature sources were cited in the FEA. Discussions about the limitations of the data available for GuSG in drawing conclusions about potential effects of anthropogenic activities and features, and the uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA at Sections 3.5.6 and 4.3.6.

GuSG analysis is inconsistent with established analysis/science for other similar projects (Topic 4103)

Total Number of Comments: 4

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Yet the analysis approach being applied is not commensurate with a re-build project, nor is it consistent with the BLM's approach to larger, ne transmission projects in the west that occur in occupied habitat for greater sage-grouse.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The interagency Habitat Equivalence Analysis Technical Advisory Team for the Gateway West Environmental Impact Statement (EIS), also came to the conclusion that "any possible indirect effects of operating transmission lines on sage-grouse habitat use are not documented in the literature or in available data in a consistent and quantifiable manner, which led this team to not include indirect effects in the Habitat Equivalence Analysis model".

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

In the projects listed above, the BLM was the lead or co-lead agency for the NEPA process. The BLM came to this conclusion on indirect effects for Transwest Express Transmission Line Project (Page C-6-Gunnison Sage Grouse Mitigation and Habitat Equivalency Analysis Plan): "Indirect disturbances will be simulated by applying buffers to the construction footprint and decreasing the habitat service scores below the baseline habitat service scores within the buffers. Because of uncertainties in the indirect impacts of transmission on sage-grouse, at this time, noise and human presence will be the only indirect disturbance modeled in the abitat Equivalence Analysis".

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

To provide further information for your consideration, we are enclosing a white paper relating to transmission lines, their effects, and possible mitigation.

Summary

Other methods for analysis of transmission line impacts and determining mitigation should be considered. The GuSG analysis is inconsistent with established analysis/science for other similar projects, including the Gateway West EIS, and Transwest Express Transmission Line Project that used a Habitat Equivalency Analysis approach to analyze direct impacts to greater sage-grouse. The Gateway West EIS does not include indirect effects in the Habitat Equivalence Analysis model.

Response

The Gateway West EIS involved construction of new transmission line and used a Habitat Equivalency Analysis approach to analyze direct impacts to greater sage-grouse. A Supplemental EIS is currently being prepared for two segments of the proposed Gateway West EIS project where impacts to greater sage-grouse are a concern. A white paper jointly prepared by BLM and UFSWS proposes a different approach for assessing indirect impacts from the proposed Gateway West Project for the two segments in question (US Fish and Wildlife Service and BLM 2015). Because of limited data and lack of consistent analysis approach, a Habitat Equivalence Analysis was not completed. The analysis of direct and indirect effects have been updated and clarified in the FEA, including adjustments to indirect effects buffers, incorporating additional literature support and rationale for the analysis. (See Sections 3.5.6 and 4.3.6)

GuSG impacts should be translated to expected meaningful loss of individual GuSG, impacts on demographics, or other similar metrics (Topic 4104)

Total Number of Comments: 2

Comment No.: CL41
Organization: Grouse Inc.
Commenter: Clait Braun

Comment Excerpt Text:

GuSG will be further negatively impacted by any construction through habitats occupied by the species making recovery exceedingly difficult...the Preliminary Environmental Assessment downplays the expected and demonstrable negative impacts of the Improvement Project on GuSG from Nucla to Cahone. It will reduce the expected survival time for both populations and will make it very difficult, if not impossible, to rebuild viable populations of this species in either area.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Describing the area within which impacts might occur is not the same as describing the impact... Assigning a buffer is arbitrary as anything between 100 m (scale of prairie chicken avoidance) and 30,000 m (modeled impact on sage-grouse) could be defended from the literature, and meaningless unless translated to an expected loss of grouse. Impact on grouse can be assessed as an expected loss in numbers over time, or impact on demographic rates.

Summary

The BLM downplays the expected and demonstrable negative impacts of the project. GuSG impacts should be translated to expected meaningful loss of individual GuSG, impacts on demographics, or other similar metrics.

Response

A more thorough discussion of the baseline condition, including a discussion of GuSG demographics, based on existing data from CPW and BLM, is provided in Section 3.5.6.1 of the FEA. Due to the lack of existing data, it is difficult to evaluate potential demographic effects of the alternatives. Furthermore, Section 4.3.6 of the FEA clarifies that the avoidance buffers used to evaluate potential avoidance effects of the alternatives were used for comparative purposes only, and not to quantify mitigation. Indirect effects are discussed in the FEA and based on current science can extend a great distance from the line. However data are inadequate for a clear determination of cause and effect and accurate calculation of individual GuSG loss from the alternatives.

Comments on Analysis of Direct Effects on GuSG Habitat

Concerned about impact of additional line length and structures for Alt C; Tables are confusing, Alt A has greater surface impacts yet A is shorter and would need fewer structures. (Topic 4121)

Total Number of Comments: 8

Comment No.: CL44

Organization: Colorado Farm Bureau

Commenter: Chad Vorthmann

Comment Excerpt Text:

By having to relocate this line will add an additional 1.3 miles of new disturbance within critical habitat compared to rebuilding the line in place.

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

This misrepresentation of a disturbed roadway along the entire existing ROW downplays potential direct disturbance impacts to GuSG occupied and critical habitat within the existing ROW, and makes it impossible to accurately compare the direct habitat impacts from the two routing options in Dry Creek Basin. (...) CPW recommends that the FEA reflect a more accurate description of vegetation and habitat conditions within the existing ROW as compared to the realignment.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The environmental baseline (affected environment) should include all of the existing roads present in the project area and assumes the additive, new loss of habitat would be from the new 6 miles of roads and necessary new access associated with the Dry Creek Basin re-route. Tri State requests that these tables clearly delineate between existing environment and new disturbance so the general public can clearly understand the project related effects.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

No discussion of environmental baseline and reduction in surface disturbance from removing existing poles and overall reduction in surface disturbance (32%) for the rebuild relative to the environmental baseline (the existing transmission line). The PEA failed to incorporate specific, detailed, readily available information on the existing transmission line. Table 11 shows higher level of disturbance for the rebuild in place versus the re- route which does not make logical sense because the re-route is 1.3 miles longer and would require new access.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The last sentence of the first paragraph is entirely misleading and not representative of the true design. The analysis appears to be comparing the No Action (wood H-frames) to the re-route along the highway and insinuates there are fewer structures associated with the re-route. This section never discussed what the baseline of comparison is and this is true throughout many portions of the document. The re-route is 1.3 miles longer than the existing alignment so Tri-State's proposed action will have 32% fewer structures than the re-route. This is not clear anywhere in the PEA.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Negative impacts associated with additional length of line and additional structures are not incorporated into metric used to assess Alternative C relative to baseline.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The Dry Creek Basin alternative analysis is inappropriately or incorrectly and inconsistently analyzed and portrayed in Tables 4, 11, 20, and 24 to show greater impacts on the ground from Alternative A relative to the re-route (Alternative C) without any explanation of the assumptions or theory used to complete the analysis.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The table calls access a temporary disturbance, but the access will be a permanent feature. The majority of the access for the rebuild is existing and will require little, if any improvement. Impacts from access development from the re-route (in Dry Creek Basin) will be higher than Alternative A and the analysis should clearly show this.

Summary

The Dry Creek Basin alternative analysis incorrectly shows greater surface disturbance from Alternative A than from Alternative C without any explanation of the methods or assumptions used to complete the analysis. Baseline conditions are not clearly presented, and impacts are not clearly compared to baseline conditions. The PEA inaccurately portrays existing access roads as entirely disturbed, which downplays potential direct disturbance impacts to GuSG occupied and critical habitat within the existing ROW; the FEA should reflect a more accurate description of vegetation and habitat conditions within the existing ROW as compared to the realignment. It is not clear in the PEA that the re-route is 1.3 miles longer than the existing alignment and that Alternative A would have 32% fewer structures than Alternative C. The description of baseline conditions should include all of the existing roads present in the project area and the effects analysis should assume the additive, new loss of habitat would be from the new 6 miles of roads and any new access roads associated with the Dry Creek Basin re-route. Tables 4, 11, 20, and 24 should clearly show the difference between existing conditions and new disturbance. The analysis should clearly show that access road impacts would be greater for Alternative C than Alternative A. .

Response

Alternative C, Realignment in Dry Creek Basin, would add about 1.3 miles of length to the transmission line in the Dry Creek Basin Area within occupied habitat. Because of the method used for interpolating the location of the downline access road (which has not been designed yet), there is overlap between the assumed pole/structure impact area and the access road impact area. The analysis divides the impacts of roads from the impacts of poles/structures, but the overlap was attributed to the roads for the GUSG analysis. When considered as a whole (including pole and road impacts), the new disturbance for Alternative C is greater than Alternative A, the Proposed Action. Given the additional length of the transmission line and additional structures, and the confusion caused by the quantifications, the FEA will instead attribute the overlap between road/pole impacts with the pole impact calculations. In addition, the FEA incorporates additional road siting from Tri-State field reviews, eliminating the need for estimating road locations. Information on structures in GuSG habitat is shown in Table 4 (page 42) of the PEA. A site-specific analysis for the existing baseline roads and direct effects from alternative roads was conducted for the Dry Creek Basin and incorporated into Section 3.5.6, Section 4.3.6, Section 4.4.6, and Section 4.6.6 of the FEA. The site-specific analysis evaluated direct habitat loss/degradation of each existing access road and each proposed access road under the alternatives. For more information about comparing impacts to baseline conditions, please see response to topic 4151.

Comments on analysis of indirect effects on GuSG

Evaluation of GuSG habitat fragmentation and the 1000 m Habitat Effectiveness (HE) buffer is not based on available science (Topic 4131)

Total Number of Comments: 15

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

In summary, we detected several effects of transmission lines on sage-grouse demographic rates. The strongest of these effects, however, appeared to be primarily influenced by abundance of ravens. For both nest site selection and nest success there appeared to be little influence of transmission lines at low raven abundance. The same is likely true for use of brood habitat. We detected relatively modest effects of transmission lines on adult female survival and male movements among breeding leks but understanding these latter relationships will require further study. While we detected an effect of distance from transmission lines on dynamics of leks, effects of raven abundance were much stronger.

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

The zone of influence of transmission lines may extend beyond 1000 feet (or 0.62 miles). (...)The EA does not include a comprehensive review of the literature on the distances at which the various avian predators may range from transmission lines.

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

I'm curious as to why a 1.25 mile zone of influence wasn't used, since 85% of prairie chicken nests were greater than 1.25 miles from power lines?

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The 1,000 meter area of reduced habitat effectiveness metric used in the PEA to quantify impacts relative to GuSG is not supported by the best available science.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The Highway is not a transmission line; benefits of realignment are over stated and cannot be quantified based on known impacts from the literature...The basis for the argument that linear features have similar impacts appears to be in Section 4.3.6.2.4 on fragmentation, although the 1,000 m reduced habitat effectiveness associated with Highway 141 is stated as a given with no supporting documentation or analysis.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis addresses the lack of knowledge regarding structure heights on sage-grouse but the UWIN paper cited addresses the lack of sound research on all aspects of tall structures on sage- grouse. It is inconsistent to cite this paper for effects of structure heights but not for indirect effects as it is specifically quoted on Page 149: UWIN..."found no definitive studies on the effects of tall structure height, density, etc on sage grouse habitat including seasonal land use and landscape variability" This statement goes directly to the habitat effectiveness discussion and lack of acknowledgement of the baseline condition.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis addresses the lack of knowledge regarding structure heights on sage-grouse but the UWIN paper cited addresses the lack of sound research on all aspects of tall structures on sage- grouse. It is inconsistent to cite this paper for effects of structure heights but not for indirect effects as it is specifically quoted on Page 149: UWIN..."found no definitive studies on the effects of tall structure height, density, etc on sage grouse habitat including seasonal land use and landscape variability" This statement goes directly to the habitat effectiveness discussion and lack of acknowledgement of the baseline condition.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There is relevant literature on the impacts of the Falcon-Gondor transmission line in Eureka County, Nevada, on greater sage-grouse that was not considered in the PEA...Blomberg et al.(2010) reported on progress through year 8, and found that the best model of daily nest survival included distance from the road, but not from the transmission line, so there was no support for an effect of distance from the line.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA falls back on literature describing oil and gas impacts to sage-grouse and prairie grouse avoidance literature to ultimately derive a 1,000 meter area of reduced habitat effectiveness on either side of the line. This logic flow deviates from the best available science at almost every step.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

This sentence states there is “little” research that has been conducted on the response of GuSG to power lines. This is incorrect; there is NO research available of GuSG and power line related effects. If such information existed, it should have been brought forward in the analysis.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Use of the 1,000 meter buffer for Gunnison or Greater sage-grouse impact analysis is unprecedented and is not supported by the best available science.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Likewise, the 1,000 meter area of assumed reduced habitat effectiveness metric that is used in the MNC PEA to quantify impacts relative to GuSG is not supported by the best available science, is not useful for comparing alternatives, and should be eliminated as the basis for the mitigation concept.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The basis for that figure is not directly discussed, but appears to be a convergence of the 950-m area of avoidance of natural gas infrastructure by yearling female sage-grouse when selecting nesting sites described by Holloran (2010) and the degree of avoidance of areas near transmission lines by prairie chickens for nesting...The difficulty is that none of these citations pertain directly to an area of reduced habitat effectiveness for a transmission line, particularly one as large as 1,000 m on either side.

Comment No.: CL53
Organization: WildEarth Guardians
Commenter: Erik Molvar

Comment Excerpt Text:

The distance that impacts extend laterally from this transmission line is an important factor in analyzing the magnitude of impacts under the various alternatives.

Comment No.: CL53
Organization: WildEarth Guardians
Commenter: Erik Molvar

Comment Excerpt Text:

The science is clear that large transmission lines have potential to result in major impacts to the habitat and populations of sage grouse.

Summary

The BLM received numerous conflicting public comments on the evaluation of GuSG habitat fragmentation and the 1000 meter Habitat Effectiveness (HE) buffer, suggesting a larger buffer, smaller buffer, and no buffer at all. Concerns were provided that the buffer is not based on the best available science, does not include a comprehensive review of the literature, and is unprecedented. There was also confusion over Figure 24.

Response

The 1,000 meter buffer was based on multiple studies in coordination with CPW and the USFWS. This buffer was not intended to incorporate the entirety of all indirect effects, but instead provide a consistent comparison of the potential area of habitat avoidance by GuSG by alternative. The 1,000 meter buffer was never intended to be used as a determination for mitigation. In response to multiple public comments, Section 3.5.6 and 4.3.6 of the FEA were expanded to include a thorough discussion of the purpose, literature support, assumptions, and limitations of the zone of influence (which was changed to 600 meters) used to evaluate potential avoidance behavior resulting from the alternatives. Research on the potential effects of transmission lines on GuSG provides some evidence, although not conclusive, that GuSG may avoid transmission lines. Section 3.5.6 and Section 4.3.6 were revised to clarify that the conclusions were not intended to provide a quantitative impact assessment or be used to quantify mitigation. Additional literature referenced by commenters has been incorporated into both Section 3.5.6 and 4.3.6, as appropriate. Uncertainties associated with the analysis are documented in more detail in the FEA. The description of Figure 30, (previously Figure 24), has been expanded, and 2 Tables (Tables 21 and 22) added to support the figure.

Comments about analysis of habitat fragmentation (Topic 4132)

Total Number of Comments: 12

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Evidence does not show that transmission lines will fragment GuSG and other grouse species. Evidence shows in prairie-chickens that if avian predators are able to perch and nest on power poles, this could lead prairie-chickens moving their nests. Transmission lines will not attract predators if they are not able to use them for perching and nesting.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Co-locating the disturbances could result in an even greater barrier further promoting a reduction in habitat effectiveness.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

The EA should recognize that all of the relevant studies above are uncertain in regards to habitat fragmentation by the mere existence of the powerline and based on this uncertainty and lack of knowledge should rule that the studies are inconclusive when identifying habitat fragmentation without the presence of avian predators and therefore drop this idea of reduction of habitat effectiveness.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Revise the EA to remove the discussions and calculations pertaining to reduced habitat effectiveness.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

The fact that this will be greatly reduced or eliminated in the new design makes inaccurate the augment of fragmentation/connectivity resulting from the power line.

Comment No.: CL62
Organization: Rocky Mountain Wild & the Wilderness Society
Commenter: Megan Mueller

Comment Excerpt Text:

Both the upgrade in place in Dry Creek Basin and the realignment in Dry Creek Basin bisect the San Miguel Basin Population, resulting in potential barrier to movement between subpopulations.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA does not adequately identify or address the potential impacts the relocated line paralleling the state highway will have on GuSG.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA fails to define the difference between habitat fragmentation and habitat effectiveness and how these impacts were assessed for the general readers understanding. The PEA erroneously describes transmission lines as fragmenting sage-grouse habitat.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The top paragraph on page 175 indicates that the re-route would improve habitat connectivity for sage grouse but does not specifically address any potential impacts of movement to the birds re-located to the other side of Highway 141.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There is no analysis in the document about the possible adverse or beneficial effects from re-locating the line to Dry Creek Basin... There need to be assumptions to strengthen this statement outlined in the EA that explain why there will not be a barrier effect from moving the line to the Highway....particularly given that CPW just moved 30 birds to the other side of Highway 141 in 2015.

Comment No.: CL19
Organization: Unknown
Commenter: Unknown Unknown

Comment Excerpt Text:

The document ignores the poor quality of the existing Dry Creek Basin habitat. It makes no mention of non-avian predators, their population growth, and their impact on the GuSG population. The document assumes that moving the line will magically fix all fragmentation because it combines right of way with SH 141. The document ignores the fact that numerous oil/gas facilities as well as local and county roads exist within the Dry Creek Basin. Moving the line will do nothing to address these impacts to habitat.

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

The Service prefers that the line be moved adjacent to State Highway 141 as described in Alternative C. Moving the transmission line will consolidate impacts, thereby lessening habitat fragmentation.

Summary

Commenters support or question the habitat fragmentation benefit or impact of moving the line adjacent to SH 141. Commenters question the analysis of habitat fragmentation and interpretation of literature regarding fragmentation and habitat avoidance in GuSG. The FEA should include a discussion of the limits and uncertainties of the literature. The PEA erroneously describes transmission lines as fragmenting GuSG habitat. Avian predators will not be attracted to transmission lines equipped with perch discouragers. Co-locating the disturbances could result in an even greater barrier further promoting a reduction in habitat effectiveness and negatively affect GuSG recently translocated to the south side of SH 141. Both the upgrade in place and the realignment in Dry Creek Basin bisect the San Miguel Basin Population, resulting in potential barrier to movement between subpopulations. The FEA should discuss non-avian predators. The FEA should consider the effects of the numerous oil/gas facilities as well as local and county roads that exist within the Dry Creek Basin.

Response

Fragmentation can be described as any natural or anthropogenic feature that provides a physical or behavioral barrier to a species. The line does not create an impermeable barrier but it may be avoided by GuSG and therefore fragments habitats. No perch deterrent has been documented to be 100% effective and avian predators will likely continue to use the line; therefore the effects of avian predation likely will remain, but potentially at a lower rate. The FEA was restructured to more clearly discuss the potential effects of tall structures on GuSG. Section 3.5.6.1.5 was updated in the FEA to clarify the fragmentation and the potential avoidance of habitat near tall structures. The analysis considers the potential combined effects and benefits of co-locating the transmission line and SH 141 (Section 4.6.6.1.3). The description of potential impacts of relocating the transmission line on the birds re-located to the south side of SH 141 was expanded in the fragmentation analysis (Section 4.6.6.1.4). The BLM based its analysis of fragmentation and habitat avoidance/effectiveness on the best available science (see response to topic 4131). Discussions about the limitations of the data and the uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA (Sections 3.5.6 and 4.3.6).

The analysis relies on data from other grouse species with different habitat requirements (Topic 4133)

Total Number of Comments: 4

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

The EA admits on page 155 that, "Little research has been conducted on the response of GuSG to transmission lines; much of the information available is extrapolated from other closely related grouse species". The problem is the EA inaccurately extrapolates the data from other reports and inappropriately applies the report findings.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The PEA fails to disclose that impacts to lesser prairie chickens and GuSG may not be appropriate given they inhabit entirely different landscapes in entirely different regions, and are different species. Any inference to prairie chicken literature needs to be heavily caveated again with the statement that impacts from GuSG and power lines are not available in the literature and caution should be used when drawing inference to a different species in a different region.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
GuSG are not prairie chickens, available relevant sage-grouse literature was not used.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
The PEA should have disclosed the uncertainty and inconsistency in the literature pertaining to transmission line impacts on GuSG, versus attempting to draw inaccurate and inappropriate inference from oil and gas studies, improper citations of existing literature, and reference other surrogates, particularly the lesser prairie chicken. Tri-State has provided references and other literature cited in our comment letter for consideration in the FEA.

Summary

The PEA relies on data from other grouse species with different habitat requirements. The analysis needs to disclose the uncertainty and inconsistency in the literature pertaining to transmission line impacts on GuSG, versus inference from oil and gas studies.

Response

The analysis presented Section 3.5.6 and 4.5.6 of the PEA was revised to focus on available data and studies on sage-grouse (including Gunnison and greater sage-grouse). Because of the lack of empirical studies on transmission line effects on sage-grouse in general and GuSG in particular, the limitations and uncertainties of information inferred from other prairie grouse species or anthropogenic disturbances is provided in the FEA (Sections 3.5.6 and 4.3.6).

The analysis wrongly assumes that disturbance impacts from transmission lines are similar to impacts from oil and gas development, roads, and other disturbance types (Topic 4134)

Total Number of Comments: 4

Comment No.: CL65
Organization: N/A
Commenter: James Sedinger

Comment Excerpt Text:
First, comparison of transmission line impacts to those of oil and gas development is not appropriate. Oil and gas fields are associated with substantial human activity and noise, neither of which apply to transmission lines. Additionally, our findings in Nevada suggest that structures associated with a transmission line had relatively minor effects on sage-grouse after accounting for effects of avian predators associated with the line.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The EA improperly correlates impacts from oil and gas to transmission lines, which is completely inappropriate and the analysis should have acknowledged that these are completely different facilities with very different operations so inference to transmission facilities should be limited or not analyzed at all. The footprint, noise, human disturbance, and frequency of maintenance for oil and gas operations are much higher than required for transmission lines. It also needs to be revised and clarified in the FEA that Hollaran never incorporated or even addressed power lines into his study. The addition of “power lines” to this paragraph and study summary in the PEA seems to have been added in attempt to strengthen the argument for relocation of the line and is entirely inappropriate and an incorrect summary of a published research paper.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA falls back on literature describing oil and gas impacts to sage-grouse and prairie grouse avoidance literature to ultimately derive a 1,000 meter area of reduced habitat effectiveness on either side of the line. This logic flow deviates from the best available science at almost every step.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

...lumping transmission lines into other anthropogenic disturbances, including oil and gas infrastructure is not valid...

Summary

The analysis wrongly assumes that disturbance impacts from transmission lines are similar to impacts from oil and gas development, roads, and other disturbance types. Oil and gas fields are associated with substantial human activity and noise, neither of which apply to transmission lines.

Response

The FEA was expanded to incorporate additional findings from the literature, including many of the references cited by commenters. Disclosure about the limitations of the data available for GuSG in drawing conclusions about potential effects of anthropogenic activities and features, including the limitations of literature from studies on the effects of oil and gas development, and the uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA. (Sections 3.5.6 and 4.5.6). Based on review of literature focused on sage-grouse and transmission lines, the 1000m, Habitat Effectiveness (HE), buffer was revised to 600m for both SH 141 and the transmission line.

Habitat use impacts from roads and other infrastructure were not evaluated; unclear metric for analyzing SH 141 impact (Topic 4135)

Total Number of Comments: 4

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

The draft EA seems to assume in evaluation of Alternative C that impacts of state highway 141 are the same as those of a transmission line. In the FG study we found that impacts of roads were minimal, relative to effects of avian predators associated with transmission lines.

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

The analysis does not appear to include reduced habitat effectiveness due to avoidance of existing and new access roads associated with the proposed project. It is also unclear what metric was used to estimate the reduced habitat effectiveness associated with State Highway 141.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Why does the EA only address Highway 141 and the existing transmission line as disturbance with Figure 24 showed numerous pipelines, oil and gas development, and roads? Also no mention of grazing impacts on habitats. This part of the analysis is skewed to only addressing selective disturbances on the landscape which does not accurately depict the overall threats to GuSG in the Basin.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The No Action also fails to address the other infrastructure projects in the Basin. This is an incomplete representation of disturbance in the Basin.

Summary

The BLM only evaluated indirect impacts from the alternative transmission line routes and SH 141. Effects of other disturbances, such as existing and proposed access roads, pipelines, and oil and gas development on GuSG should be included in the analysis. Assumptions used to calculate indirect effects were not clearly stated in the PEA. The analysis of indirect effects in the PEA assumed that road effects were the same as transmission line effects. Research on the Falcon-Gondor transmission line showed that impacts of roads were minimal, relative to effects of avian predators associated with transmission lines.

Response

Section 3.5.6 of the FEA was restructured to include a more thorough discussion of baseline conditions, including indirect effects of the existing transmission line as well as other disturbances, such as oil and gas activities, and roads and highways. Other impact types also are shown in Figure 30 and quantified in Tables 21 and 22. The FEA was restructured to include a more thorough discussion of road impacts in the discussion of past and present activities that contribute to cumulative effects. Section 5.3.5 of the FEA was expanded to include the cumulative effects of these disturbances. Sections 3.5.6 and 4.3.6 include expanded discussion of the potential avoidance by GuSG of SH 141 and other infrastructure in the Dry Creek Basin.

Analysis wrongly relies on studies with incomparable avian predator conditions (Topic 4136)

Total Number of Comments: 20

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

[Howe et al. (2014)] is not relevant to the situation in the Basin as there is not a high density of ravens and through anti-perching/monitoring, ravens will not be able to concentrate on the power poles.

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

Section 4.3.6.2 Gunnison Sage-Grouse, subsection 4.3.6.2.1 Management and Effect Analysis Approach (page 155-156). In this section the EA attempts to use studies to support its findings that avian predators are an issue in the Basin.

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

It is clear that the density and population of avian predators in the Basin is extremely low based on the EA observations of no nests and the EA population surveys.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

The EA uses these reports to paint a picture that the avian predators are a major concern and that the reestablishment of the powerlines in the original location will promote avian predation. This could not be further from the truth.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Since none of the reports provide conclusive evidence that transmission line avoidance occurs in GuSG without the presence of avian predators being allowed to perch on the poles, then there should not be any calculations for avoidance. Transmission line avoidance should not be considered. In addition, avoidance would not occur because anti-nesting devices and monitoring will be used.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

The EA clearly states that there is no nesting by avian predators currently occurring in the transmission line ROW. This is an important observation because the EA later utilizes a report for determining Reduced Habitat Effectiveness where the study had 52% of the avian predator nests in power poles.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Since the EA recognizes that the perch discouragers significantly reduced avian predators, they should not use studies with significant avian populations or studies that don't specifically denote the use of perch discouragers to support an argument of habitat fragmentation or for relocating the powerline.

Comment No.: CL65
Organization: N/A
Commenter: James Sedinger

Comment Excerpt Text:

I am, however, a little concerned that the proposed deterrents may not preclude raven nesting or other use of the new towers by ravens.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Avian predators will not be allowed to perch or nest on the poles and therefore the GuSG will have not need to avoid them.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

1. There are no avian predator nests on the existing power poles in the Basin. 2. The EA has established that the avian predator population density is low. 3. That the reports/studies cited by the EA did not take into account anti-perching and monitoring measures. 4. That the studies cited by the EA are used incorrectly to determine the validity of an evaluation of reduced habitat effectiveness. 5. That the studies cited by the EA are used incorrectly to calculate reduced habitat effectiveness. 6. That there is no additional reduction in habitat effectiveness for alternative A as suggested by the EA. 7. That the assessment of Alternative A has less environmental impacts than Alternative C.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Page 128-129: Raven populations in desert environments are increasing (Sauer et al. 2008)... This should be removed from the EA as it is irrelevant. The raven population is extremely low and the powerline will utilize anti-perching devices and monitoring.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

But the fact remains that currently there is NOT a high density of ravens or avian predators in the basin. (...) In order to create an avoidance with the power poles suggests, (1) the presence of high density avian predatory population, and (2) the availability for these avian predators to perch/nest on the power poles. The report suggests that both of these would need to be present to create avoidance with the powerline or power poles. Neither one of these factors currently are present in the Basin. The BLM should amend the EA to recognize this shortcoming in the analysis.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Transmission line avoidance without the presence of avian predators should result in a "zone of influence" of 0.0-miles. Avoidance would not occur because anti-nesting devices and monitoring will be used.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The presence of avian predators on or near transmission lines does not necessarily equate to increased predation on grouse or grouse nests, particularly if the prey avoids those areas because of a perceived increase in predation risk....the PEA acknowledges there is no evidence of raptors or corvids nesting on any of the current structures and design elements contained in the proposed alternative would make that opportunity even less likely in the future....

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Improper inference to raven predation effects for Dry Creek Basin. The PEA should disclose that there is no literature that quantifies raven predation effects on GuSG demographics. Tri- State requests that the EA analysis provides objective review of available literature and recognizes limitation to inference of existing literature to the GuSG and Dry Creek Basin (similar approach taken in two other BLM EIS in Greater Sage-Grouse habitat). The PEA acknowledges that there are no raven nests on the existing power line and the rebuild will reduce that future risk further. The analysis should tier to the baseline condition and discuss predation accordingly.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Perch discouragers do not “eliminate” perching opportunities.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA incorrectly states that perching can be eliminated using perch discouragers. The PEA states studies have shown a “significant” reduction with the installation of perch discouragers. These studies showed a reduction in the time that birds perched on the lines but never eliminated perching all together. This misinterpretation of results from research is a serious concern throughout the document and does not allow the reader an accurate picture of the available literature to inform their decisions on alternatives and effects determination.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There is also failure to acknowledge other confounding variables that affect raven predation on sage grouse such as shrub heights, prey abundance, climate conditions, etc. In addition, the literature review (Knight and Kawashima, Coates, Dinkins, Howe, etc) focuses on ravens nesting on power lines and the potential effect of ravens nesting on power lines to sage-grouse. There are NO raven nests on the existing 115-kV transmission line which has been in place since 1958 (this is acknowledged on page 147). This is the baseline condition from which the analysis should have been tiered. Therefore it does not seem appropriate to focus the literature review and analysis for a nesting effect that does not currently exist with the No Action alternative (environmental baseline), and for a potential effect that would be mitigated through project design for both action alternatives. Given the H- frame structure type and the agencies’ concern regarding raven density in the Basin, there should be multiple ravens nesting on the existing structures. Lack of ravens nesting on the primary tall structures in the Basin could speak to prey abundance in Dry Creek Basin, but this issue is never really discussed further other than to say they could nest there in the future, so there could be an impact. Given there is no baseline information available on raven abundance in the Basin and associated predation impacts on GuSG, it seems inappropriate to draw definitive conclusions about predation effects in the Dry Creek Basin. The analysis also fails to address other forms of predation that may be occurring in the Basin. The analysis should have disclosed that predation effects on GuSG are unknown and cannot be quantified.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:

The Impacted Parties believe the Draft EA's reliance on such studies to be improper and bad science, which needs to be corrected.

Comment No.: CL53
Organization: WildEarth Guardians
Commenter: Erik Molvar

Comment Excerpt Text:

Anti-perching devices have limited effectiveness... on major transmission lines...and therefore are no substitute for an outright prohibition on tall structures in key grouse habitats.

Summary

The analysis should have disclosed that predation effects on GuSG are unknown and cannot be quantified. No avian predators nest on the existing power poles in the Dry Creek Basin and the PEA established that the avian predator population density is low. Literature cited in the PEA regarding avian predation was for studies where the effect of anti-perching and monitoring measures were not examined. Studies cited in the PEA were used incorrectly to justify an evaluation of reduced habitat effectiveness and to quantify reduced habitat effectiveness resulting from the action alternatives. There is also failure to acknowledge other confounding variables that affect raven predation on GuSG such as shrub heights, prey abundance, climate conditions, etc. Alternative A would not result in additional reduction in habitat effectiveness. Alternative A has less environmental impact than Alternative C.

Response

Section 3.5.6.1.5 of the PEA was revised to incorporate additional information about current avian predator occurrence in the Dry Creek Basin and better disclose the uncertainties about the available data and the context for cited studies as they relate to what is known about conditions in the Dry Creek Basin. Little site-specific data on density of avian predators in the Dry Creek Basin or their use of the area is available to conclude that avian predation is currently threatening GuSG or to predict future predation risks if the project were implemented. However, results from studies on sage-grouse in other locations and conditions indicate that it is possible that the transmission line in the Dry Creek Basin could facilitate predation. Despite the limitations of the data for drawing conclusions about predation risks in the Dry Creek Basin, as a precaution, Tri-State has incorporated design features that would likely reduce risks of avian predation of GuSG, their eggs, or their young in the Dry Creek Basin (see Figure 19. Steel Structures in Dry Creek Basin Gunnison Sage-Grouse Occupied Habitat). Since the PEA was issued, as part of its voluntary wildlife conservation plan for Alternative A, Tri-State has committed to pre-and post-construction perch monitoring. (see revised POD Appendix B). For more about information used to evaluate habitat effectiveness, see response to topic 4131.

Uncertainties associated with assumption used in analysis were not disclosed (Topic 4137)

Total Number of Comments: 5

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA fails to acknowledge that there is great uncertainty and lack of science relative to indirect impacts of transmission lines to GuSG.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
The PEA fails to address the fundamental lack of knowledge and management uncertainty.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
The PEA should have disclosed the uncertainty and inconsistency in the literature pertaining to transmission line impacts on GuSG, versus attempting to draw inaccurate and inappropriate inference from oil and gas studies, improper citations of existing literature, and reference other surrogates, particularly the lesser prairie chicken. Tri-State has provided references and other literature cited in our comment letter for consideration in the FEA.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
The analysis should also address that there are numerous confounding variables that play a role in study outcomes that need to be disclosed when attempting to draw inference to a larger or entirely different population or species. Many studies pertaining to sage-grouse and power lines fail to address confounding variables including habitat quality, drought, and other existing disturbances in their results, making it difficult to discern the primary source and intensity of the effect. The PEA should have disclosed other (non-avian) predators that occur in the Basin and may be affecting GuSG survival.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:
BLM Options merely will replace one set of potential, unverified environmental impacts with another, indisputable set of impacts that will prove a costly, and equally (if not more) damaging result.

Summary

The BLM should have disclosed the uncertainty and inconsistency in the literature pertaining to transmission line impacts on GuSG instead of inaccurately inferring effects from studies on the effects of other disturbances, studies where conditions were not comparable, or studies on “surrogate” species. Suggested references are provided.

Response

As described in the response to topic 3137, discussions about the limitations of the data available for GuSG in drawing conclusions about potential effects of anthropogenic activities and features, and the uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA (See Sections 3.5.6 and 4.3.6). References provided were reviewed and incorporated where relevant.

Habitat conservation measures (POD Appendix B) were not sufficiently incorporated in Alt A impact analysis (Topic 4138)

Total Number of Comments: 4

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

I find it difficult to understand how the proposed upgrade in the existing right of way would negatively impact sage-grouse, relative to the background condition. It is possible the upgrade would actually improve the situation for sage-grouse if effective perch deterrents are installed.

Comment No.: CL56

Organization: N/A

Commenter: Cole Crocker-Bedford

Comment Excerpt Text:

I was surprised that so much of the information found in Appendix B failed to find its way into the EA. Two examples: Appendix B states that biologists on the GuSG working group do not consider the existing power line a major problem for the GuSG in Dry Creek Basin; and that Tri-State has offered to pay for the types of work that the GuSG working group actually DOES consider to be major problems and opportunities within Dry Creek Basin -- but only IF Alternative A is chosen.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Again, the impact analysis does not address the long-term versus short-term effect relative to the environmental baseline (ROW). The proposed action goes from a baseline of 11 structures per mile to 7 and most of these structures are going back right next to existing structures for Alternative A. If left as new impact, then the analysis should acknowledge the long-term beneficial effect of reducing overall structures on the landscape and the design elements to benefit sage-grouse.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The PEA itself does not identify proposed mitigation for GuSG or even conclude that mitigation is necessary. In view of this, the plan proposed by Tri-State takes a pro-active and voluntary approach to minimize impacts to GuSG from Alternative A.

Summary

The analysis should acknowledge the long-term beneficial effect of reducing overall structures on the landscape and the design elements to benefit GuSG. The upgrade would actually improve the situation for GuSG if effective perch deterrents are installed. The PEA itself does not identify proposed mitigation for GuSG or even conclude that mitigation is necessary.

Response

POD Appendix B is incorporated into the FEA (Section 2.2.2.2.3) and analyzed more thoroughly throughout Chapter 4 of the FEA. Table 20 of the PEA shows that Alternative A would result in a net benefit to GuSG (also described in Section 4.3.6). Since the PEA was issued, Tri-State has expanded its voluntary wildlife conservation plan (See POD Appendix B) to include GuSG lek purchase and habitat enhancement funding. The analysis of alternative effects in the FEA has been revised to take into account the revised POD Appendix B.(Section 4.3.6).

Transmission avoidance (Topic 4140)

Total Number of Comments: 1

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

Regardless of this data being used incorrectly, avoidance distance cannot be determined from the research provided by the EA as there are no avian predators and will be no avian predators using the power poles for nesting and perching. Therefore, there is no avoidance.

Summary

Please see summary for 4136

Response

Please see response for 4136

GuSG Impacts Relative to Baseline

PEA fails to consider impacts relative to appropriate baseline (Topic 4151)

Total Number of Comments: 12

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

First, I want to clarify the definition of habitat effectiveness as defined by the EA. This is an important definition as I will show how Alternative A does not result in a greater reduction in habitat effectiveness than any other Alternatives.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Same issue addressed above. The highway is included as an existing disturbance but the transmission line ROW is addressed as brand new disturbance (which contradicts the analysis of structure heights as previously discussed). The analysis does not account for the environmental baseline and inflates the benefits of the re-route alternative.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

There is inconsistency in analysis approach for wildlife and sensitive species resulting from failure to utilize the environmental baseline for GuSG analysis.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Address previous concern regarding habitat effectiveness discussion.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Impacts of Alternative A should have considered design elements described in the POD and compared expected impacts to the baseline.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

This sentence is trying to say? “This assumes that the installation of perch discouragers would not affect GuSG avoidance of tall structures and has negligible positive effect on fragmentation”?? Is the point this entire paragraph is trying to get at is that there is no change to the environmental baseline? It is written in such a way that it makes it look like there is a change in effect?

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

In regards to GuSG and big game...the analysis should have focused on the additive effects of expanding the existing ROW and rebuilding the line to a 230-kV voltage.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The EA states there is no additional habitat fragmentation from the proposed project because it is an existing transmission line ROW, but then goes into acreage for loss of habitat effectiveness and fails to address the baseline condition (ROW) for the HE discussion?

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The PEA fails to consider impacts relative to the baseline (the existing line), or to consider, use, or appropriately interpret the best available scientific information in assessing impacts to GuSG from the proposed project, and as a result impacts are overstated and skewed. Specific instances are noted below.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The analysis fails to summarize the environmental baseline (#of current structures on the ground) and does not analyze the impacts from the environmental baseline which includes a 100 foot transmission ROW and line. The highway is considered existing disturbance which reduces the overall effect, but the same logic does not apply to the existing power line ROW that has been designated in the BLM RMP as a utility corridor. The calculations are not clear and look to be skewed to show a benefit from re- routing the alignment to Highway 141 in Dry Creek Basin. The analysis should show that the re-route is 1.3 miles longer and will have 22 additional structures affecting critical and occupied habitat.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

It is important to be explicit since this is the baseline impact from which impacts of the other Alternatives are evaluated... The argument is made that the impacts of the line get absorbed by the impacts of the Highway under Alternative C, but there is no argument made that the impacts of the Highway are reduced under any alternative.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Need to define “greater in magnitude”-in the paragraph directly above this, the analysis clearly states that there is no evidence that shows taller structures result in impacts to grouse so given there will be fewer structures in the ROW from the baseline condition...please clarify how the PEA concluded a “greater in magnitude” determination based on the contradicting determination discussed prior on this page?

Summary

The BLM fails to summarize the environmental baseline and does not analyze the alternative impacts relative to baseline conditions. The PEA describes existing indirect effects from SH 141 which reduces the overall indirect effect of the alternatives, but does not apply the same logic to the existing power line ROW that has been designated in the BLM RMP as a utility corridor. The PEA suggests that the indirect impacts of the transmission line get absorbed by the impacts of SH 141 under Alternative C, but there is no argument made that the impacts of the SH 141 are reduced under any alternative.

Response

To better distinguish baseline conditions from alternative effects, Section 3.5.6 of the FEA was restructured to include a more thorough discussion of baseline conditions, including indirect effects of the existing transmission line. Section 4.5.6 of the FEA was refined to clarify and distinguish the incremental effects of the alternatives. Responses to topics 3142 and 3133 describe changes made to Section 3.5.6 of the FEA to address indirect effects of the existing transmission line and other existing anthropogenic disturbance. See the response to topic 4121 for information about direct surface impacts of the alternatives.

Alt A benefits to GuSG due to design of transmission line structure not incorporated in Habitat Effectiveness (HE) analysis. (Topic 4152)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

But the assessed impact of Alternative A is the same as the no-action alternative/existing condition at 4,901 acres of reduced habitat effectiveness. Clearly given the benefits stated and expected from very expensive design elements, there must be less impact described for Alternative A than for the no-action Alternative.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Below in this paragraph the PEA discuss a negligible positive effect on fragmentation, but previously the PEA states there is no fragmentation because it is an existing ROW and then in this first sentence it states... “In addition to the analysis of adverse impacts of fragmentation to GuSG”. In the cumulative effects section the PEA again discusses a cumulative increase in habitat fragmentation even though it was dismissed in parts of Chapter 4. Impacts and impact determinations are unclear and inconsistent.

Summary

The description of fragmentation impacts from the alternatives is inconsistent and unclear. The PEA showed identical indirect impacts from the existing transmission line and Alternative A, but Alternative A should have fewer indirect impacts given the expected benefits of the Alternative A design elements.

Response

The effects analysis in Section 4 of the FEA was revised to qualitatively describe how design features included in Alternatives A and C (fewer poles, elimination of guywires, use of monopoles, installation of perch discouragers), might minimize the predation and other impacts occurring with the transmission line zone of influence (Sections 4.3.6.2.6 and 4.6.6.1.4). Table 25 of the FEA was also revised to clarify the benefits of Alternative A in reducing indirect effects. The response to topic 4131 explains that the analysis of indirect effects of the alternatives (habitat avoidance) was not intended to be quantitative, but rather to allow comparison of relative effects of the alternatives.

Uncertainty of Transmission Line Realignment Benefits to GuSG

Science is uncertain regarding the benefit of moving the line and transmission line indirect impacts (Topic 4161)

Total Number of Comments: 13

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

The EA's determination that Alternative C is more viable than Alternative A is based on the EA meeting the desired conditions.

Comment No.: CL65

Organization: N/A

Commenter: James Sedinger

Comment Excerpt Text:

Additionally, I am not confident that the Dry Creek Basin realignment options (Alternative C) will improve habitat for sage-grouse, compared to upgrades on the existing right of way (Alternative A).

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA overstates the impact of the Transmission Line improvement project to GuSG and overstates the benefits of re-locating portions of the line within Dry Creek Basin to parallel SH 141, while not properly or fully analyzing the impacts of the proposed 230-kV line on GuSG in the realignment parallel to State Highway 141 in Dry Creek Basin.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County believes that the EA is flawed with regard to the analysis of habitat effectiveness, which appears to us to be the key decisional factor in evaluating the Dry Creek Basin alternatives. A Dolores Public Lands Office Land Health Determination form for the Dry Creek Basin area is attached to this letter.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA does not quantify or scientifically explain the direct benefit to GuSG that would be derived from realigning the power line along Hwy 141 as an alternative to Tri-State's proposed action as described in Alternative A.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA fails to present clear and convincing evidence that moving the transmission line from its current location to a new alignment adjacent to Colorado State Highway 141 will result in a quantifiable improvement in GuSG habitat.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The proposed relocation along SH 141 does not accomplish the objective of moving the Transmission Line outside of GuSG critical habitat and in fact according to Table 11 in the PEA, it increases the number of poles, and new road disturbance for construction and access along SH 141 all within GuSG Occupied and Critical Habitat.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Tri-State believes there is uncertainty of effect for both action alternatives and the analysis should clearly disclose there is uncertainty given the lack of science currently available for GuSG and transmission lines.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Overstates the benefits of re-locating portions of the line within Dry Creek Basin to parallel SH 141, without disclosing the uncertainty of the outcome.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

PEA fails to acknowledge there is great uncertainty relative to indirect impacts of transmission lines to grouse.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:

However, the Impacted Parties all contend that concerns and impacts cited in the Draft EA are incomplete, highly speculative and uncertain with respect to impacts on the GuSG.

Comment No.: CL59b
Organization: Tueller and Associates (March 18)
Commenter: Douglas Tueller

Comment Excerpt Text:

All of these stakeholders simply reject the scantily-supported conclusions derived from inconclusive scientific studies to date. They believe these studies are inadequate to support the drastic proposals for relocating these power lines.

Comment No.: CL59b
Organization: Tueller and Associates (March 18)
Commenter: Douglas Tueller

Comment Excerpt Text:

The impacts from some of the Upgraded Line Proposals appear to risk merely replacing impacts from the Existing Transmission Lines in some areas by relocating new impacts to other areas, both of which could involve possible GuSG habitat. These proposals merely would trade one potential problem for another.

Summary

The BLM overstates the impacts of the upgrade in place alternative to GuSG and overstates the benefits of re-locating portions of the line within Dry Creek Basin to parallel SH 141, while not properly or fully analyzing the impacts of the proposed 230-kV line on GuSG in the realignment parallel to SH 141 in Dry Creek Basin. There is uncertainty of effect for both action alternatives and the analysis should clearly disclose there is uncertainty.

Response

Section 4.6.6 of the FEA was restructured and expanded to provide better clarification of the impacts and benefits of Alternative C. The analysis has been revised to include more disturbance-specific effects of roads and other infrastructure based on the best available science reported in peer-reviewed literature. The uncertainties associated with the assumptions used in the analysis of alternatives effects were added to the FEA. See response to topics 4131 and 4132 for information about the analysis of avoidance and fragmentation effects of the alternatives.

Cumulative Impacts to GuSG

GuSG cumulative impact analysis is inaccurate and inadequate; assumptions made and uncertainties associated with quality of data used should be disclosed. Cumulative effects on HE should be quantified. (Topic 4181)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Insufficient Cumulative Effects: While there are challenges in preparing meaningful cumulative effects analysis, the discussion in the PEA largely relates to direct effects. The GuSG assessment of cumulative effects is particularly lacking given that it fails to acknowledge the baseline condition (existing ROW) for habitat effectiveness, but acknowledges the baseline in terms of habitat removal and human disturbance.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Again, the cumulative effects determination contradicts the analysis in Chapter 4. There would not be a cumulative impact from the rebuild in place because the BLM biologist indicated in recent conversations that the upgrade would have a beneficial effect on sage-grouse relative to the environmental baseline. This cumulative effects discussion confuses the affected environment (which was entirely dismissed from the analysis) with cumulative effects of the project. The cumulative analysis states that the upgrade in place would exacerbate fragmentation of GuSG habitat...but nowhere is this stated in Chapter 4. In fact, Chapter 4 entirely dismissed habitat fragmentation for either action alternative. Both action alternatives should have been included in the last paragraph as a beneficial effect if it is to be consistent with the remainder of the PEA analysis. If the existing ROW is the environmental baseline, there should be no cumulative adverse effects. If the baseline condition habitat effectiveness number is 8,287 acres (which Tri State does not agree with based on previous comments), then how can the rebuild in place result in cumulative effects? This is the baseline condition. All of 5.3.4.1. is a rehash of direct and indirect effects and fails to properly address cumulative effects as outlined under CEQ
http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-ConsidCumulEffects.pdf

Summary

The assessment of cumulative effects on GuSG acknowledges the baseline in terms of habitat removal and human disturbance; it fails to acknowledge the baseline conditions for habitat effectiveness. There would not be a cumulative impact from Alternative A because it would have a beneficial effect on GuSG relative to the environmental baseline. The cumulative analysis states that Alternative A would exacerbate fragmentation of GuSG habitat but nowhere is this stated in Chapter 4. All of 5.3.4.1. reiterates direct and indirect effects and fails to properly address cumulative effects.

Response

Section 3.5.6 of the FEA was restructured to include a more thorough discussion of baseline conditions, including cumulative effects of the existing transmission line as well as other disturbances, such as oil and gas activities, and roads and highways. Section 5.3.5 of the FEA was revised to incorporate additional information about past and present activities, including the potential indirect effects of SH 141 and other disturbances on GuSG habitat use. The cumulative benefit of collocating the transmission line with SH 141 that would occur with Alternative C was also described in the revised Section 5.3.5.

GuSG Impacts Mitigation

Mitigation is insufficient (Topic 4191)

Total Number of Comments: 2

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

The proposed alternative (upgrade in place at Dry Creek Basin) is likely to have negative impacts on GuSG that cannot be fully mitigated to insignificance, and there is uncertainty regarding whether it would actually reduce impacts compared with the no action alternative. In addition, while the alternatives that implement realignment in Dry Creek Basin have somewhat reduced impacts compared with the proposed action (and the no action alternative), the current EA does not include sufficient minimization and mitigation measures to reduce the negative impacts of these alternatives to insignificance.

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

We don't believe the [Tri State] funding for [conservation] implementation [should] be limited to just the first year. [related to POD Appendix B].

Summary

The impact minimization and mitigation measures included in the action alternatives would not reduce impacts to GuSG to an insignificant level. Funding for implementation of conservation measures should not be limited to one year.

Response

The design features provided by Tri-State for both Action Alternatives, as well as the conservation strategy (See POD Appendix B) associated with Alternative A (Upgrade in place), were developed with a goal of reducing threats to GuSG based on the best available information (i.e., reduction of line and guy wire strikes with flight diverters and self-supported structures; reduction of predation by reducing perch time by perch discourager installation). Those risks are present now in the baseline condition (No Action) and would be reduced in either Action Alternative. Since the release of the PEA, Tri-State has expanded its voluntary Biological Resource Protection Plan (See POD Appendix B) to include protection of an active lek as well as habitat improvement funding. A more clear determination of effects has been included in the FEA, and all Action Alternatives were determined to have a minor beneficial effect (See Sections 4.3.6 and 4.6.6).

Recommendation for mitigation (Topic 4193)

Total Number of Comments: 5

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

We ask that this money could be used [for] any portion of San Miguel Basin GUSG habitat, as landowners willing to sell their land or participate in a conservation easement can be hard to find [related to POD Appendix B].

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:

We ask that adaptive management options be spelled out if the perch discouragers aren't effective. This should include required mitigation.

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:

Mitigation should compensate for the disturbance during construction, taller poles which could cause sage-grouse to avoid a greater area around the transmission line, and the increased potential for weeds long-term.

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:

If it's acceptable to CPW, the BLM, USFWS, and USFS, we recommend that the translocated GuSG are fitted with satellite collars.

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

Upon review of the preliminary EA, we see that the northern end of the realigned route in the Basin is intended to run on the southwest side of an existing route (County Road 29W) in order to reconnect to the existing alignment. If Alternative C (realignment) is chosen as the preferred alternative, the Service prefers that the line reconnect to the existing alignment further north and east in order to move the line further away from occupied habitat. At a minimum we think the line should be placed on the northeast side of the County Road 29W so it is closer to the northern edge of occupied sage-grouse range and further into pinyon-juniper habitat.

Summary

Mitigation should compensate for the disturbance during construction, taller poles which could cause GuSG to avoid a greater area around the transmission line, and the increased potential for weeds long-term. Commenter recommended for mitigation to include financing habitat acquisition and protection, financing radio-tracking efforts, specific tie-in location for the Dry Creek Basin realignment, and required implementation of adaptive management options if perch deterrents are found to be ineffective.

Response

CPW is responsible for management of GuSG in the Dry Creek Basin, including radio-collaring and tracking the birds, and is conducting population augmentation efforts. Any additional collaring would need to be coordinated through CPW. Construction disturbance would be avoided by timing restrictions, which would eliminate disturbance during March through July in Critical Habitat (see Environmental Protection Measure GuSG-5, Table 9 of the PEA). BLM has thoroughly researched all relevant literature, and no studies currently available for GuSG or related species provide conclusive evidence that increased structure height is associated with increased impacts to the birds. Finally, Tri-State is responsible for weed management long-term, as detailed in POD Appendix S and summarized in EPM GuSG-12. The tie-in location was selected to minimize the length of the realignment area, "new impacts, and make use of existing access roads. Concerns about additional resource impacts, including visual impacts, vegetation and soil disturbance precluded detailed analysis of a change to the tie-in location. Perch discouragers would be monitored and studied for effectiveness (PEA EPM GuSG-13). However, it is known and disclosed in the PEA that perch discouragers do not prevent perching or nesting entirely, but they may limit the frequency and duration of perching and nesting by making it difficult or uncomfortable. For additional detail please see PEA page 152, section 4.3.6.2.3, Effect of Avian Predators. Since the PEA was issued Tri-State has expanded its voluntary wildlife conservation plan (See revised POD Appendix B) to include habitat protection via purchase and transfer to CPW, and a habitat enhancement plan. The analysis of alternative effects in the FEA was revised to take into account the revised POD Appendix B.

Lands with Wilderness Characteristics

Unclear boundary for Snaggletooth unit (Topic 4201)

Total Number of Comments: 2

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

BLM's Lands with Wilderness Characteristics (LWC) unit identifies the top of the canyon as the boundary, in contravention of BLM Manual 6310, which states that, "[t]he boundary [for a wilderness characteristics inventory unit] is usually based on the presence of wilderness inventory roads" but can also be based on changes in property ownership or developed rights-of-way. BLM Manual 6310 at .06©(1).

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

While the new roads and infrastructure proposed in the Preliminary EA are outside of BLM's Snaggletooth unit, some of the proposed infrastructure is within the TWS-proposed Snaggletooth unit. Therefore, BLM must evaluate and respond to the boundary information submitted by TWS prior to completing environmental impact analysis for this project, and incorporate that information into updated impact analysis before proceeding with the project.

Summary

BLM should evaluate proposed changes to the boundary for Snaggletooth unit of lands with wilderness characteristics before analyzing the project impacts. The impact analysis for the proposed action and action alternatives should incorporate that information into the impact analysis.

Response

BLM's lands with wilderness characteristics inventory, including boundary delineation, was completed in compliance with BLM Manual 6310. The area inventoried for wilderness characteristics differs (covers a larger area) from the area identified in the TRFO RMP (Feb 2015) for management for wilderness characteristics. Disclosure of inventoried lands with wilderness characteristics that are not being managed as lands with wilderness characteristics as well as effects to those inventoried lands, has been added to the FEA (Sections 3.58, 4.3.8, and 4.5.8). TWS's submittal of new information, including revised boundaries, for consideration during the RMP protest period, did not meet the minimum standard for BLM review (see BLM Manual 6310 .06(B)(1)(b), page 3). Specifically, no detailed narrative or photographic information for the Snaggletooth unit was transmitted.

Areas of Critical Environmental Concern

Concern that project may impair SM ACEC (Topic 4301)

Total Number of Comments: 2

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

At a bare minimum, BLM should provide an analysis of potential impacts of the proposed project on the relevant and important values in this nominated ACEC, and demonstrate that these values will not suffer significant negative impacts or preclude future ACEC designation.

Comment No.: CL62

Organization: Rocky Mountain Wild & the Wilderness Society

Commenter: Megan Mueller

Comment Excerpt Text:

The proposed project may impair the relevant and important values in this ACEC. Therefore, NEPA analysis and project authorization should be deferred until BLM has considered designation of this ACEC.

Summary

BLM should evaluate the project impacts to the nominated San Miguel ACEC. The project may impair the relevant and important values of this nominated ACEC; therefore project authorization cannot proceed without BLM's consideration of the designation of the nominated ACEC.

Response

The proposed project and current transmission line does not intersect the San Miguel nominated ACEC, which is located about five miles from the proposed project location. The proposed project would not affect the nominated ACEC or its relevance and importance (riparian communities and scenic value). An analysis of potential effects to nominated ACECs was added to the FEA (see Sections 3.5.9, 4.3.9, 4.4.9, 4.5.9, 4.6.9, and 4.7.9).

Land Use Code Compliance

San Miguel County visual standards should be analyzed in EA (Topic 4401)

Total Number of Comments: 4

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

The County should be consulted and the visual resources evaluated using their standards.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Land Use Code Section 2-1202 states it is the policy of the County to minimize the adverse scenic effects of roads and facilities.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The EA should evaluate the visual impacts associated with the entire nine mile length of the line that is proposed to be realigned parallel to S.H. 141. There are several policies in the County Land Use Code in Section 2-12 Scenic Quality that apply to the proposed realignment alternative that are not addressed or duly considered in the PEA.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Land Use Code Section 2-1203 states it is the policy of the County to minimize any adverse scenic effects of roads and other facilities by regulating their alignment, design, and construction so as to reduce their impact on the visual quality of any areas in the County, particularly public roads, trails and major activity areas.

Summary

BLM should incorporate San Miguel County visual standards into the EA analysis. In addition, the BLM should minimize the scenic impacts of the project per Land Use Code Section 2-12. The BLM failed to adequately consider the impacts of the project on Land Use Code compliance.

Response

The visual resource analysis described in the PEA is based on standards and methods that are consistent with policy and manuals used by the BLM and USFS. The Regulations and Guidance section pertaining to local land use approvals was revised to include additional description of local land use guidance, however, additional visual analysis for Land use compliance would be incumbent on Tri-State to complete. Additional detail about land use code compliance has been added to the FEA at Section 1.7.

FEA must consider land use code compliance and impacts (Topic 4402)

Total Number of Comments: 15

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA does not address land use as a resource requiring detailed analysis, despite the concerns and comments provided to the BLM by San Miguel County.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

It is the policy of San Miguel County to locate public utilities and utility lines to create the least amount of impact on County residents and the natural environment.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Upgrading the Transmission Line in place would result in the least possible adverse impact. Land Use Code Section 2-1 Conformance with Adopted Comprehensive Plan, which the WE Master Plan is a part of, states it is the policy of the County to insure that the use and development of land within San Miguel County and any actions committing such land to development or a change in use are consistent with San Miguel County's adopted Comprehensive Plans. The proposed realignment routing option identified in the PEA is not consistent with the WE Master Plan.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

Development activities in the West End shall be encouraged to preserve historical, archaeological and natural resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed with as little intrusion as possible on property rights, emphasis added.

Comment No.: CL63a

Organization: SMCo

Commenter: Mike Rozycki

Comment Excerpt Text:

It is a significant concern for San Miguel County that if the BLM selects Alternative C as the preferred alternative this action may force Tri-State to apply to San Miguel County for a Special Use Permit in the West End Zone District that does not comply with the West End Master Plan.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The PEA makes short shrift of the relevant provisions of the County's adopted Master Plan for the West End of the County, which includes this section of Dry Creek Basin where Tri-State's existing 115kV Transmission Line is located and the proposed upgraded 230 kV line would be constructed.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County Land Use Code Section 5-709, which states that all proposed aboveground transmission line extensions are to be routed to avoid paralleling major transportation routes, such as S.H. 141.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

PEA lacks a full discussion of the alternatives as they relate to the San Miguel County Master Plan.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The BLM failed to address and or analyze local land use concerns and requirements during the alternatives development process and throughout the PEA analysis as required under the Federal Land Policy and Management Act of 1976 (Section 202(c)(9)/43/43 USC1712).

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

San Miguel County land use plan conflicts should be included in this table {PEA Table 12}.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Please address how BLM plans to address the reroute in Dry Creek Basin being inconsistent with the land use code as required in section 202 (a) of Federal Land Policy and Management Act (FLPMA). Also include sentence stating that reroute in Dry Creek Basin would involve a new ROW grant and City of Telluride action to approve this route.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Potential conflicts of Alternative C with San Miguel County land use regulations. The FLPMA consistency review requirements.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
The re-route in Dry Creek Basin does not comply with their master plan, which could affect the issuance of a local permit to Tri-State. Local land use concerns were not carried forward for detailed analysis in the PEA and there is no response or analysis in the PEA to address San Miguel County's concerns.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Tri-State urges BLM to revise the EA to achieve the NEPA objectives of a decision informed by an objective environmental analysis, which mandates discussion and proper interpretation of the relevant and appropriate science, socioeconomic information, and local land use plans in a manner that presents an impact analysis of reasonable alternatives.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
We first provide overview comments concerning aspects of the PEA we view as required revisions to make the document defensible, accurate, and to ensure the analysis is consistent for both action alternatives. We then provide detailed comments related to GuSG and the visual resource analysis for Dry Creek Basin. Last, we provide a matrix of specific PEA comments presented by page and paragraph.

Summary

The FEA should consider land use code compliance and impacts. The PEA does not have a complete discussion of each alternative and the ability to comply with land use code constraints.

Response

The FEA was revised to provide a more detailed discussion of relevant guidance from the San Miguel County Comprehensive Development Plan, Land Use Code, and other local guidance (see Section 1.7.1.2.2, including Table 2). Table 2 includes all the elements of the local land use regulations that would need to be complied with for any alternative. San Miguel county has indicated that the realignment along SH 141 (alternative C) may not be in compliance with San Miguel County Land Use Code.

Socioeconomic and Quality of Life Impacts to Landowners in DCB Comments opposed to condemnation (Topic 4551)

Total Number of Comments: 9

Comment No.: CL37
Organization: N/A
Commenter: Bill Young

Comment Excerpt Text:
Moving it from its current location would impact the residents in the area by putting it right in their front door.

Comment No.: CL64
Organization: N/A
Commenter: Cindy Alexander

Comment Excerpt Text:
Moving it from its current location would impact the residents in the area by putting it right in their front door.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:
The BLM has previously authorized the existing 115 kV transmission line in its current alignment across the public land they administer. It appears that the route for the existing line affects less of the property owned by the State of Colorado (CPW) and the property owned by the Town of Telluride than would be affected by the Realignment Option.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:
In reviewing the land ownership for this realignment, we find that the public land portion administered by the BLM is only a small portion of the land that would be affected by this BLM initiated alternative to building the upgrade in place.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:
We believe that if it becomes necessary for Tri-State to condemn private property to complete an upgrade of their Transmission Line parallel to SH 141, such action could be counterproductive to our long term efforts to work with our ranching community that owns and controls critical portions of the best habitat for GuSG in the San Miguel Basin.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

Of greater concern to San Miguel County, the proposed new alignment would cross the property of eight landowners, not affected by the existing power line. The new alignment would require TriState to acquire Right of Way for the proposed re-alignment.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

Does not fully disclose the socioeconomic impacts of potentially imposing condemnation of private property.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County is opposed to decisions that could unnecessarily necessitate condemnation of private land, which is the majority of the land in the realignment.

Comment No.: CL59a
Organization: Tueller and Associates (Dec 3)
Commenter: Douglas Tueller

Comment Excerpt Text:

Because much of the land along the proposed BLM Options includes non-federal, private lands, the costs of condemnation inevitably will prove substantial.

Summary

BLM should not consider moving the line from its current position in the Dry Creek Basin because it would have a negative impact on residents and landowners in the project area. The BLM previously authorized the transmission line in its current alignment, and it should stay there. Moving the line would impact more private lands, and less public land (including BLM-managed land, CPW and Town of Telluride owned lands). Condemnation is a possibility, given the impacts to the residents, and would be counterproductive to relationships between San Miguel County and the ranching community.

Response

Condemnation and other actions on private property are outside of the control of the BLM. The BLM is considering a range of reasonable alternatives. According to Tri-State, in most cases condemnation is not necessary and is avoided to the greatest extent possible through negotiation. If a required easement through private property cannot be acquired through negotiation with the landowner, Tri-State has the ability to acquire that interest through condemnation. Tri-State can file a condemnation action (petition) in the county where the property is located. Instead of a landowner negotiated compensation agreement the value of the easement is determined through the courts. The courts also determine the timing for Tri-State's use of the easement, which may be immediate possession or deferred possession. Effects to landowners are disclosed in the EA at sections 4.3.10, 4.4.10, 4.5.10, 4.6.10 and 4.7.10.

Provide additional information regarding impacts to landowners and justification for determination of "negligible" language (Topic 4552)

Total Number of Comments: 4

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

San Miguel County does not agree with the statement in 3.4.8 of the PEA that permanent direct effects to the local economy at a project scale would be minimal as a result of implementing any action alternative...The reduction in sales value where an entirely new easement is required could be substantially greater than this unsubstantiated two to nine percent range referred to in the PEA.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

This section fails to address impact to landowners, particularly to those new landowners that would be impacted by a re-route through Dry Creek Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

BLM has determined the economic impact of a road and power lines to real estate values are similar and come to a negligible effect (including the re-route in Dry Creek Basin). Comments from the landowners have indicated they do not see the new alignment as "negligible". Please include inF justification and supporting literature for comparing road impacts on property to power lines as well as justification of a "negligible" effect on private property for the Alt C Dry Creek Basin Re-Route.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Only one citation is used to arrive at a negligible effects determination for private landowners. A 9% reduction in property value from a new transmission line would seem to be a moderate effect?...Concern there is improper/inaccurate representation of published research.

Summary

BLM should provide additional information regarding impacts to landowners and justification for determination of "negligible" language. Landowners opposed to the realignment, and potentially affected by the new alignment (Alternative C Dry Creek Basin realignment) believe their impacts will be more than "negligible." Impacts to property values are understated.

Response

The PEA used the best available information regarding property value impacts. Negligible is defined in the PEA as "barely discernible and not easily measured." As noted in the PEA, there is a great deal of uncertainty in evaluating impacts of new transmission lines on property values, particularly in rural areas. The effects are not easily measured and studies are inconclusive. Property owners would be compensated monetarily for the value of their easements, as disclosed in the PEA. The studies reviewed [published empirical research from 1964 to 2009] generally pointed to small or no effects on sale price due to the presence of electric transmission lines. Some studies found an effect but this generally dissipated with time and distance (Headwaters Economics 2012). Additional qualitative information has been added to section 3.5.10 of the FEA and effects are disclosed in Sections 4.3.10, 4.4.10, 4.5.10, 4.6.10 and 4.7.10 of the FEA. In addition, Table 15 and Figure 23 demonstrate effects from the realignment option to landowners not affected by the existing alignment.

Socioeconomic Impacts to San Miguel County due to Realignment in DCB Cost of Alt C relative to Alt A not disclosed (Topic 4562)

Total Number of Comments: 2

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The Socio-Economic section of the PEA doesn't include a discussion of the increased cost of the project if a new 230 kV transmission line is permitted and constructed paralleling S. H. 141as compared to the cost to upgrade the transmission line in place.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

There does not appear to be a dollar figure referenced in the PEA that identifies or discusses the increased cost of the project if it is realigned parallel to S. H. 141.

Summary

The cost of Alternative C (Dry Creek Basin realignment) relative to Alternative A (Dry Creek Basin Upgrade-in-Place) is not disclosed. BLM should add these comparative costs to the FEA.

Response

The cost of Alternatives A and C are included in Sections 4.3.10, 4.5.10, 4.6.10, and 4.7.10 of the FEA. The realignment in Dry Creek Basin is estimated to be about \$3 million dollars.

PEA needs to disclose costs of Alt C that will be borne by rate payers (Topic 4563)

Total Number of Comments: 1

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

These costs will be borne by Tri-State members' rate payers including county residents served by San Miguel Power Association (SMPA).

Summary

The BLM should disclose costs of Alternative C (Dry Creek Basin Realignment) that will be borne by rate payers, including residents of San Miguel County who are served by the San Miguel Power Association.

Response

Costs associated with environmental compliance are part of the overall cost to build the project (along with other costs such as ROW costs, design costs, construction costs, etc.) Annual costs to construct, operate and maintain the entire transmission system are part of what make up the total 'revenue requirement' used to calculate the rate charged to Member Systems. The costs of this and any other project are embedded in the rate and spread out over time and shared equally by all Tri State's 44 Member Systems.

Visual Impacts in Dry Creek Basin

Visual resources analysis in Dry Creek Basin is inaccurate and, Key Observation Points (KOP), inadequate (Topic 4651)

Total Number of Comments: 12

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

I ask that more KOP be added and evaluated and the visual impact be a legitimate consideration for not relocating the powerline.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

The EA inadequately addresses the visual impact in the basin. Specifically, they do not have enough KOP points in the basin to provide an accurate analysis. In addition, they arbitrarily discount the "10 minute" drive through the Basin where the powerline will be extremely visible.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

BLM should clarify in the revised EA how it chose the KOP's...There should be at least three more KOP's based on geological significance. In addition, The KOP's should be evaluated based on powerline relocation placement on the North and South sides of the road.

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

Revise the EA to identify that Alternative A has the least impact on visual resources (through addition study).

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:

It is disappointing that the EA would try to minimize the visual impact by trying to point out that travelers will only be inconvenienced for 10 minutes. What about the landowners, the people living in the area, bicyclist, and all the people who can't and won't put a price or number on this visual resource?

Comment No.: CL64
Organization: N/A
Commenter: Cindy Alexander

Comment Excerpt Text:

It will affect the scenic byway that goes through that whole area. Moving the powerline would impact views the Lone Cone, the Rincon, the 100+ year old Big Red Barn, and the entire Basin area.

Comment No.: CL37
Organization: N/A
Commenter: Bill Young

Comment Excerpt Text:

It will affect the scenic byway that goes through that whole area. Moving the powerline would impact views the Lone Cone, the Rincon, the 100+ year old Big Red Barn, and the entire Basin area.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The proposed realignment and construction of a 230kV Transmission Line with the associated new access road paralleling SH 141 will have a significant adverse impact on the scenic quality and rural and natural setting of Dry Creek Basin as seen by the traveling public.

Comment No.: CL63a
Organization: SMCo
Commenter: Mike Rozycki

Comment Excerpt Text:

The EA should evaluate the visual impacts associated with the entire nine mile length of the line that is proposed to be realigned parallel to S.H. 141. There are several policies in the County Land Use Code in Section 2-12 Scenic Quality that apply to the proposed realignment alternative that are not addressed or duly considered in the PEA.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

A second photographic simulation could be prepared for Alternative C- Dry Creek Basin Reroute Option to reflect the visual impacts from the town of Basin. Their view is not south down the highway as shown in Photos 6b and 6c, but west and southwest toward Dry Creek Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Key Observation Point Number 6 (KOP 6) should be examined in more detail. The high adverse long-term impacts from the town of Basin are understated.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

KOPs are established where viewers are located including travelers, recreation users and residents. Generally travelers and recreation users may be impacted for a short-term duration, whereas residents may be affected for the long-term or life of the proposed project. The location of KOP 6 is unclear.

Summary

The visual resources analysis in Dry Creek Basin is inaccurate and number of KOPs inadequate in the PEA. In addition, selection of the KOPs is unclear. The visual analysis should disclose impacts to the scenic byway and views of the Lone Cone and other important visual features currently visible from the highway and residences in the Basin. The BLM has not adequately evaluated the impacts to residents and other types of users, including bicyclists.

Response

As described in the PEA (Section 3.5.7.2), the Key Observation Points are identified from critical viewpoints, along commonly traveled routes or other likely observation points in accordance with BLM Manual 8431 (BLM 1986). Evaluation of project consistency with Visual Resource Management (VRM) Class objectives is completed from the perspective of the casual observer from the KOPs, to determine changes to BLM management of visual resources. The PEA clearly states at Section 4.6.7 that the powerline would be highly visible to travelers and residents in the Dry Creek Basin on SH 141, for the entire length of the Dry Creek Basin. An additional visibility analysis was completed for the existing line crossing of SH 141 at the south end of the Basin, as well as at the Basin Store. Resulting number of structures visible from these locations under each alternative is very similar to those disclosed in the PEA for KOP 6; i.e., KOP 6 is representative of impacts throughout the realignment area from the casual observer. This information has been added to the Visual Report appended to the FEA. In addition, the Socioeconomics section in the PEA (Section 3.4.8) describes the other quality-of-life related impacts to residents. Additional information including new landowner impacts from Alternative C: Dry Creek Basin Routing Option has been added to Section 3.5.10 in the FEA (see Table 31 and Figure 32) and section 4.6.10.

Visual resources analysis should consider scale of the landscape setting (Topic 4652)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There should be an analysis regarding project scale. A visual assessment of contrast should be considered regarding the scale of the proposed project features relative to the scale of the landscape setting.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Another factor in assessing visual impacts is scale of the proposed project features relative to the scale of the visual landscape. Will the proposed project draw visual attention? If so, how much visual contrast would result? More of this technical information should, at least, be applied to Appendix C.

Summary

The visual resources analysis should consider scale of the landscape setting. Scale of the proposed project features relative to the scale of the visual landscape is important technical information to disclose in the FEA.

Response

Contrast Rating Worksheets were completed and included in the PEA to provide detail on the contrasts, and that process considers scale in evaluation of contrast (see Appendix C to FEA). The tables disclosing structures visible at different distances was intended to evaluate scale of the landscape, as well as notes on the contrast rating worksheets.

Visual resources analysis should consider the Visual Absorption Capability of the landscape setting (Topic 4653)

Total Number of Comments: 2

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

A discussion of the Visual Absorption Capability (VAC) of the landscape regarding proposed project features should be described. The Visual Distance Zone is only one of several physical and perceptual factors used to analyze the VAC.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Here is where an analysis of the VAC physical and perceptual factors could apply. A more accurate reflection would be to determine how much of each structure would be potentially visible using computer modeling particularly for D1 and D2 categories.

Summary

The visual resources analysis should consider the Visual Absorption Capability of the landscape setting, and disclose this information in the FEA.

Response

VAC analysis is not currently applied in the USFS Landscape Management process. The visual resources analysis used by the BLM for the project was visual contrast rating worksheets, the BLM standard for considering visual impacts. The factors considered in the VAC analysis are similar to the considerations used in development of the visual contrast rating worksheets (such as visual complexity, scale of the landscape, etc.). Photo simulations were also completed as part of the contrast rating process.

Request Clarifications to Visual resources analysis in FEA including Appendix C Visual Report (Topic 4654)

Total Number of Comments: 9

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Basin would receive long-term high adverse visual impacts from Alternative C-Dry Creek Basin Reroute Option.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Relative to KOP 6, several portions of the report describe the highway as SH 145. Please revise to SH 141.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
KOPs from private land should be given equal consideration as those assessed from public land. Land jurisdiction is not visually distinguishable generally for viewsheds. The assessment at KOP 6 does not represent a point but rather an area, including SH 141, town of Basin and BLM Kiosk. The impacts to travelers would be considerably different than for the residents of the town of Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
VRM Contrast Rating Sheets in Appendix C shows that site visits were also conducted in June, 2015 (the date shown on the field forms). Please revise to reflect this additional date. The discussion should include representative views of residents (e.g., town of Basin).

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
One of the concerns was the effect of scenic quality to residents and drivers from Alternative C- Dry Creek Basin Reroute Option. Please add the town of Basin to the bullet.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Alternative C: (pg. 44) Visual impacts from the area of KOP 6 including SH 141 and BLM Kiosks viewers would experience an adverse short-term effect. However, residents of Basin would receive adverse long-term effects.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Photo 6c-KOP6: This photographic simulation should be redone to reflect shadow colors more consistent with Photo 6b.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

[A PEA] Section 4.3.7.1.1 please revise the last two sentences for consistency. Please restate the last sentence to “low additive adverse short-term effects to visual resources would result to travelers along SH 141 particularly at the crossing of SH 141”. Add a sentence disclosing the effects the visual impacts to recreation viewers from the BLM Kiosk and residents from the town of Basin.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Table 19: For each KOP, add a column which shows the VRM classification, VQO or SIO designation of the affected viewshed. Under the Amenities column, add BLM Kiosk to KOP 6.

Summary

BLM needs to make edits to the Visual Resources report, and complete clarifications to Visual resources analysis in the FEA, including Appendix C Visual Report.

Response

One SH 145 reference relative to KOP 6 was changed to SH 141 in the Visual Resources Report. All other references to SH 145 are correct. KOP 4 is on SH 145 as shown on report maps and described in the report. For clarification, a map showing the visual resources management classifications has been added to the FEA. KOP 6 was considered as representative of the impacts to the Dry Creek Basin area, as described in the PEA and Appendix C, Visual Resources Report. The two photographic simulations for KOP 6, Dry Creek Basin realignment option (both north and south side of SH 141) demonstrate the variability of the look and feel of the structures, depending on time of day, sun angle, cloud cover, and other variables. Both are representative of what structures could look like at any given time. Editorial changes have been made, where appropriate.

Request for additional information about Visual Resources inventory data including maps (Topic 4655)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The Appendix is lacking important information including a discussion of inventory data, technical discussions and maps which display BLM VRM classes and USFS VQO and SIO categories.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Table 2 KOP Locations and Descriptions: For each KOP, please add a column describing the VRM, Visual Quality Objective (VQO) or Scenic Integrity Objective (SIO). For KOP 6, under column "Reason for Selection", add BLM Kiosk.

Summary

BLM should provide additional information about Visual Resources inventory data including maps.

Response

Visual Resources Management systems and classifications are described in the narrative of both the Visual Resources Report (page 3-4) and the PEA (Section 3.5.7.1, page 126). The VRM, VQO, and SIO of the project, not the KOP, are relevant to the visual resources analysis. A map showing the visual resources management classifications has been added to FEA (see Figure 31). The visual resource designations are included in the report narrative.

Request for edits to the Contrast Rating Worksheets (Topic 4656)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Revise the Elements section beginning with Form (Change Moderate to Strong) because of scale dominance; Line (change Moderate to Strong) because of strong vertical lines contrast (structures). Revise comments to reflect long-term adverse effects for residents of the town of Basin and short-term adverse effects for SH141 travelers and BLM Kiosk users.

Summary

BLM should make edits to the Contrast Rating Worksheets found in Appendix C, Visual Resources Report.

Response

The interpretation of degree of contrast is subjective; however, BLM believes contrast in form and line will be moderate (draw the attention of the casual observer), but not strong (dominating view). No edits have been made to the Contrast Rating Worksheets.

Request for additional information regarding visual resource impacts at Dolores River Crossing (Topic 4657)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The table lacks substantive information for visual impacts and impacts from road construction and reclamation to compare the Dolores River alternatives in order to assist in the decision making process.

Summary

BLM should provide additional information regarding visual resource impacts at Dolores River Crossing. Impacts from road construction and reclamation are not adequate for the decision making process.

Response

PEA Table 11 is intended to be a summary. Additional quantitative effect details are included in the resource sections. PEA Table 20, another summary table, provides a similar level of detail. Table 11 is not intended to be the sole source of information for the decision-making process. A note has been added referring the reader to Appendices C and E, and resource sections.

Elk and Deer

Concerns about impacts to wintering areas for big game (Topic 4701)

Total Number of Comments: 1

Comment No.: CL58

Organization: CPW

Commenter: Patricia Dorsey

Comment Excerpt Text:

CPW is concerned about disturbance from construction activities in winter and displacement of big game to sub-optimal habitats, as well as potential increases in agricultural game damage on private lands resulting from the displacement of big game from typical wintering areas. (...) Even with seasonal closures in place, habitat alteration from ROW vegetation clearing and new road and transmission line construction can reduce habitat effectiveness for big game if human activities are introduced into previously undisturbed areas, and continue over time due to new access road development in or adjacent to the ROW.

Summary

BLM failed to adequately address impacts to wintering areas for big game.

Response

The FEA includes a more explicit description of the RMP big game closure dates that apply to construction activities and where the areas closed to public access (via exiting gates) are located along the ROW (see POD Appendix W, Map Atlas, and POD Appendix G, Constraints Atlas). Both Action Alternatives occur within or parallel to existing disturbance corridors that will moderate the effects of new roads and transmission line on habitat effectiveness for big game. Very few new roads are planned, as most access would occur from existing roads. Specifically at the south rim of the Dolores River crossing, existing roads would be used with short spur roads to each structure to minimize new public access points (see POD Appendix W). Long-term use of access roads will be very infrequent for annual monitoring. Scheduled and emergency repairs of the transmission line will be greatly reduced from existing conditions.

Deer and elk impacts on individual owner in Dry Creek Basin are not accurately analyzed (Topic 4702)

Total Number of Comments: 1

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

There will be a severe reduction in deer and elk habitat on our property resulting in diminished value. Although the unit wide impact overall is small, there is a severe impact to our property utilizing the same methodology.

Summary

BLM failed to accurately analyze deer and elk impacts on an individual owner in the Dry Creek Basin.

Response

Impacts to big game habitat in the Dry Creek Basin will largely be temporary and similar for both Action Alternatives. Revegetation of disturbed areas, per the EPMS, will restore big game habitat post construction. However, effects could be greater for individual property owners under Alternative C: Dry Creek Basin Routing Option, with construction of new access roads and transmission line.

Concerns about impact analysis for big game (Topic 4703)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

So why is Table 14 showing a net increase in impacts to big game when we are actually going to reduce structures on the ground by 20% with the rebuild??... please clarify why the analysis for big game is so different than the rest of the wildlife discussion that was dismissed from detailed analysis?

Summary

BLM should have clarified why the analysis for big game is different than the rest of the wildlife discussion that was dismissed from detailed analysis. BLM should have also explained the conclusion (in Table 14) that there would be a net increase in impacts to big game when Tri-State would reduce structures on the ground by 20% with the rebuild.

Response

The expanded discussion of big game was in direct response to concerns identified during scoping and comments from cooperating partners. The analysis of impacts considers short and long-term impacts from re-graded and re-aligned access roads, as well as the number of structures. In addition, Alternative A includes a realignment at the Dolores River crossing which results in an increase in impacts to elk habitat. All impact calculations have been updated in the FEA.

Migratory Birds

Impacts to sensitive species habitat is understated (Topic 4751)

Total Number of Comments: 1

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

The report states that the impact on sensitive species would be low due to the use of existing access roads networks and existing transmission line and therefor are not analyzed in detail in this EA. This is incorrect. If the reroute of the transmission lines in the Basin was to occur it would result in miles of new road that remove valuable sage brush habitat. This needs to be evaluated as the reasoning for not evaluating this is incorrect.

Summary

BLM understated the impacts to sensitive species habitat for the realignment option in the Dry Creek Basin. The Realignment Option in Dry Creek Basin (Alternative C) would result in a new network of roads that would impact valuable sage brush habitat, and the evaluation should be revisited and impacts disclosed.

Response

As stated in the PEA Section 3.4.3, "Because of the temporary nature of the construction and implementation of EPM's minimizing effects on nesting birds and their habitat, the overall effect on migratory birds would be low and would be very similar for all Action Alternatives" (Section 3.4.3). Sage brush will be temporarily removed for both action alternatives and restored following construction per the EPM's, resulting in no significant long-term effect for sensitive migratory birds.

Request for additional information on migratory birds (Topic 4752)

Total Number of Comments: 3

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Recommend inclusion of biological factors that affect avian collision, specifically eagles (APLIC 2012).

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The analysis for migratory birds identifies birds that were observed but there is absolutely no discussion of nest sites within 0.5 mile of the line? This is an important constraint and resource that needs to be addressed in the EA ... but a general discussion on number and species should have been incorporated.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

“Nests may be destroyed”. This entire statement needs to be clarified. It is against federal law (Migratory Bird Treaty Act, MBTA) to remove active bird nests which is the reason Tri State incorporated EPMs into our proposed action to minimize and avoid impacts to migratory birds.

Summary

BLM should provide additional information on migratory birds, including nest sites, nest destruction, and avian collision risks.

Response

Additional information and clarification on migratory birds has been included in the FEA. More details on Tri-State's avian protection plan are included in POD Appendix B.

Comment about consistency of special status and threatened and endangered species analysis (Topic 4753)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

There is no explanation as to why the GuSG analysis is treated in a completely different manner than the rest of the sensitive species analysis.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The EA states “Overall effects on special status wildlife species would be low and therefore are not analyzed in detail in the EA”, yet the grouse analysis takes a completely different approach...It is unclear why the BLM used a different metric and baseline for GuSG relative to the other federally listed species analysis.

Summary

BLM has applied inconsistent analysis efforts to special status and threatened and endangered species analysis. It is unclear why GuSG was analyzed using a different approach and with a different level of effort than the other species.

Response

Section 3.3 of the PEA and FEA describes the rationale for determining which resources warranted a more detailed analysis of effects. Potential effects to special status species other than GuSG would likely be minimal and weren't identified during scoping as a concern; therefore a detailed analysis was not warranted. The transmission line improvement would occur in GuSG critical habitat, and potential impacts to GuSG were identified during scoping as an issue that influenced the development of alternatives, warranting a more detailed analysis of effects. As explained in the response to topics 4131 and 4132, Sections 3.5.6 and 4.3.6 of the FEA was expanded to include a thorough discussion of the purpose, literature support, and assumptions used in the analysis of effects of the alternatives on GuSG. For comments about the comparison of alternative effects to baseline conditions, see response to topic 4151.

Comments Outside of Scope of EA

SH 141 through Dry Creek Basin should be a scenic byway (Topic 5001)

Total Number of Comments: 1

Comment No.: CL06

Organization: N/A

Commenter: Brad Young

Comment Excerpt Text:

SH 141 through the basin should be considered a scenic byway. The realignment will reduce recreational users and could negatively impact the Basin's fragile economy.

Summary

SH 141 through Dry Creek Basin should be a scenic byway. The realignment will reduce recreational users and could negatively impact the Basin's economy.

Response

It is not in BLM's jurisdiction to designate scenic by-ways, and this topic is outside of the scope of the EA. Sections 3.5.10 and Sections 4.3.10, 4.4.10, 4.5.10, 4.6.10 and 4.7.10 contain an analysis of socioeconomic impacts, including potential tourism impacts.

Town of Telluride parcel should be considered private (Topic 5002)

Total Number of Comments: 1

Comment No.: CL59b

Organization: Tueller and Associates (March 18)

Commenter: Douglas Tueller

Comment Excerpt Text:

Placing the Upgraded Lines to the north of the Highway should not raise any condemnation concerns relative to the Town Parcel. The Town Parcel along the Highway should be considered private for condemnation purposes. The Town acquired ownership of that property from the Young Brothers' father in a trade transaction. As a result, this property retains its essential historic private property status, despite being currently owned by this municipality.

Summary

The BLM should consider the Town of Telluride parcel "private" for condemnation purposes. The property retains its essential historic private property status even though it is owned by the municipality.

Response

The property is not a historic or cultural resource, according to the surveys completed for National Historic Preservation Act compliance. Under alternative C, Tri-State would need an easement with the Town of Telluride.

Other Comments

Clarify and edit FEA language regarding project introduction (Topic 6001)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Can we clarify that this is a re-build of an existing transmission line in the initial project description? It is really not clear from this discussion until you get further into the document. Also, please add Tri-State communications to list in parenthetical: (existing optical ground wire for 911, cable, internet, and Tri-State Power communications).

Summary

The BLM should clarify and edit FEA language regarding project introduction to include description of current conditions. The line is a rebuild; it is not clear as currently written.

Response

The document has been revised in section 1.1 to clarify that the project is an upgrade (not a rebuild) of an existing line.

Clarify and edit FEA language regarding ROW clearance requirements and North American Energy Reliability Council (NERC) (Topic 6002)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The clearance requirement of 150 feet for 230-kV has nothing to do with trees and everything to do with National Electrical Safety Code (NESC) clearances for safe operation of the transmission line. San Juan Citizens Alliance requested clarification in their scoping letter as to why Tri-State needed to expand the ROW from 100-150 feet so this type of information needs to be accurately represented in the EA.

Summary

The BLM should clarify and edit FEA language regarding NERC ROW clearance requirements.

Response

The document has been revised in section 1.2 to clarify NERC clearance requirements.

Clarify and edit FEA language regarding Colorado Public Utilities Commission (CPUC). (Topic 6003)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Please include the Colorado Public Utilities Commission-CPCN, Certificate of Public Convenience and Necessity.

Summary

BLM should add Colorado Public Utilities Commission and the requirement for a Certificate of Public Convenience and Necessity to Table 1.

Response

The FEA (Table 1) has been revised as requested to include CPUC, Colorado Public Utilities Commission and the requirement for a Certificate of Public Convenience and Necessity (CPCN) to the "State" section.

Clarify and edit FEA language regarding Vegetation Management (Topic 6004)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Suggest dropping paragraph 2 on vegetation management. Insert on page 12 after first sentence: Tri-State's Transmission Vegetation Management Program meets the requirements of NERC Standard FAC-003-1, see Appendix T-Operations, Maintenance and Vegetation Management in the POD.

Summary

BLM should clarify and edit FEA language regarding Vegetation Management; specifically, add a statement that Tri-State's Transmission Vegetation Management Program meets the requirements of NERC Standard FAC-003-1, see Appendix T-Operations, Maintenance and Vegetation Management in the POD.

Response

BLM has edited the FEA per Tri-State's recommendations.

Clarify and edit FEA language regarding Plan of Development and USFWS consultation (Topic 6005)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Please add reference to the POD (Appendix D) to the bulleted list of documents and reports rather than listing it after USFWS consultation discussion. Last paragraph in this section. Please provide a summary of informal consultation with USFWS to date.

Summary

BLM should clarify and edit FEA language regarding the Plan of Development and USFWS consultation.

Response

Edits to Section 1.7.1 have been made to move the POD reference to a bullet, and to provide a reference to Table 36, which summarizes informal consultation with USFWS.

Clarify and edit FEA language: remove G-7 (Topic 6006)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Drop G-7, there is no G-7.

Summary

BLM should clarify and edit FEA language to remove reference to EPM G-7.

Response

Reference to EPM G-7 has been removed from Table 2.

Clarify and edit FEA language: add Electro-Magnetic Field (EMF) and noise reference (Topic 6007)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The BLM dismissed EMF and noise from detailed analysis so this was not modeled for the project so need to include reference as follows: "The CPUC sets levels for any project requiring a CPCN. Level is edge of ROW and it varies by land use: Residential 50db(A), Commercial 55db(A), Light Industrial 75db(A). Tri-State typically assumes the worst case (residential) for analysis, even though there is little residential associated with the MNC line.

Summary

BLM should clarify information in the FEA related to regulated noise levels.

Response

Table 13 of the FEA has been modified to include the following language relative to Noise, as a note following the table: "The CPUC sets levels for any project requiring a CPCN. The level are set at the edge of the ROW and vary by land use: Residential 50db(A), Commercial 55db(A), Light Industrial 75db(A). The most sensitive level (residential) is considered for analysis, even though there are low residential densities associated with the Montrose-Nucla-Cahone (MNC) line."

Clarify and edit FEA language regarding 2006 FEA tiering (Topic 6008)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

It is not clear what in the 2006 EA is being "tiered". The Tres Rios BLM RMP recognizes the Montrose-Nucla-Cahone 115kV line as a designated utility corridor. Assume the existing access roads are being tiered and should be incorporated into the environmental baseline as well as the 100 foot transmission ROW.

Summary

BLM should clarify what impacts are "tiered" to the 2006 FEA analysis.

Response

Road impacts are "tiered" to the 2006 FEA analysis. As noted in Section 4.1.1 of the PEA, page 135, "The analysis in this EA tiers to the analysis completed in the 2006 EA for the access right-of-way and transmission line maintenance."

Clarify and edit FEA language regarding substation - change all figures (Topic 6009)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Consider changing all figures to list Maverick Substation instead of "new" Nucla Substation.

Summary

BLM should consider editing all relevant figures to reference the "Maverick" substation rather than the "New Nucla" substation.

Response

Relevant figures have been edited.

Clarify and edit FEA language regarding steel structures (Topic 6010)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Last sentence add "would treat all steel structures with acid etching or use weathered steel..."

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Note that weathered steel is not the same as acid etched steel... Factory-applied acid etching treatment is proposed for the structures at the Dolores River crossing because it has a dulled finish that reduces reflection. Weathered steel is ill suited for the lattice structures.

Summary

BLM should clarify and edit FEA language regarding steel structures and their treatment for visual purposes.

Response

The FEA references the "galvanized acid-etched" finish on steel structures (EPM A-6) proposed to reduce visual effects (FEA Table 8).

Clarify and edit FEA language regarding add column (Topic 6011)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Please add a column for Upgrade in Place Option, in row for "height of tangent crossing structures", last column, or self-supporting steel structures.

Summary

BLM should add reference to self-supporting steel structures in Table 3.

Response

The FEA has additional language for "self-supporting steel structures" added to this table, (now Table 4), "Upgrade-in-Place" column and "Height of tangent crossing structures" ROW.

Clarify and edit FEA language regarding construction disturbance for new access roads (Topic 6012)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

It needs to be clarified that the Dolores re-route would primarily require vegetation removal, some new road construction and improvement of existing roads would be required on the south rim and would occur within the transmission ROW. The purpose of moving the existing alignment is due to the safety issues with the existing access.

Summary

The BLM should provide additional information about the nature of new roads at the Dolores River Crossing for the Realignment Option.

Response

Table 4 includes both new access road miles and construction disturbance acres. A note has been added as a footnote to this table, describing the road construction required.

Clarify and edit to include areas of construction and reclamation (Topic 6013)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Areas of new construction and reclamation could be pointed out on Figures 6 and 9. It is difficult to assess the acres of long-term disturbance from each of the action alternatives versus the No Action alternative.

Summary

BLM should include additional details relative to construction and reclamation on Figures 6 and 9.

Response

A note has been added to the Figures 6 and 9 legends to reference Table 4 for more information.

Clarify and edit FEA language regarding BLM has not yet selected an alternative (Topic 6015)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

This sentence needs to be clarified to state “if the re-alignment is selected” the final engineering design would be in the POD.

Summary

BLM should clarify in Section 2.2.2.3.1 that the last paragraph only applies “if the re-alignment is selected” the final engineering design would be in the POD.

Response

This edit has been incorporated (Section 2.2.2.3.1 of FEA).

Clarify and edit FEA language regarding road long term maintenance (Topic 6016)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

It needs to be clarified that while the road would be re-seeded it would be left in place for long-term maintenance.

Summary

BLM should clarify that while the road would be re-seeded it would be left in place for long-term maintenance. In addition, reference to revegetation of the download access road on the existing alignment should be removed.

Response

The referenced section states that "the road bed would be left in place", which infers long-term maintenance use. A phrase has been added to section 2.2.2.3.2 that the road would be left in place for long-term maintenance. Regarding the phrase, "The downline access road on the existing alignment would be revegetated where necessary", it is BLM's understanding that under Alternative C-re-alignment along SH 141, the downline access roads currently in place along the existing alignment would be revegetated. The statement has been clarified as follows: "The downline access roads on the existing alignment would be revegetated/reclaimed where necessary under Alt. C".

Clarify and edit FEA language regarding insulators (Topic 6017)

Total Number of Comments: 4

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Delete corona rings are not used on porcelain insulators now proposed for MNC, Montrose-Nucla-Cahone.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
All figures will need to be modified to show change in size of insulators.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
...and using "gray porcelain insulators for all conductor to structure connections".

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Paragraph needs to be revised to address change from the use of polymer insulators to using gray porcelain insulators without corona rings.

Summary

BLM should reference the new proposed insulator type in all details and figures.

Response

Figures 6, 9, 11, 12, 13, 18, 19, 20, and 21 have been edited to include new insulator details.

Clarify and edit FEA language regarding streamline comparison of each alternative's access road impacts (Topic 6018)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Reclaimed access roads: Shows 0 for No Action and 0 for Alternative A, but 7.3 miles for Alternative C. All access is permanent and should be analyzed as a permanent feature. The access for the re-route will be left in place and re-vegetated where necessary to reduce erosion. Existing roads are calculated as “disturbance” instead of incorporated into the environmental baseline. Same comment as above for the Construction Disturbance for Existing Authorized Access roads. Also, it is not clear why the Construction Disturbance for pole structure footprint for Alternative C is only .2 acres larger than Alternative A given there are 11 more structures associated with the re-route. Please double check this number or clarify how it was calculated. Tri-State requests that in the Final EA, the access associated rows in Table 4 are simplified to show comparison of new access roads versus existing access roads by alternative. The baseline condition should not be labeled as disturbance as it is part of the baseline condition. There are 8 different access road categories which seem to confuse the issue and if not reviewed closely make it appear that the rebuild in place will have greater surface disturbance, which is inaccurate for the reasons provided above.

Summary

BLM should edit Table 4 to clarify metrics and impacts associated with access roads.

Response

Table 4 has been updated to clarify access road impacts. Under Alternative C, it is assumed that existing access routes (Alternative A) would be reclaimed; thus the 7.3 miles of reclaimed access roads under Alternative C. A site-specific analysis of access roads in the Dry Creek Basin was completed for the FEA (see Section 4.1.2). More complete information on access road location has been provided for analysis, thus eliminating/reducing the overlap between the disturbance footprints assumed for the access roads and pole locations.

Clarify and edit FEA language regarding H-frame specs per NESC (Topic 6019)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Clarify with the following text: “The H-frame structures would be taller and wider than the existing structures because of the increase in voltage and associated clearance requirements under the National Electric Safety Code.”

Summary

BLM should include reference to NERC requirements in the description of the H-frame structure size.

Response

Section 2.3.1 of the PEA has been updated to include the phrase, "because of the increase in voltage and associated clearance requirements under the National Electric Safety Code".

Clarify and edit FEA language regarding section 2.3.6, components common to all action alternatives (Topic 6020)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Recommend removing the last paragraph in this section to Section 2.3.6-components common to all action and the no action alternatives.

Summary

BLM should consider moving the last paragraph on PEA page 44 to Section 2.3.6.

Response

Section 2.3.6 has been updated to include the last paragraph on PEA page 44.

Clarify and edit FEA language regarding pole removal methods (Topic 6021)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Please make the following revision to second to last sentence in the second paragraph under 2.3.2: "Typically this work requires a bucket truck/ and or LineTrac®, digger/derrick, and pole trailer. Typically the pole is cut off and the butt is pulled out of the hole. The pole is placed in the existing hole whenever feasible".

Summary

BLM should clarify explanation of pole replacement equipment and method.

Response

BLM has added the following clarification to Section 2.3.2: Typically this work requires a bucket truck/ and or LineTrac®, digger/derrick, and pole trailer. Typically the pole is cut off and the butt is pulled out of the hole. The pole is placed in the existing hole whenever feasible."

Clarify and edit FEA language regarding ROW used to greatest extent practical (Topic 6022)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

We need to clarify that the existing 100 foot ROW would be used to the greatest extent practical for construction.

Summary

BLM should clarify that the existing 100-foot ROW would be used to the greatest extent practicable, considering safety requirements.

Response

In the first paragraph under Section 2.3.6, the word "feasible" in the second sentence has been replaced with "practical for construction." ROW width as been clarified.

Clarify and edit FEA language regarding generating stations (Topic 6023)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Delete between "Nucla generating station and new Nucla Substation."

Summary

BLM should clarify Section 2.3.6.2, structure design and types.

Response

Section 2.3.6.2 has been modified as follows: the phrase "...running from the Nucla generating station to the new Nucla substation" has been deleted from the 6th sentence, and the phrase "...with acid etching or use weathered steel" has been added to the last sentence.

Clarify and edit FEA language regarding staging area easement requirements (Topic 6025)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Request revision from Final POD to, Notice to Proceed (NTP) for staging areas on private lands as Tri-State will not acquire any form of easement until the FONSI has been issued.

Summary

BLM should require identification of staging areas, which are all on private lands, prior to Notice to Proceed rather than in the Final POD.

Response

The last sentence in Section 2.3.6.5.1 has been edited to replace the phrase "in the final POD" with the phrase "prior to Notice to Proceed."

Clarify and edit FEA language: regarding word change (Topic 6026)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Change snub to stub.

Summary

In Section 2.3.6.5.2, BLM should replace the word "snub" with "stub."

Response

This edit will be addressed in the FEA.

Clarify and edit FEA language regarding construction schedules (Topic 6027)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Need to double check these construction schedules given the number of constraints that we need to comply with during construction.

Summary

BLM should verify the anticipated Schedule presented in Table 6, given the substantial number of constraints.

Response

Table 6 has been updated to reflect the most current schedule.

Clarify and edit FEA language regarding retaining walls in various alternatives (Topic 6029)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Please delete sentence beginning “Ten-foot maximum retaining walls...” in this section. No retaining walls are needed for the proposed action only for the rebuild in place at the Dolores River. These last two paragraphs in 2.3.6.7 seem to go between alternatives but is never clear what alternatives and what locations are being discussed. Please clarify as this is a problem noted throughout the EA.

Summary

BLM should remove the references to retaining walls for activities common to all action alternatives (page 63, Section 2.3.6.7) because it applies only to the Upgrade-in-Place option at the Dolores River Crossing.

Response

Reference to retaining walls has been deleted in the FEA.

Clarify and edit FEA language regarding vegetation management (Topic 6030)

Total Number of Comments: 2

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Regular management of vegetation along access roads and “within the transmission line ROW” would be needed.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Not just “large” vegetation would be removed around structures; all woody vegetation would be removed.

Summary

BLM should clarify vegetation management practices described in the PEA; specifically that all woody vegetation would be cleared within 75 feet of each transmission line structure, and that regular management along access roads and within the ROW would be required.

Response

Referenced paragraphs in Sections 2.3.6.8.1 and 2.3.6.8.2 have been modified in the FEA, specifically to replace the word "Larger" with "All" in the 4th sentence in Section 2.3.6.8.1 and to replace the phrase "under the transmission line" with the phrase "within the transmission line ROW" in the first sentence of Section 2.3.6.8.2.

Clarify and edit FEA language regarding purchase of timber (Topic 6031)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Only merchantable timber would be purchased and hauled off per USFS discussion. This is clearly outlined in the EPMs.

Summary

BLM should clarify the type of vegetation that would be removed from the ROW.

Response

In the third paragraph under Section 2.3.6.8.1, the phrase "Trees and vegetation" will be replaced with the phrase "Merchantable timber."

Clarify and edit FEA language regarding timeline for completing stormwater plans (Topic 6032)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Stormwater plans would be completed prior to construction.

Summary

BLM should clarify the timing of completion of the stormwater management plan. This will be completed prior to NTP.

Response

The phrase, "final Storm Water Management Plan (SWMP), will be completed prior to NTP" has been added to Section 2.3.6.8.1.

Clarify and edit FEA language regarding Tri State locations of access roads and floodplains (Topic 6034)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Please provide Tri State locations of access roads in floodplains to support project planning efforts.

Summary

BLM should provide Tri-State with information related to floodplains.

Response

Available floodplain information will be provided.

Clarify and edit FEA language regarding data for noxious weeds calculations (Topic 6036)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Request a citation of what data set was used to complete these calculations for noxious weeds... It should probably be noted that data was not available for all areas of the existing alignment.

Summary

BLM should clarify and edit EA language regarding data for noxious weeds calculations, as well as disclose the source and completeness of the weeds data.

Response

Information was provided for the EA calculations by the BLM (Tres Rio Field Office, TRFO and Uncompahgre Field Office, UFO), the USFS (GMUG and San Juan), as well as information collected during the biological resources surveys. This information will be added to section 3.4.1.

Clarify and edit FEA language: request for Quality Assurance/ Quality Control (QA/QC), of quantities (Topic 6038)

Total Number of Comments: 2

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Numbers presented in Table 11 are not consistent with what is presented throughout the document and in Tables 20, 24, and 25 as it appears different comparisons and metrics for comparison are used throughout without further explanation of how they were calculated. Tri-State requests a thorough QA/QC of the entire impact analysis to ensure consistency and revision to tier impacts for Alternative A from the baseline condition of the existing ROW.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The numbers provided in this section (PEA p. 165) do not match those in Table 20. The text says 6.8 acres of disturbance to occupied habitat and 31.2 acres of occupied from roads. Table 20 calls out only 22.7 acres of occupied habitat? Please clarify in the FEA which numbers are correct and clearly state the basis for comparison and calculation. Difficult to determine impacts associated with each alternative given these discrepancies.

Summary

BLM should perform a quality review of the information in Tables 11, 20, 24, and 25.

Response

A thorough QA/QC has been completed by the GIS specialist and a technical edit for all tables and calculations in the FEA text. In some cases, impact numbers reported in the PEA reflected different effects--for instance, short-term versus long-term effects.

Clarify and edit FEA language regarding placement of regulatory setting reference (Topic 6039)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The regulatory setting reference should be Section 1.7 not 1.7.1.

Summary

BLM should change the reference on page 119 from Section 1.7.1 to Section 1.7.

Response

This change has been made in the FEA.

Clarify and edit FEA language regarding impact calculations (Topic 6040)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The re-alignment was specifically identified as Tri-State's alternative because it removes the existing alignment from erosive slopes. This section of the table shows only a 1.8 acre difference between alternatives. Is this accurate? If these numbers are correct, they need to be clarified in a figure to show where and what the hazards are (landslide hazard vs steep slopes?) along each alignment. This summary fails to show the significant difference in slope between the two alternatives.

Summary

BLM should check the data used for landslide hazard, and describe extreme slopes which are the reason the realignment was proposed by Tri-State.

Response

Hazards mapping for the project area was completed at a very small scale. This is the most detailed data layer available, and therefore shows relatively small difference between the alternatives. For this reason, BLM included a map of local extreme slope considerations and other qualitative narrative to explain the need for the realignment. In addition, the same cells in Table 25 that contain acreage calculations also describe slope; for the realignment option, the cell states "Flat slopes (<10%) for construction and maintenance" and for the upgrade-in-place option, the cell states "Extreme slopes (>30%) for construction and maintenance."

Clarify and edit FEA language regarding impacts from structures (Topic 6041)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The table should have included the reduction in the number of structures at the existing Dolores River Crossing from the environmental baseline for the rebuild in place alternative as it relates to both ground disturbance and visual resource impacts or state that changes are not significant for all alternatives.

Summary

BLM should include reduction in the number of structures at the existing Dolores River Crossing from the environmental baseline for the rebuild in place alternative as it relates to both ground disturbance and visual resource impacts, or state that changes are not significant for all alternatives.

Response

Information regarding the change in the numbers of structures along the Upgrade-in-Place Option as compared to the existing condition are included in Table 4 of the PEA. Table 20 (Table 25 in the FEA) is intended to be a summary table, and therefore cannot contain all details of the alternatives.

Clarify and edit FEA language regarding consistency on access road disturbance (Topic 6042)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Table 20 states no new access road disturbance, yet Table 11 calls out 6.75 acres of temporary disturbance acreages for the access for rebuild in place alternative. This is an existing road and is therefore not temporary.

Summary

BLM should clarify the impacts from access roads associated with the Dry Creek Basin Upgrade-in-Place.

Response

Road lengths for new and reclaimed access has been clarified in Table 25.

Clarify and edit FEA regarding surface disturbances (Topic 6043)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

"New" disturbance fails to address baseline conditions and the long-term net benefit from a surface disturbance perspective.

Summary

"New" disturbance fails to address baseline conditions and the long-term net benefit from a surface disturbance perspective.

Response

There is a new method for analysis of the effects associated with access roads for the Proposed Action for the Dry Creek Basin (upgrade in place), as described in Sections 3.5.6.1.5 and 4.1.2 of the FEA. Also, see Table 25, column for "Access, Roads, and Transportation".

Clarify and edit FEA regarding comparison of alternatives (Topic 6044)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Claims there are fewer structure associated with the re-route. This is very misleading and incorrect as there are actually more structures and 1.3 additional miles associated with the re- route. The table needs to clearly delineate what Alternatives are being compared and what baseline is being used for the comparison.

Summary

Table 20 claims there are fewer structure associated with the re-route in Dry Creek Basin. This is very misleading and incorrect as there are actually more structures and 1.3 additional miles associated with the reroute. The table needs to clearly delineate what Alternative is being compared and what baseline is being used for the comparison.

Response

All comparisons are made to the baseline condition. Therefore, Table 25 demonstrates that there are fewer structures associated with the realignment option than currently exist. A note has been added, relating effects from action alternatives to baseline.

Clarify and edit FEA regarding visual impacts (Topic 6045)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Recommend graphically depicting areas of low, moderate, and high visual impacts so the audience can clearly understand the difference in alternatives and the areas of concern. The Table should also include a column that states whether or not the impacts are consistent/consistent with BLM guidance for VRM II classification. Appendix E includes a much better description of the visual impacts associated with visual resources at the Dolores River Crossing and could be incorporated into Table 20.

Summary

BLM should incorporate additional visual impact information from Appendix E into the FEA to clarify the areas of low, moderate and high visual impacts.

Response

Table 25 in the FEA incorporates additional detail from Appendix E relevant to visual effects.

Clarify and edit FEA regarding roads references (Topic 6046)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

This section is talking about roads for the Dry Creek Basin re- alignment which is NOT part of Alternative A. This needs to be removed in the FEA.

Summary

This section is talking about roads for the Dry Creek Basin re- alignment which is not part of Alternative A. This needs to be removed in the FEA.

Response

Edits have been made to FEA Section 4.3.1.1 to clarify the description of impacts common to all action alternatives.

Clarify and edit FEA regarding cultural surveys (Topic 6047)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Any additional cultural surveys will be completed in 2016.

Summary

BLM should edit section 4.3.2.1 to state that any additional cultural surveys will be completed in 2016.

Response

The phrase "prior to construction" has been added to the second paragraph in Section 4.3.2.

Clarify and edit FEA regarding vegetation clearing (Topic 6048)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Dry Creek Basin- the analysis needs to clarify what you mean by 20.2 acres of “clearing”. As written, it insinuates the entire ROW is Pinyon Juniper and we would remove all vegetation in the 150 foot ROW. We are not going in and clearing all the vegetation in the ROW, the only vegetation to be removed is for the new pole locations, and possibly within the access road footprint (16 feet) The sagebrush and lower growing vegetation would not be removed between spans.

Summary

BLM wrongly insinuates that all vegetation in the ROW would be removed.

Response

Section 4.3.3 is specifically for Forest and Timber resources, and refers to forest and timber clearing. Section 4.3.3.2 states that clearing in the Dry Creek Basin would occur in sparse stands of Pinyon-Juniper. Because this statement is in the Forest and Timber section, and other sections in the FEA disclose the height of vegetation that would be cleared, BLM feels no change is necessary.

Clarify and edit FEA regarding consistency of access road width (Topic 6049)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The PEA goes from a 15 ft. access road to 16 and back to 12? One number should be consistently applied throughout the analysis.

Summary

Road widths in the PEA are inconsistent. The widths referenced are 12, 15 and 16, and they should all be the same.

Response

For clarity, the FEA has been revised at section 2.3.6 to discuss average access road width. There is no reference to 15-foot wide access roads in the EA associated with the proposed action, although there is a reference to the existing practice of vegetation clearing along access roads to a minimum of 15 feet (section 3.5.1). The 12-foot width references the existing access roads to be reclaimed. The 16-foot access road width refers to the average width of new access roads and was used for the analysis, as disclosed in section 4.1.1 of the PEA.

Clarify and edit FEA language regarding vegetation disturbance (Topic 6050)

Total Number of Comments: 3

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

What is potential vegetation disturbance? Why was all of the vegetation in an existing transmission ROW identified as being disturbed? - "This habitat acreage includes all areas within the ROW." This is not consistent with the analysis or with the description of the Action Alternatives. Surface disturbance in the ROW will only occur at the structure locations.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Tri-State is not removing 79 acres of timber from existing access roads. Tri State may need to selectively remove individual trees that have grown or fallen into the access roads, but that is the extent of the removal with the exception of the downline access road associated with the re-route at the Dolores River.

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

It is inaccurate and misleading to the public to state Tri State is going to clear 83 acres of suitable timber for existing access roads.

Summary

BLM has overestimated impacts from clearing and vegetation disturbance in the PEA by assuming that the entire ROW would be impacted.

Response

The PEA included a summary of potentially impacted areas within the Tri-State ROW, to clearly disclose total possible impacts. The FEA discloses those impacts as "Potential Maximum ROW Impact" to distinguish those effects from actual soil disturbance. This terminology is used throughout the FEA for the tables.

Clarify and edit FEA regarding Table 11 and 20 road conditions (Topic 6051)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

"After construction, upgraded roads would be restored to a maintenance width of 16 feet"-this fails to acknowledge that large portions of the existing road will be used in current condition and this explanation is not explained in Tables 11 and 20.

Summary

The BLM states in the PEA at section 4.3.6.2.2 that "After construction, upgraded roads would be restored to a maintenance width of 16 feet." Large portions of the existing road system will be used in their current conditions and this should be reflected in Table 11 and Table 20.

Response

The methods for calculating effects for GuSG is explained in section 4.1.2. More detailed road condition information is now available from recent field work, and tables have been updated.

Clarify and edit FEA Regarding EMF, Electro-Magnetic Field, and GuSG (Topic 6053)

Total Number of Comments: 3

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Inappropriate to come to a determination of effect for corona when there is no scientific evidence that supports the assertion that corona effect impacts GuSG? The analysis for corona effect failed to address existing baseline conditions and appropriate literature (lack thereof).

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

EMF was dismissed from detailed analysis in the EA. Why then is there a page on EMF and corona effects on sage-grouse when there is not a single piece of literature available on potential impacts to sage-grouse from corona effect.

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

EMF was dismissed from detailed analysis. In Table 12 it specifically states that risks to human and animal health would be non-existent or negligible, yet there is a full page on EMF and corona for sage-grouse. Tri-State questions the appropriateness of coming to a potential effects determination without supporting applicable literature.

Summary

The BLM should not include the section on EMF and corona effects on GuSG in the PEA because there is no literature available regarding the impacts, and because EMF was dismissed from detailed analysis.

Response

This section was included to respond to scoping comments received.

Clarify and edit FEA regarding consistency (Topic 6054)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Previously in the affected environment, the analysis says the existing alignment can be seen from the southern end of Dry Creek Basin. In this first paragraph [Section 4.3.7.1.2] that is revised to clarify that most of the existing line is not visible from the Highway. Need to check for consistency across resource discussions and Ch 3 and 4 throughout the document.

Summary

The BLM should check for consistency regarding visibility of the existing alignment from the southern end of the Dry Creek Basin, between the affected environment and section 4.3.7.1.2.

Response

The section number cited is for the Dolores River Crossing. BLM assumes reference is to section 4.3.7.1.1. BLM has added additional visibility information, specifically, number of visible structures, for this SH 141 crossing to Appendix C, Visual Resources Report.

Clarify and edit FEA regarding GuSG and routing alternatives (Topic 6057)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

The GuSG listed as a species that may be affected in the same sentence as the Dolores River crossing. This paragraph needs to be broken out to discuss which species goes with what routing alternative.

Summary

The BLM should remove reference to the GuSG for the sentence in PEA Section 4.5.6 referring to the Dolores River crossing.

Response

The phrase “Alternative C: Dolores River Crossing Routing Option” refers to an entire alternative that includes areas stretching from Montrose to Cahone. There is GuSG habitat within that length of the line.

Clarify and edit FEA regarding consistency of numbers (Topic 6058)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Need to verify these numbers [in section 4.6.1] match all of the other tables in the EA.

Summary

The BLM should verify that numbers in section 4.6.1 match all other tables in the PEA.

Response

The FEA has been revised at Section 4.6.1 to match Table 3 and Table 20 for miles of reclaimed access roads in the Dolores River Canyon (3.3 miles) and to match Table 4 and Table 20 for miles of reclaimed access roads in the Dry Creek Basin (7.3 miles). In addition, more detailed and accurate road information is now available from recent field work and has been incorporated in the FEA in sections 3.5.1, 4.3.1, 4.4.1, 4.5.1, 4.6.1, and 4.7.1. Revised data includes mileage of existing access roads, new access roads, and reclaimed access roads for the overall alignment and for the Dry Creek Basin and Dolores River Canyon areas. Data has been cross-checked to match all tables, including Tables 3, 4, 11, 15, 20, and Appendix E.

Clarify and edit FEA regarding consistency on timber impacts (Topic 6059)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The primary trees on the existing and re-route are pinyon-juniper communities. There are no aspen communities in Dry Creek Basin? “There is a sentence in this paragraph that states “there are no timber resources in Dry Creek Basin” and the next sentence states: “Dry Creek Basin Routing option would have about 13.8 acres of new clearing in aspen and 34.4 in conifer on the GMUG,this looks like a typo but is a critical one.

Summary

Commenter suggested a sentence in section 4.6.3 referring to impacts to timber resources for the Dry Creek Basin Routing option appears to be a mistake, as there are no timber resources in the Dry Creek Basin.

Response

The phrase “Alternative C: Dry Creek Basin Routing Option” refers to an entire alternative that includes areas stretching from Montrose to Cahone. There are aspen communities within that length of the line.

Clarify and edit FEA regarding equipment use and terms (Topic 6060)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Tri-State does not utilize “demolition” equipment. Tri-State provided specific information in the POD that shows the construction and maintenance equipment used to build and maintain power lines. Demolition is not an appropriate term to define the construction process for a transmission line or the removal of the existing line.

Summary

Commenter requested the FEA remove the term "demolition", which does not correctly define the construction process for removing a transmission line.

Response

The FEA clarifies that the line will be “improved” and removes reference to “demolition.”

Clarify and edit FEA regarding Table 20, effects summary (Topic 6061)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

This paragraph states that ...no residual effects requiring mitigation have been identified. The avoidance and minimization measures would adequately offset the environmental effects to all resources. This statement should be added to or somehow reflected in Table 20 to help the reader understand the significance of the issues listed in the table.

Summary

Commenter requested that summary statements from section 4.8 be incorporated into Table 20, so the reader understands the significance of the issues listed in the table. Specifically, section 4.8 states that "no residual effects requiring mitigation have been identified. The avoidance and minimization measures would adequately off set the environmental effects to all resources."

Response

The analysis for GuSG has been updated, including Table 20, and impact summary statements added.

Clarify and edit FEA language: change title and remove word (Topic 6062)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Change to title of this section to “Pole Hole Drilling” and remove the word foundation throughout the paragraph.

Summary

Commenter requests that the word "foundation" be removed from section 2.3.6.11.2.

Response

The FEA has been revised and the word "foundation" removed.

Clarify and edit FEA language regarding permitting requirements to being work before FONSI is released (Topic 6063)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:

Last sentence after Montrose substation: add...in 2016 beginning with grading to prepare for installation of equipment in 2017 coinciding... Note that Tri-State must apply for a permit from Montrose Co to begin work at Montrose Substation in 2016 before the FONSI is released (should have been included in local permitting section in Chapter 1).

Summary

Commenter suggested edits to section 2.3.6.11 regarding Montrose substation construction.

Response

The FEA has been edited at section 2.3.6.11 to clarify the work proposed to begin in 2016 on the Montrose substation. Tri-State must also apply for a permit from Montrose County to begin work; this permit has been added to Table 1 of the FEA.

Clarify and edit FEA language: remove specific references to seasons (Topic 6064)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Recommend removing reference to seasons in the schedule given the ongoing delays in the EA process that have affected project schedule.

Summary

Commenter recommends removing reference to seasons in Table 6 of the PEA due to project schedule delays.

Response

Seasons have been removed from Table 6 so that this table shows only years. The word "duration" has been removed from the Table 6 header, as that information is included in Table 7.

Clarify and edit FEA language: update project schedule before FEA completed (Topic 6065)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Prior to completion of FEA-updated project schedule as this information as presented is out of date.

Summary

Commenter suggested updates to construction workforce and timeframe Table 7.

Response

Table 7 has been edited to reflect the most current schedule.

Clarify and edit FEA language regarding No Action not addressed in resource sections (Topic 6067)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Why is the No Action addressed in socio-economics but no other resource sections? [in the section on resources dismissed from detailed analysis].

Summary

In the section of the PEA on resources dismissed from detailed analysis, commenter asked why the effects of No Action are addressed in the socio-economics section, but not for other resources.

Response

The No Action alternative could affect socioeconomics, but have little or no effects on other resources dismissed from the analysis. For all resources except socioeconomics, the No Action would result in little to no change in the affected environment.

Clarify and edit FEA language regarding access width and additional length of Dry Creek Basin re-route (Topic 6068)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Access widths vary throughout the PEA and should be consistent throughout the analysis with the POD so impacts are properly quantified. Similar consistency comment on the Dry Creek Basin Re-Route-Tri-State has been using and calculated the additional miles of the re-route along Highway 141 relative to rebuild in place as 1.3 miles additional line miles for the past year and it changes in the analysis between 1 and 1.2?

Summary

Commenter noted that access widths vary throughout the PEA and should be consistent with the POD, as well as the additional miles of re-route along SH 141.

Response

The section referenced by the comment (PEA section 3.5.1, 3rd paragraph, last sentence) describes vegetation clearing typically applied to the access roads, not the actual road width. The latter half of the comment addresses additional transmission line length associated with the Dry Creek Basin realignment, which is not described in section 3.5.1. This information is presented in Table 4 as 1.2 miles (9.1 miles minus 7.9 miles). In section 2.2.2.3.1, it states that an additional 1.2 miles of transmission line would be constructed under the alignment option. Sections 2.2.2.3.3 and 2.3.5 contain the same

Clarify and edit FEA regarding consistency of numbers (Topic 6069)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

The numbers provided in this section [Impacts for Alt C and grouse] do not match those in Table 20. The text says 6.8 acres of disturbance to occupied habitat and 31.2 acres of occupied from roads. Table 20 calls out only 22.7 acres of occupied habitat? Please clarify in the FEA which numbers are correct and clearly state the basis for comparison and calculation. Difficult to determine impacts associated with each alternative given these discrepancies.

Summary

Commenter noted that numbers in section 4.6.6.1.1 do not match Table 20.

Response

BLM has reviewed section 4.6.6.1.1 and Table 20, and finds the numbers to be consistent. 31.2 acres total disturbance (including temporary disturbance) would be reduced through revegetation and reclamation to 22.7 acres of long-term disturbance.

Clarify and edit FEA language regarding relative height of structures (Topic 6070)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Please clarify what is the basis for comparison for statement "Taller Structures". Is this relative to the No Action or the Re-build in Place?

Summary

Commenter asked about comparison basis for "taller structures" in Table 20.

Response

The reference is to the baseline condition. Proposed new structures for transmission line improvements would be taller than existing. Change made in Table 25 of FEA to clarify comparison.

Clarify and edit FEA regarding timber and route alternatives (Topic 6071)

Total Number of Comments: 1

Comment No.: CL49

Organization: Tri-State

Commenter: Joel Bladow

Comment Excerpt Text:

Again, there is no suitable timber in Dry Creek Basin so when discussion this effects, they should not be lumped together. It needs to be broken out by route alternative.

Summary

Commenter asked that effects to timber discussed in 4.7.3 be broken out by route alternative, so it is clear there is no suitable timber in the Dry Creek Basin.

Response

The phrase "Alternative C: Dry Creek Basin Routing Option" refers to an entire alternative that includes areas stretching from Montrose to Cahone. There are forested areas within that length of the line. Comparison by routing option is in PEA Table 20, which contains a statement that the Dry Creek Basin contains "lands generally not suitable for timber production." This table is referenced in PEA section 4.7.3. For updated calculation see FEA Table 25.

Clarify and edit FEA language regarding roads (Topic 6072)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Check reference to SH 90 versus County Road (CR) 190.

Summary

Commenter asked that the BLM check references to SH 90 versus CR, 190 in the FEA.

Response

BLM will verify and correct road references as needed. Roads have multiple names and numbering which change periodically, but changes include: CO90 = CR90, and CR190 = CR19Q.

Clarification about landowner approval of seed mixes (Topic 6073)

Total Number of Comments: 2

Comment No.: CL06
Organization: N/A
Commenter: Brad Young

Comment Excerpt Text:
Why should the landowner have to provide [seed mix]?

Comment No.: CL38
Organization: Sheep Mountain Alliance
Commenter: Leigh Robertson

Comment Excerpt Text:
We ask that seed mixes landowners recommend be coordinated with and approved by a GuSG expert at the BLM, USFS or Colorado Parks and Wildlife (CPW).

Summary

BLM, USFS, or CPW should coordinate and approve seed mixes landowners recommend. Landowners should not have to provide seed mixes.

Response

The FEA has been clarified to note that landowners have the right to approve the seed mixes applied to their properties, regardless of guidance from other agencies (see EPM GUSG 11). Landowners are not responsible for providing the seed or the seed mixes for revegetation.

Concern from landowner in poor health about dust from construction, request to be contacted (Topic 6074)

Total Number of Comments: 2

Comment No.: CL60

Organization: N/A

Commenter: Lane Conrad

Comment Excerpt Text:

Since there seems to be a good deal of discussion regarding the actual route, perhaps someone could contact us to discuss what is possible in terms of the route of the transmission improvement line - we would very much appreciate it.

Comment No.: CL60

Organization: N/A

Commenter: Lane Conrad

Comment Excerpt Text:

Our prevailing wind is from the south to southwest, meaning that any construction is going to cause quite a bit of dust coming from that dig to our home...Any amount of dust and dirt from this project is going to greatly impact us.

Summary

Commenter requests contact regarding what is possible in terms of the route of the transmission improvement line. Commenter will be greatly impacted by dust during construction.

Response

Tri-State has proposed design features as part of the project (see Environmental Protection Measures AQ-1 through AQ-6) that are protective measures that prevent dust. PEA Table 9 includes six air quality protective measures that would be required per the conditions of the ROW, if granted. BLM's Preferred Alternative is the Upgrade-in-Place, which would have limited construction effects to the landowners, compared to the Routing/Realignment Option in Dry Creek Basin.

Adding perch deterrents to existing line was not analyzed (Topic 6075)

Total Number of Comments: 1

Comment No.: CL38

Organization: Sheep Mountain Alliance

Commenter: Leigh Robertson

Comment Excerpt Text:

Another option not included in the EA was an alternative to keep the existing line and add perch deterrents to the structures in GuSG habitat.

Summary

BLM should consider keeping the existing line and adding perch deterrents to the structures in GuSG habitat.

Response

Alternative A, Tri-State's Proposed Action, is an upgrade-in-place alternative including addition of perch deterrents. Adding perch discouragers to the existing line would not meet the project purpose and need.

Request to change mountain bike trail alignment (Topic 6076)

Total Number of Comments: 1

Comment No.: CL47

Organization: Colorado Plateau Mountain Bike Trail Assoc.

Commenter: Laurie Brandt

Comment Excerpt Text:

That interruption is acceptable as long as Tri-State does complete all the rehabilitation work outlined and the trails are brought back to at least the standards we are now riding. We are wondering, though, if the project may provide Colorado Plateau Mountain Bike Trail Association Inc. an opportunity to re-route portions of the Parallel Trail out from under the powerlines altogether.

Summary

COPMOBA wonders if the project may provide an opportunity to re-route portions of the Parallel Trail out from under the powerlines altogether.

Response

COPMOBA should coordinate with the USFS on re-routing opportunities.

Please provide additional information (MOA, Memorandum of Agreement), cultural resource survey, archaeological discovery information) as it is available. (Topic 6077)

Total Number of Comments: 3

Comment No.: CL02

Organization: Hopi Tribe

Commenter: Leigh Kuwanwisiwma

Comment Excerpt Text:

Therefore, we reiterate our requests to be provided with copies of the cultural resources survey report as well as the proposed draft Memorandum of Agreement and draft treatment plan for review and comment.

Comment No.: CL25

Organization: Pueblo of Acoma

Commenter: Damian Garcia

Comment Excerpt Text:

After review of the proposed project the Pueblo has determined that it does not have any comments on the project at this time. Please keep us on your mailing list, especially if there are archaeological discoveries that may be culturally sensitive in nature.

Comment No.: CL67

Organization: Pueblo of San Felipe

Commenter: Pinu'u Stout

Comment Excerpt Text:

The Pueblo of San Felipe would like to continue government-to-government consultation regarding the Preliminary EA "Tri-State Montrose-Nucla-Cahone (MCN) Transmission Line Improvement Project" and requests to be considered as having standing as a consulting party to this project.

Summary

Please provide additional information, including documents (MOA, cultural resource survey), as available. Please provide archaeological discovery information for culturally sensitive resources throughout the duration of the project.

Response

The BLM will provide additional documentation for your review and comment. Tribal consultation that has occurred to date is detailed in Table 29, Section 6.2.1.

Mailing list edits (Topic 6078)

Total Number of Comments: 2

Comment No.: CL03

Organization: 4 Corners Free Press

Commenter: Gail Binkly

Comment Excerpt Text:

Could we get on your mailing list for announcements like the meeting on the Tri-State Improvement Project and others?

Comment No.: CL04
Organization: N/A
Commenter: Donald Little

Comment Excerpt Text:
Please change! It's been over ten years trying to change address.

Summary

Commenter asking BLM to add them to mailing list for general announcements or alter address.

Response

BLM will add 4 Corners Free Press to the general mailing list and edit the Little's address.

Request for more information (Topic 6079)

Total Number of Comments: 1

Comment No.: CL66
Organization: USFWS
Commenter: Terry Ireland

Comment Excerpt Text:

Summary

Commenter requests information about existing and new access roads

Response

Please see POD Appendix W

Question about Pinyon Juniper removal as mitigation for GuSG (Topic 6080)

Total Number of Comments: 1

Comment No.: CL49
Organization: Tri-State
Commenter: Joel Bladow

Comment Excerpt Text:
Cumulative Effects Table: Tri-State is concerned that this Pinyon Juniper removal project is just now being brought to Tri-State's attention? Tri State has repeatedly reached out to agencies to identify mitigation options for the project and have been told Pinyon Juniper removal is not an option, yet here is a 905 acre project that could have been discussed during mitigation discussions.

Summary

BLM should have informed Tri-State about the Pinyon Juniper removal project referenced in the Cumulative Effects Table 28. Previously, Tri-State was told Pinyon Juniper removal was not an option, yet the table shows a 905 acre project that could have been discussed during mitigation discussions.

Response

The project is discussed for in the cumulative effects section of the FEA. Habitat improvement projects will be coordinated with Tri-State as part of the Biological Resource Protection Plan implementation.

Guidance on GuSG from RMP lacking (Topic 6081)

Total Number of Comments: 1

Comment No.: CL53

Organization: WildEarth Guardians

Commenter: Erik Molvar

Comment Excerpt Text:

Current RMP guidance on minimizing impacts of transmission lines to GuSG is rudimentary at best and often is completely lacking... It would be wise for BLM to defer complete NEPA analysis and project approval until after the plan amendments are complete, so the new plan direction can inform the design of the new powerline.

Summary

BLM should defer complete NEPA analysis and project approval until after the plan amendments are complete, so the new plan direction can inform the design of the new powerline.

Response

There are numerous design features included in Tri-States proposed action to reduce effects to GUSG, see Chapter 4 for effect analysis. The Structure Design and Types can be found in Figure 19, FEA. In Dry Creek Basin single steel pole structures would be used and outfitted with perch discouragers to discourage raptors and other predators from perching on the structures. The EA discloses the site-specific direct, indirect and cumulative impacts that would result from the proposed Transmission Line Improvement Project and Conditions of Approval would be applied to the Decision, as appropriate. RMP amendments to address GuSG conservation are ongoing. Please visit the BLM GuSG webpage for additional information: http://www.blm.gov/co/st/en/BLM_Programs/wildlife/sage-grouse/GUSG.html

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Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project

Preliminary Environmental Assessment

Opportunity for Public Comment

A 30-day public comment period will begin on November 3, 2015 and end on December 3, 2015

The BLM and USFS are seeking comments on the EA and are offering you the opportunity to provide comments in preparation of the final analysis. Commenting may also establish your standing for objections and appeals.

Comments¹ may be submitted at the public meeting or by:

Email: blm_co_tristatemnc@blm.gov

Mail: BLM Southwest District Office
Attn: Gina Jones
2465 South Townsend Avenue
Montrose, Colorado 81401

Fax: 970-240-5367

¹ Please be advised that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can request that your personally identifiable information be withheld from public review, we cannot guarantee that we will be able to do so.

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) to disclose and analyze the potential environmental effects associated with the proposed Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project and its alternatives. Tri-State submitted application to the BLM and United States Forest Service (USFS) for authorizations to rebuild the existing Montrose-Nucla-Cahone 115-kilovolt (kV) transmission line to 230-kV, and to operate and maintain the new 230-kV line. The transmission line is located in Dolores, San Miguel, Montrose and Ouray Counties, in Colorado. The USFS is participating as a cooperating agency in this analysis.

Documents and additional information pertinent to the EA and decision making process may be examined at:

www.blm.gov/dvld

Paper and DVD copies of these documents may be requested by writing to the email or mailing address listed on this postcard or by calling Gina Jones, BLM Project Manager at: 970-240-5381.

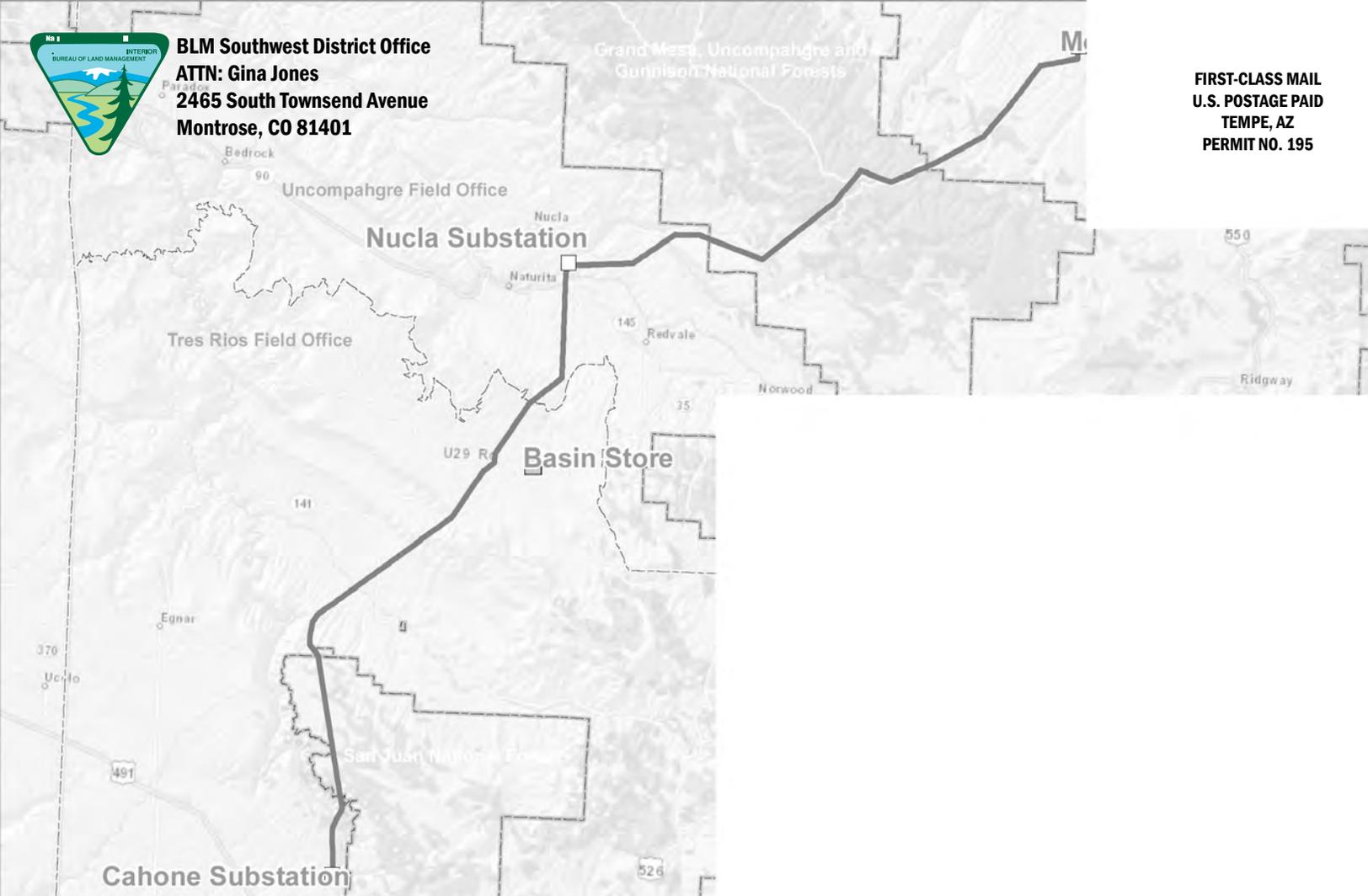
The BLM is hosting a public meeting on November 16, 2015 from 5pm to 7pm at Dove Creek High School in Dove Creek, Colorado





BLM Southwest District Office
ATTN: Gina Jones
2465 South Townsend Avenue
Montrose, CO 81401

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FOR RELEASE: November 3, 2015

Contact: Shannon Borders, 970-240-5399

BLM Considers Tri-State's Transmission Line Upgrade

MONTROSE, Colo. – The Bureau of Land Management is completing a Preliminary Environmental Assessment to amend the existing Tri-State Generation and Transmission Association, Inc. right-of-way, so the cooperative can upgrade the Montrose-Nucla-Cahone Transmission Line originally built in 1958.

Tri-State proposes to upgrade 80 miles of transmission line west of Montrose to southeast of Dove Creek, Colorado. Currently, the right-of-way contains an 115kV transmission line, and the proposal includes rebuilding the line to operate at 230kV on BLM, National Forest System, state, county and private lands. The BLM is the lead agency responsible for preparing the EA with cooperating agencies including the U.S. Forest Service and Colorado Energy Office as well as Montrose, San Miguel and Dolores counties.

The proposed project uses the existing 115kV 100-foot right-of-way and access roads to the greatest extent possible while amending the existing right-of-way from 100 feet wide to 150 feet wide with about 240 miles of access roads. The proposed project includes newly constructed lines made primarily of wooden H-frames that are about 25 feet taller and 10 feet wider than the existing infrastructure. Additionally, the Montrose and Cahone substations (both on Tri-State property) are upgraded in the proposal.

The analysis also considers realigning the line at the Dolores River crossing due to steep slopes and in the Dry Creek Basin due to Gunnison Sage-Grouse habitat.

A public meeting featuring the project overview is scheduled for Monday, Nov. 16, at 5 p.m. at the Dove Creek High School (525 N. Main St.). To review the project documents, go to http://www.blm.gov/co/st/en/district_offices/southwest/TriState230kVRebuild.html.

Submit written comments regarding the project by Thursday, Dec. 3, 2015, to the Bureau of Land Management, Attn: Gina Jones, 2465 S. Townsend Ave, Montrose, CO 81401, via email to blm_co_tristatemnc@blm.gov or by fax to 970-240-5367.

Before including your address, phone number, email address or other personal identifying information in your comment, be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

- BLM -

Opportunity to Comment- Preliminary Environmental Assessment

The Bureau of Land Management, Southwest District Office, and U.S. Forest Service Grand Mesa, Uncompahgre and Gunnison National Forests and San Juan National Forest are seeking comments on the Tri-State Montrose-Nucla-Cahone Transmission Improvement Project Preliminary Environmental Assessment (EA). This EA has been prepared to disclose and analyze the environmental effects of the Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project proposed by Tri-State Generation and Transmission Association, Inc. (Tri-State).

Tri-State submitted an application to the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) for authorizations to rebuild the existing Montrose-Nucla-Cahone 115-kV transmission line to a 230-kV transmission line, and to operate and maintain the new 230-kV transmission line and optical ground wire.

If approved, Tri-State would use primarily wooden H-frame structures which would be approximately 25 feet taller and 10 feet wider than the existing structures. Tri-State proposes to use the existing 115-kV 100-foot right-of-way (ROW) for the rebuild to the greatest extent possible. The new 230-kV transmission line would require an additional 50 foot of ROW clearing for a total of 150 foot- wide ROW. Tri-State would primarily use approximately 241 miles of road, not including state highways, currently used for the existing line. About 67 miles of these roads are down line access located under the existing MNC line. Approximately 6 miles of new access/spur roads would be needed. Tri-State's proposed action also includes upgrades to the existing Cahone and Montrose substations and a new substation near Nucla, Colorado.

The EA analyzes Tri-State's Proposed Action, the No Action Alternative, and three combinations of BLM routing options.

The EA is available at BLM and Forest Service offices in the project area; including the Montrose Public Lands Center at 2465 South Townsend Avenue, Montrose, Colorado 81401; and the Dolores Ranger District/Tres Rios BLM Field Office at 29211 Highway 184, Dolores Colorado, 81323; and online at the project website at <http://blm.gov/dvld>.

Comment periods are being conducted jointly between the BLM and USFS. Submit comments by email to: blm_co_tristatemnc@blm.gov; by mail to: BLM Southwest District, Attn: Gina Jones, 2465 S. Townsend Avenue, Montrose, CO 81401, or by fax: (970) 240-5367. Your comments should include: 1) your name and postal address, 2) the project title (Tri-State Project), 3) specific written comments, and 4) your signature or other verification of identity upon request. Comments received from individual members of an organized group through a clearinghouse or group-generated mail will be considered as the views of the group.

Please be advised that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can request that your personally identifiable information be withheld from public review, we cannot guarantee that we will be able to do so.

Each agency will be subject to its respective regulations for BLM appeals (43 CFR Part 4) and USFS pre-decisional objections (36 CFR 218 Subparts A and B). This is the second of two 30-day comment periods during this process that establish standing to appeal or to object. Submitting comments during either of these comment periods will establish standing for BLM appeals and USFS objections.

In order to meet the USFS requirement for objection eligibility on "specific written comments" you must have submitted comments during public scoping (held May 5 through June 4, 2014) or on this draft

analysis. Your comments must be 1) within the scope of the proposed action, 2) have a direct relationship to the proposed action, and 3) must include supporting reasons for the responsible official to consider. To establish standing for the USFS 218 objection process, all specific written comments must be postmarked within 30 days from publication of the legal notice in the *Grand Junction Daily Sentinel* and *Durango Herald* or by close of business on **December 3, 2015**, whichever is latest.

If you have any questions or require additional information, please contact Southwest District NEPA Coordinator Gina Jones by phone at 970-240-5381, or by email at gmjones@blm.gov. Additional information about the USFS objection process can be obtained by contacting Liz Mauch by phone at (970) 240-5405 or by email at lmauch@fs.fed.us. The responsible officials are Barbara Sharrow, Southwest District Manager, Acting, and Scott Armentrout, Forest Supervisor, Grand Mesa, Uncompahgre, and Gunnison National Forests.



CITY OF MONTROSE

433 South First Street
P.O. Box 790
Montrose, Colorado
81402-0790

www.cityofmontrose.org

David Romero, Mayor
Rex Swanson, Mayor Pro-Tem
Bob Nicholson, Council Member
Kathy Ellis, Council Member
Judy Ann Files, Council Member

970-240-1422 Phone
970-240-1493 Fax

November 30, 2015

BLM Southwest District
Attn: Gina Jones
2465 S. Townsend Avenue
Montrose, CO 81401

Re: Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project

Dear Ms. Jones and Southwest BLM District contingent,

The City of Montrose wishes to support the Tri-State Montrose-Nucla-Cahone (MNC) Transmission Line Improvement Project. It strengthens and ensures the continued reliability of electricity and broadband services in southwest Colorado, which is vital to our community and also supports our recent Broadband initiative that the City will be embarking on this coming year.

We support Alternative A - Tri-State's proposed action as described in the EA. Under this alternative, Tri-State will rebuild the existing 115-kV transmission line to 230-kV largely utilizing the existing transmission line corridor with the exception of the Dolores River Crossing, where a re-route is proposed to address maintenance access, worker safety and erosion concerns. We believe Alternative A is the most economical and environmentally responsible approach to meet the current and future needs of our community.

We support the project and Alternative A because it will provide the following benefits to our community:

- The existing line was built in 1958 and has exceeded its expected lifespan of 50 years. The line is requiring more frequent, substantial and costly repairs, and the age of the poles has made them susceptible to cracking, rotting, insect infestation and woodpecker damage. Greater maintenance means greater costs to ratepayers, as well as increased opportunities for incidents that could threaten worker safety.
- Existing and future operational restraints exist because the physical limitations of the line affect Tri-State's ability to serve the projected load growth. In addition to leaving the utility at greater risk of outages, the existing line simply does not have the capacity to handle future growth demands of our community.

- Rebuilding the MNC line aligns with larger regional goals within the overall system, which benefits our community and southwestern Colorado. Strengthening the electrical grid requires system upgrades, and the MNC rebuild is a piece of this greater objective.
- Tri-State provides and maintains a telecommunications network that our community relies on for emergency services and broadband access. The rebuild will replace the existing fiber optic cable that is currently located on the line to ensure continued reliable emergency communications and broadband service for the region.
- Furthermore we believe that the conservation of the Gunnison Sage Grouse is imperative. The proposed upgrade has taken into consideration the predation aspect and its newly designed poles will help minimize predation from perched predatory birds.

We hope that your agency will seriously take into consideration Alternative A for the aforementioned benefits, not only to our municipality, but also for the benefit of the region and future growth demands.

Respectfully,



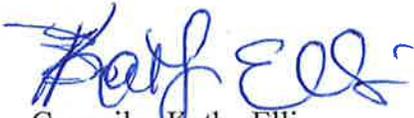
Mayor David Romero



Mayor Pro Tem Rex Swanson



Councilor Bob Nicholson



Councilor Kathy Ellis



Councilor Judy Ann Files

City of Montrose



City of Montrose

433 South First Street
P.O. Box 790
Montrose, Colorado
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BLM Southwest District
Attn: Gina Jones
2465 S. Townsend Avenue
Montrose, CO 81401

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Mailing Address: PO Box 5647, Denver, CO 80217
(303) 749-7500 • Fax (303) 749-7703
www.colofb.com

December 2, 2015

BLM Southwest District
Attn: Gina Jones
2465 S. Townsend Ave
Montrose, CO 81401

RE: Montrose-Nucla-Cahone Rebuild Project

Dear Ms. Jones,

I am writing you on behalf of Colorado Farm Bureau. Colorado Farm Bureau is the state's largest agricultural grassroots organization with 25,000 members. We are supportive of Alternative A of the Montrose-Nucla-Cahone (MNC) Environmental Assessment and Tri-State's proposed action as described in the EA. Tri-state will use this alternative to rebuild the existing 115-kv transmission line increasing capacity to 230-kV. This will be done by utilizing a large portion of the existing transmission line corridor.

Tri-state has a long history of being a sound environmental steward in their responsible energy production in their role of the primary of electricity for Western Colorado. An upgraded transmission line will strengthen their overall electrical transmission system. This line will also enhance their ability to serve current and future cooperative members in southwestern Colorado and lessen the risk of power outages. Furthermore, this upgrade will also replace existing fiber optic cable that is currently located on the line and will ensure continued reliable emergency communications and broadband service for the region. Quality broadband is imperative for rural Colorado.

Alternative A is the most economical and environmentally responsible approach for coop members and customers. It addresses environmental and access concerns when crossing the Dolores River Canyon. It does this by utilizing an access point at a new, safer, and environmentally acceptable location one mile downstream of the present crossing.

Conversely, alternative B-no action- is an unacceptable alternative as it will result in the status quo with no upgrades to the current transmission line causing future deficiencies for southwestern Coloradoans. With this alternative, the transmission line will continue to deteriorate and future service capacity will be threatened, with no benefits and improvements to emergency response communication and broadband access. This will further to negatively impact rural Colorado.

Lastly, Alternative C does nothing but maintain the existing route, running the transmission line through the Dry Creek Basin in San Miguel county, and realigns the route with State Highway 141. Especially concerning with Alternative C is that the U.S Fish and Wildlife Service has recently designated portions of San Miguel County, including the proposed line location, as critical habitat for the Gunnison Sage Grouse. By having to relocate this line will add an additional 1.3 miles of new disturbance within critical habitat compared to rebuilding the line in place. Regardless of the Tri-State proposed mitigation strategy, the Endangered Species Act and critical habitat for the Gunnison Sage Grouse will prevent options to derail this project.

Of the alternatives available for the MNC Rebuild Project, Alternative A is the most economically and environmentally sound proposal and should be selected as the preferred Alternative for this project.

Rural Colorado has a critical need for improved electrical transmission and broadband through fiber optic cable. Tri-State's ability to upgrade their infrastructure will prove to be beneficial to rural Colorado. On behalf of Colorado Farm Bureau, thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Vorthmann". The signature is fluid and cursive, with a prominent initial "C" and a long, sweeping tail.

Chad Vorthmann- Executive Vice President



COLORADO PARKS & WILDLIFE

415 Turner Drive • Durango, Colorado 81303
PHONE 970 375-6707 • FAX 970 375-6705
wildlife.state.co.us • parks.state.co.us

Ms. Gina Jones
Bureau of Land Management
Southwest District Office
2465 South Townsend Avenue
Montrose, CO 81401
blm_co_tristatemnc@blm.gov

3 December 2015

Re: TRI-STATE MONTROSE-NUCLA-CAHONE TRANSMISSION LINE IMPROVEMENT PROJECT PRELIMINARY ENVIRONMENTAL ASSESSMENT (DOI-BLM-CO-S000-2013-0001)

Dear Ms. Jones:

Thank you for the opportunity to review the Preliminary Environmental Assessment (PEA) for the Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project. The Proposed Action includes rebuilding and upgrading the existing transmission line system across private, state, and federal lands in southwestern Colorado. Tri-State is proposing to rebuild and upgrade the existing Montrose-Nucla-Cahone transmission line from 115 kilovolts (kV) to 230 kV. In most instances, the existing transmission corridor would be used, and would be expanded by 50 feet for a total right-of-way (ROW) width of 150 feet. The Proposed Action includes a new corridor crossing of the Dolores River Canyon and a route across Dry Creek Basin in an area containing occupied and critical habitat for the Federally Threatened Gunnison Sage-grouse.

Colorado Parks and Wildlife (CPW) has an interest in this project due to our statutory mission and as an affected landowner. As you are aware, both Alternative A (Proposed Action) and Alternative B (no Action) cross approximately 2.13 miles of Dry Creek Basin State Wildlife Area (SWA), and Alternative C (Dry Creek Basin Routing Option) would cross approximately 3.15 miles of Dry Creek Basin SWA. CPW provided scoping comments for this project on June 4, 2014 (Attachment 1), and has provided follow-up review and comment as requested by BLM, the applicant, and San Miguel County.

Please consider the following comments on the PEA. These comments are tiered to the issues raised in our scoping comments (Attachment 1):

Habitat Fragmentation and Weeds

CPW appreciates BLM's and the applicant's attention to controlling noxious weeds (Applicant Committed Environmental Protection Measures (EPMs) NW-1 through NW-6). These EPMs will help to minimize direct habitat loss and indirect functional habitat loss that occurs with the introduction of invasive weed species in areas of new surface disturbance. The PEA does not contain a description of preferred reclamation seed mixes that would be used on public or private lands (with landowner approval). Please provide in the Final EA the preferred seed mixes that would be used by the applicant (if acceptable to the landowner), matched to specific ecological site conditions within the ROW. CPW suggests using a reclamation seed mix that avoids aggressive non-native

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources
Bob D. Broscheid, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian, Secretary • Jeanne Horne
Bill Kane, Chair • Gaspar Perricone • James Pribyl • John Singletary
Mark Smith, Vice-Chair • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

grasses and forbs in order to promote the reestablishment of native grasses, forbs, and shrubs relied upon by wildlife.

Big Game Concerns

As discussed in our scoping comments, CPW is concerned about disturbance from construction activities in winter and displacement of big game to sub-optimal habitats, as well as potential increases in agricultural game damage on private lands resulting from the displacement of big game from typical wintering areas. CPW appreciates BLM's and the applicant's attention to this issue with EPM BR-1. BR-1 references the big game closures contained in BLM's Resource Management Plans (RMPs), but does not describe the specific dates for those closures contained in the RMPs or outline where the closure would be in place along the ROW during construction. Please include in the Final EA a more explicit description of the RMP big game closure dates that apply to construction activities and where the closed areas are located along the ROW. Please also describe any proposed big game closures that would apply to private lands and discuss how closures would be managed during construction given the interspersed private and public lands along the ROW.

The Proposed Action (Alternative A) incorporates a realignment of the Dolores River Crossing that would place an access road and transmission line in one of the last ~1.0 square mile intact forested areas along the Dolores River Canyon within an area known as the East Pines. The Dolores Rim in the vicinity of the East Pines contains one of the largest concentrations of the wintering elk in all of southwest Colorado. The PEA accurately describes the limited direct effects that construction would have on big game habitats as compared to the total quantity of available big game habitats along the entire transmission line corridor; however, this gross scale comparison ignores the local context of the Dolores River Crossing realignment and does not disclose that construction in this area would disturb a forested area that is locally significant for big game and big game hunters due to its unique unfragmented character.

Even with seasonal closures in place, habitat alteration from ROW vegetation clearing and new road and transmission line construction can reduce habitat effectiveness for big game if human activities are introduced into previously undisturbed areas, and continue over time due to new access road development in or adjacent to the ROW. If the realignment of the Dolores River Crossing is selected, CPW recommends that BLM and the applicant incorporate physical barriers and other measures to preclude public access and travel along the ROW in order to maintain the security that it provides to big game and to minimize the impact of this realignment.

CPW is also concerned about the potential short-term impacts to hunting recreation in areas adjacent to the ROW during construction. We suggest incorporating an EPM or mitigation measure that requires avoiding construction activities during big game rifle seasons (October 10 through November 20).

Riparian and Aquatic Concerns

The *Water Quality and Erosion* EPM's proposed by the applicant address many of CPW's riparian and aquatic concerns raised in our scoping comments. Due to the significance of the riparian habitats, wetlands, and aquatic resources, CPW recommends extending the applicant's proposed variable 30-100 foot construction buffer around surface waters,

wetlands, and riparian areas (EPM WQ-5) to 300 feet (Attachment 1). This is particularly important for staging and fueling areas in order to minimize potential impacts to riparian areas and aquatic species. CPW also recommends incorporating a requirement that any structures installed for crossing waterways be designed, constructed and installed in a manner that does not limit fish or river otter passage. In addition, in areas where the transmission line crosses surface waters, wetlands and riparian areas, CPW recommends marking the line with bird-diverters to help prevent bird/line collisions.

Migratory Birds and Raptors

The EPMs provided in the Biological Protection Plan and PEA adequately address the migratory bird and raptor concerns raised by CPW in our scoping comments.

Gunnison Sage Grouse

Please see CPW's scoping comments for background information on Gunnison sage grouse (GuSG) populations in Dry Creek Basin (Attachment 1).

CPW appreciates that the applicant's Biological Protection Plan (PEA Appendix B) provides design features and EPMs common to both Alternative A and Alternative C that will help to minimize potential impacts to GuSG regardless of which route through Dry Creek Basin is selected. The overall benefit these design features have for GuSG is uncertain, making it difficult to quantify the net benefit to grouse between Alternative A (alignment in place, re-disturbance of reclaimed portions of the existing ROW) and Alternative C (new alignment along the highway corridor). CPW believes that consolidating the transmission line disturbance along the existing SH 141 corridor (and removing and reclaiming the existing transmission line disturbance through occupied habitat in Dry Creek Basin) is more likely to provide long term benefit to GuSG.

CPW appreciates BLM's efforts to analyze impacts using the best available science in the face of scientific uncertainty. Analyzing impacts with respect to new disturbance under an existing alignment and new construction along an alternative alignment is tremendously complex. In our scoping comments, CPW recommended that the rebuilt transmission line be buried and located within the SH 141 ROW to improve habitat conditions for GuSG in Dry Creek Basin consistent with the recommendations provided for this type of development in the *Gunnison Sage-grouse Rangewide Conservation Plan* (RCP 2005) and *BLM Washington Office Instructional Memorandum No. 2014-100* (BLM 2014) ("Avoid routing aboveground transmission lines within occupied [GuSG] habitat.") Unfortunately, the applicant has stated that burial of the line is not economically practicable.

CPW agrees with BLM's assertion in the PEA that co-locating the transmission line along SH 141 would consolidate sources of disturbance in occupied and critical habitat and improve habitat effectiveness for GuSG in Dry Creek Basin. CPW believes the SH 141 alignment through Dry Creek Basin SWA would in the long run improve habitat conditions for GuSG even though it would require ~1.0 mile of additional ROW on the SWA. CPW recognizes that other affected landowners in Dry Creek Basin and local agencies may prefer the existing alignment over the SH 141 alignment. CPW staff are prepared to work with the applicant and BLM to evaluate the mitigation proposals associated with this option.

The Biological Protection Plan proposed by the applicant in association with Alternative A (existing Dry Creek Basin alignment) includes a \$200,000 contribution to the San Miguel

GuSG Working Group to complete a variety of possible habitat restoration, protection, or conservation projects that may increase habitat effectiveness for GuSG in Dry Creek Basin. CPW notes that the San Miguel GuSG Working Group may not be able to manage the projects described in the Biological Protection Plan and recommends that the applicant maintain the primary responsibility for project implementation. CPW also notes that some potential projects currently listed in the Biological Protection Plan are not feasible.

In order to evaluate whether or not these projects would benefit GuSG, a more complete description of projects that would actually be implemented needs to be provided. If Alternative A is selected, CPW recommends that a more detailed GuSG Mitigation Plan be prepared prior to and included in the Final EA. CPW recommends that the mitigation plan include a description of the type, size, locations, and schedules for projects to be implemented, identify the party(s) responsible for implementation, and include success criteria with contingency plans.

The assumption presented in the PEA (p. 143) that an average 16-foot wide disturbed roadway width exists under the existing transmission line throughout Dry Creek Basin is inaccurate. In some areas a very narrow two-track or un-surfaced roadway exists, while in others the vegetation appears nearly completely reclaimed with no identifiable roadway or other travel path. This misrepresentation of a disturbed roadway along the entire existing ROW downplays potential direct disturbance impacts to GuSG occupied and critical habitat within the existing ROW, and makes it impossible to accurately compare the direct habitat impacts from the two routing options in Dry Creek Basin. Please revise the "current disturbance for existing authorized roads" acreage calculations presented in Chapter 2, Table 4 and Chapter 4, Table 24, to more accurately reflect existing baseline conditions under the existing transmission line.

In some locations within Dry Creek Basin, lands underneath the existing transmission line contain the physical and biological features essential to the conservation of GuSG. In these areas the habitat is not "covered" by buildings, pavement, or other manmade features sufficient to make it inaccessible or unusable by GuSG. These lands may not be exempt from USFWS's critical habitat designation as asserted by the applicant in their Biological Protection Plan (Appendix B, p. B-4). This does not mean that these lands have the same functional value to GuSG as similar occupied and critical habitats further from the transmission line, but the PEA should recognize that disturbance to these lands may still impact GuSG. CPW recommends that the Final EA reflect a more accurate description of vegetation and habitat conditions within the existing ROW as compared to the realignment.

Please clarify whether the existing or proposed lines are within 4 miles of a lek (currently, the PEA states at p. 129 that the existing line is "about" 4 miles east of a known active lek). If so, since seasonal habitat has not been mapped (PEA at p. 131), BLM Instructional Memorandum 2014-100 requires prohibition of surface disturbance within 4 miles of a lek Dec. 1 through March 15 to protect winter habitat, and during breeding season, March 1 through June 30. The Final EA should acknowledge these restrictions for any alternative that passes within four miles of an active lek.

The Record of Decision for the approved Resource Management Plan (RMP) for public lands administered by the Tres Rios Field Office, Section 2.1.1 *Protest Resolution*, states that

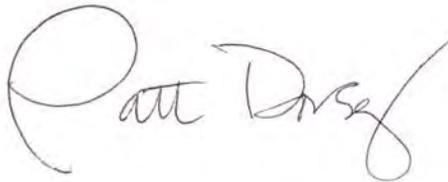
proposed Areas of Critical Environmental Concern (ACECs) that meet both relevance and importance criteria, including the proposed Dry Creek Basin ACEC, will be protected "from impairment of their identified relevant and important values." Please include in the Final EA a discussion of the relevant and important values identified in the RMP for the proposed Dry Creek Basin ACEC and how those will be protected under each Alternative.

Finally, in the third paragraph of section 3.5.6.1 of the Preliminary EA, BLM incorrectly summarizes the "most substantial threats" to GuSG as identified by the US Fish & Wildlife Service. The summary does not include habitat decline resulting from anthropogenic activities. Instead, habitat decline is grouped with threats that are of a lesser degree or limited to localized areas. However, the USFWS listed habitat decline as one of the most substantial threats. Please correct the PEA by revising the first sentence of the paragraph to read "... the USFWS identified the most substantial threats as habitat decline due to human disturbance, small population size and structure, ..." See "Final Rule, Threatened Status for the Gunnison Sage-grouse," 79 Fed. Reg. 69192 (Nov. 20, 2014).

Conclusion

We appreciate the opportunity to comment on this project. If you have questions or would like to discuss the recommendations that we have provided, please contact Jon Holst at (970) 759-9588. We look forward to working with you to benefit wildlife.

Sincerely,



Patricia D. Dorsey
Southwest Regional Manager, Durango

Attachment

xc: Jon Holst, SW Region Energy Liaison; Matt Thorpe Area Wildlife Manager, Durango, Renzo Delpiccolo Area Wildlife Manager, Montrose, Scott Wait, SW Region Senior Terrestrial Biologist; John Alves, SW Region Senior Aquatic Biologist; Brian Magee SW Region Land Use Coordinator, Area 15 and 18 File

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COLORADO PARKS & WILDLIFE

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4 June 2014

Gina Jones
Bureau of Land Management
Southwest District Office
2465 South Townsend Avenue
Montrose, CO 81401

Re: Tri-State Transmission Line Rebuild, Montrose-Nucla-Cahone Environmental Assessment (SWD NEPA 13-01)

Dear Ms. Jones,

Colorado Parks and Wildlife (CPW) has received a scoping notice for the Tri-State Transmission Line Rebuild, Montrose-Nucla-Cahone Environmental Assessment (EA). The Proposed Action includes an upgrade of the existing transmission line system across private, state, and federal lands in southwestern Colorado. Tri-State is proposing to upgrade and rebuild the existing Montrose-Nucla-Cahone transmission line from 115 kilovolts (kV) to 230 kV. In most instances, the existing 125 mile transmission corridor would be used, but it would be expanded by 50 feet in width for its entire length. The surface disturbance from the corridor expansion is approximately 815 acres. The proposed project would include a new corridor crossing of the Dolores River Canyon. Two substations would be upgraded (Cahone and Montrose) requiring new disturbance, and there would be an entirely new substation built at an unspecified location somewhere near Nucla.

Please consider the following issues and concerns as BLM prepares the EA for this project:

Habitat Fragmentation and Weeds

CPW would like to emphasize the importance of limiting surface-disturbing activities to the maximum extent practicable by utilizing previously disturbed corridors and facilities where possible. This practice will help to minimize direct habitat loss and reduce the additional functional habitat loss that occurs with the introduction of invasive weed species in areas of new surface disturbance. In addition, we suggest using a reclamation seed mix that avoids aggressive non-native grasses and forbs in order to promote the reestablishment of native grasses, forbs, and shrubs relied upon by wildlife. We recommend the BLM and project proponent select appropriate native seed varieties, preferred by wildlife, matched to specific ecological site conditions.

The control of non-native, undesirable vegetation and noxious weeds is a challenge with large-scale surface-disturbing activities like the Proposed Action. Reducing the impact of weeds requires a vigilant, long-term, multiple season control effort that includes conducting pre-disturbance weed surveys along the transmission corridor. To reduce potential negative impacts from establishment of weeds, we also recommend: limiting the number of vehicles associated with the construction component of this project, washing vehicles prior to use in the area to

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources
Bob D. Broscheid, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian, Secretary • Jeanne Horne
Bill Kane, Chair • Gaspar Perricone • James Pribyl • John Singletary
Mark Smith, Vice-Chair • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

prevent weed seed spread, and utilizing certified weed-free seed and straw. We suggest monitoring weed management activities and reclamation success on at least an annual basis.

Big Game Concerns

The project area includes many habitat types for a wide variety of species located in southwest Colorado, including mule deer and elk. Due in large part to big game populations, Dolores, Montrose and San Miguel counties received combined economic benefits of approximately \$49.1 million in 2007 from hunting and fishing activities that support an estimated 571 jobs (BBC Research and Consulting 2008). These economic benefits from hunting and fishing recreational activities are a sustainable annual source of economic benefit for Dolores, Montrose, and San Miguel counties only if wildlife populations, and particularly big game populations, are maintained and quality hunting opportunities continue to exist.

Many higher elevation habitats along the Propose Action corridor are mapped as production areas for elk, while the lower elevations are used during the winter when snow accumulates at higher elevations. Much of the corridor sees very high deer and elk densities during winter months due to an influx of migratory animals. Mule deer and elk typically display high site fidelity to winter range, preferring to use the same areas year-after-year. CPW has mapped the portions of the corridor as a winter concentration areas for elk and severe winter range for both elk and mule deer. Winter habitats and migratory corridors are known to be a limiting factor on big game populations in western Colorado and other high mountain areas of the western United States (Sawyer et al. 2009, Bishop et al. 2009, Bartman et al. 1992).

Winter habitats for big game provide essential forage and thermal cover to help mule deer and elk minimize energy expenditure. Mule deer and elk are in a nutritional negative energy balance during the winter months, making energy conservation critical for calf and fawn survival and adult female reproductive fitness. Recent studies show that mule deer and elk avoid construction activities and may shift their distribution on winter range to sub-optimal habitats in response to development activities (Hebblewhite 2008, Sawyer 2009). Thus, disturbance to big game in the winter can lead to poor body condition, effect over winter survival of adults, and result in a decrease neo-natal survival rates (Ciuti et al 2012). These impacts can negatively affect big game populations and, ultimately, recreational hunting opportunities in the area.

CPW is concerned about disturbance from construction activities in winter and displacement of big game to sub-optimal habitats, as well as potential increases in agricultural game damage on private lands resulting from the displacement of big game from typical wintering areas. In order to minimize these impacts and avoid displacement of wintering big game, CPW recommends conducting construction activities within big game winter ranges outside the time period from December 1 through April 15. In addition, we are concerned about the potential short-term impacts to hunting recreation in areas adjacent to the Proposed Action corridor. We suggest if possible, avoiding construction during the big game hunting seasons.

Riparian and Aquatic Concerns

The San Miguel River, Naturita Creek, Disappointment Creek, the Dolores River, and numerous smaller perennial and intermittent streams are located and/or crossed by the existing alignment. Many fish species including: cutthroat, rainbow, and brown trout, bluehead sucker, flannelmouth sucker and roundtail chub inhabit many of rivers and streams within the project corridor. Riparian

and wetland habitat found along the perennial and intermittent streams within the proposed corridors also provide valuable habitat for a variety of terrestrial and avian wildlife species, including otter, beaver, coyote, bobcat and a variety of raptors, passerine birds and small mammals.

CPW's primary concern regarding aquatic species is to reduce erosion and sedimentation to streams by minimizing stream crossings and surface disturbing construction activities near these resources. Due to the significance of the riparian habitats, wetlands, and aquatic resources, CPW recommends a 300-foot no disturbance construction buffer on each side of perennial and intermittent streams. CPW also advises using existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings that will increase sedimentation and erosion.

Construction activities in and around wetland areas can result in direct habitat loss and impact the ecological functions. The CPW recommends:

- Surveying wetlands prior to any staging or ground disturbing activities.
- Planning maintenance actions to avoid low water crossings of all waterways and wetland habitats.
- Constructing proposed culvert or bridge installations during dry periods to minimize erosion and sedimentation. (These structures should be designed, constructed and installed in a manner that does not limit fish or river otter passage).
- Providing migration corridors to provide passage for amphibians and reptiles by constructing culverts or crossings under heavily used roads.
- Promptly revegetating all surface disturbances with locally-adapted, native plant species preferred by wildlife.

Migratory Birds and Raptors

Numerous raptor species likely forage in the vicinity of the transmission line alignments. There is an established body of evidence that human activities and habitat alteration in close proximity to raptor nest sites may adversely impact nest success (Oxley et al. 1974, Scott 1985, White and Thurow 1985, Knight and Skagen 1988, Watson and Langslow 1989, Holmes et al. 1993, Schomburg 2003, Fuller 2010). Many raptor species return to the same nest locations year-after-year, making their annual breeding success sensitive to direct and inadvertent human disturbance and habitat alteration at existing nest sites (Megown et al. 2007). Protecting existing raptor nest sites and the reproductive activities at those sites is critical for managing long-term raptor population trends in Colorado.

CPW has records of a several golden eagle nests with close proximity of the proposed alignment. There may be other raptor nests that CPW does not have documented along the transmission line routes. Therefore, we recommend conducting raptor nest surveys prior to the commencement of construction activities and avoiding those locations until raptors have fledged chicks and seasonally abandoned their nests and nearby roosts.

There is a large influx of migratory bald eagles into southwest Colorado during the winter months. We have documented numerous bald eagle winter concentration areas and roost sites along all major river and creeks within the project corridor. Bald eagle winter movements are

highly variable as they are influenced by changes in weather and prey availability. Therefore bald eagle distribution and abundance may change quickly during the winter and between winters.

The CPW recommends that no human encroachment occur from November 15 through March 15 within ¼ mile radius of an active winter night roost if there is no direct line of sight between the roost and the encroachment activities. No human encroachment from November 15 through March 15 within ½ mile radius of an active winter night roost if there is a direct line of sight between the roost and the encroachment activities. If periodic visits are required within the buffer zone after construction activities are completed, activity should be restricted to the period between 1000 and 1400 hours from November 15 to March 15.

Raptors will use the newly installed transmission line and poles for perching and building nests. Transmission lines pose both an electrocution and collision hazard for raptors. CDOW suggests that Tri-State utilize the Avian Power Line Interaction Committee (APLIC) suggested practices for avian protection on power lines and consider designs that minimize the risk of raptor electrocutions and collisions (APLIC 2006).

We are enclosing the CPW's Raptor Buffer Guidelines to assist the project proponents and permitting agencies for this project. The CPW developed these raptor guidelines to proactively address violations of the Federal Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). CPW's recommendations do not serve as a release of liability from compliance with Federal law. We recommend contacting the U.S. Fish and Wildlife Service for additional information.

Gunnison Sage Grouse

Gunnison sage grouse (GuSG) are a Species of Concern for CPW, and a proposed Endangered Species under the Federal Endangered Species Act (16 U.S.C. 1531-1534). There are only a few remnant populations outside of the Gunnison Basin. The Dry Creek Basin population segment of GuSG has declined over the last several decades from at least three known active leks to only one known active lek. The Triangle lek, now classified as inactive, is approximately 0.6 mile from the existing transmission line and between Highway 141 and the line. The only known active lek in Dry Creek Basin is within approximately 4 miles of the existing transmission line.

Due to concerns that GuSG would be extirpated from the area, CPW augmented the population with transplants from the Gunnison Basin starting in 2006. A total of 62 individual GuSG have been transplanted into Dry Creek Basin to date. Studies using radio-marked GuSG indicated distance from the lek of capture to nests of radio marked hen GuSG ranged from 0.1 to 12.6 miles (RCP 2005).

The existing power line passes over mapped production areas for GuSG and is used as nesting/brood rearing area. The Gunnison Sage Grouse Rangewide Conservation Plan (RCP 2005) lists transmission lines and habitat fragmentation as threats to GuSG conservation. Transmission lines potentially increase raptor and corvid predation on sage grouse, and are a collision hazard for sage-grouse (RCP 2005). For these reasons, CPW has been concerned with the existing transmission line corridor through the Dry Creek Basin GuSG population for years.

In order to minimize potential impacts to GuSG, CPW recommends that the transmission lines be converted from overhead lines to underground lines in occupied grouse habitat in Dry Creek

Basin. In addition, we recommend the lines be relocated and placed in the shoulder of Highway 141 in this area to minimize habitat fragmentation, additional surface disturbance, and the potential for disturbance from future maintenance activities. To avoid disturbance to grouse during the lekking, nesting and brood rearing seasons, we also recommend that construction activities not occur from March 1-June 30.

In addition to the above-referenced avoidance and minimization measures, CPW recommends compensatory mitigation in the form of replacement of mapped occupied GuSG habitat that will be disturbed during construction. Habitat offsets should focus on replacing the impacted seasonal habitat type (through conservation of similar habitats) or improving adjacent habitats to the extent necessary to maintain Gunnison sage grouse population persistence in Dry Creek Basin.

In January of 2013, the USFWS proposed to list the Gunnison sage-grouse as endangered under the Endangered Species Act. The listing proposal includes maps identifying "critical habitat" essential to the conservation of the species. The corridor also passes through areas mapped by the USFWS as critical habitat for Gunnison sage-grouse. CPW recommends that the BLM and the Tri-state consult with the USFWS to ensure compliance with the Endangered Species Act.

Dolores River Canyon Crossing

CPW is concerned with the proposed deviation of the corridor alignment at the Dolores River crossing. The new proposed crossing area is one of the last unfragmented areas along the Dolores River Canyon within the area known as the East Pines. The East Pines contains some of the largest concentration of the wintering elk in all of southwest Colorado. We are concerned that the new proposed crossing would negatively impact this extremely important wintering and seclusion area for elk by removing 150 feet of timber and vegetation in an entirely new corridor, substantially increasing the overall surface disturbance of the project.

Conclusion

We appreciate the opportunity to comment on this project during the planning phase. If you have questions or would like to discuss the recommendations that we have provided, please contact Jon Holst at (970) 759-9588. We look forward to working with you to benefit wildlife.

Sincerely,

Jon Holst for

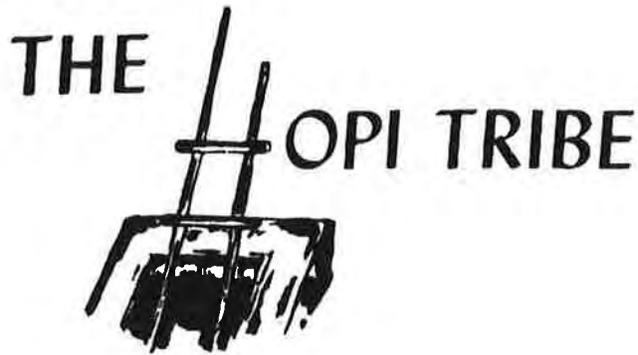
Patt Dorsey
Southwest Regional Manager, Durango

xc: Jon Holst, SW Region Energy Liaison; Matt Thorpe Area wildlife Manager, Durango, Renzo Delpiccolo Area Wildlife Manager, Montrose, Scott Wait, SW Region Senior Terrestrial Biologist; John Alves, SW Region Senior Aquatic Biologist; Brian Magee SW Region Land Use Coordinator, Area 15 and 18 File

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Herman G. Honanic
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

November 12, 2015

Barbara Sharrow, Acting District Manager
Attention: Gina Jones: NEPA Coordinator
Bureau of Land Management, Southwest District Office
2465 South Townsend
Montrose, Colorado 81401

Re: Tri-State Generation and Transmission Association: Montrose-Nucla-Cahone Line Rebuild

Dear Manager Sharrow,

This letter is in response to your correspondence received November 5, 2015, with an enclosed Preliminary Environmental Assessment, DOI-BLM-CO-S000-2013-0001, regarding the Tri-State Generation and Transmission Association proposed right-of-way amendment for upgrades to the existing Montrose-Nucla-Cahone transmission line.

The Hopi Tribe claims cultural affiliation to Ancestral Pueblo cultural groups in southwestern Colorado. The Hopi Cultural Preservation Office supports the identification and avoidance of our ancestral sites, and we consider the prehistoric archaeological sites of our ancestors to be Traditional Cultural Properties. Therefore, we appreciate the Bureau of Land Management (BLM)'s continuing solicitation of our input and your efforts to address our concerns.

In the enclosed letter dated March 26, 2014, the Hopi Cultural Preservation Office stated we are interested in consulting on any proposal that has the potential to adversely affect Ancestral Puebloan prehistoric sites in the project area for this proposal. Regarding the Cooperating Agency status, we deferred to the State Historic Preservation Offices and other interested tribes. However, we stated we are interested in ongoing consultation on this proposal and to assist us in determining if this proposal may affect cultural resources significant to the Hopi Tribe, we looked forward to receiving a copy of the cultural resources inventory of the area of potential effect for review and comment.

In the enclosed letter dated August 18, 2014, we stated we understood that the cultural resources survey has been conducted and has identified 142 sites and 95 isolated occurrences

Barbara Sharrow
November 11, 2015
Page 2

including 87 sites that are National Register eligible. Therefore, we reiterated that we are interested in ongoing consultation on this proposal and to assist us in determining if this proposal may affect cultural resources significant to the Hopi Tribe, we looked forward to receiving a copy of the cultural resources inventory of the area of potential effect for review and comment.

We have now reviewed the enclosed Preliminary Environmental Assessment and understand of the 142 evaluated cultural resources, 124 are prehistoric including lithic scatters, open camps, and quarry sites. We also understand BLM is currently developing an addendum to the cultural resources survey report and an existing treatment plan and will be proposing a Memorandum of Agreement.

Therefore, we reiterate our requests to be provided with copies of the cultural resources survey report as well as the proposed draft Memorandum of Agreement and draft treatment plan for review and comment.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619 or tmorgart@hopi.nsn.us. Thank you for your consideration.

Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

Enclosures: March 26 and August 18, 2014 letters
xc: Colorado State Historic Preservation Office



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

August 18, 2014

Lori Armstrong, District Manager
Attention: Gina Jones: NEPA Coordinator
Bureau of Land Management, Southwest District Office
2465 South Townsend
Montrose, Colorado 81401

Re: Tri-State Generation and Transmission Association: Montrose-Nucla-Cahone Line Rebuild

Dear Manager Armstrong,

This letter is in response to your correspondence dated August 12, 2014, regarding the Bureau of Land Management (BLM) developing an Environmental Assessment for a Tri-State Generation and Transmission Association proposed right-of-way amendment for upgrades to an existing transmission line.

The Hopi Tribe claims cultural affiliation to Ancestral Pueblo cultural groups in southwestern Colorado. The Hopi Cultural Preservation Office supports the identification and avoidance of our ancestral sites, and we consider the prehistoric archaeological sites of our ancestors to be Traditional Cultural Properties. Therefore, we appreciate the BLM's continuing solicitation of our input and your efforts to address our concerns.

In a letter dated March 26, 2014, the Hopi Cultural Preservation Office stated we are interested in consulting on any proposal that has the potential to adversely affect Ancestral Puebloan prehistoric sites in the project area for this proposal. Regarding the Cooperating Agency status, we deferred to the State Historic Preservation Offices and other interested tribes. However, we stated we are interested in ongoing consultation on this proposal and to assist us in determining if this proposal may affect cultural resources significant to the Hopi Tribe, we looked forward to receiving a copy of the cultural resources inventory of the area of potential effect for review and comment.

We understand that the cultural resources survey has been conducted and has identified 142 sites and 95 isolated occurrences including 87 sites that are National Register eligible. Therefore, we reiterate that we are interested in ongoing consultation on this proposal and to assist us in determining if this proposal may affect cultural resources significant to the Hopi

Lori Armstrong
August 18, 2014
Page 2

Tribe, we looked forward to receiving a copy of the cultural resources inventory of the area of potential effect for review and comment. We also reiterate our request to be provided with copies any proposed treatment plans for review and comment if prehistoric sites are identified that may be adversely affected by project activities.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619 or tmorgart@hopi.nsn.us. Thank you for your consideration.

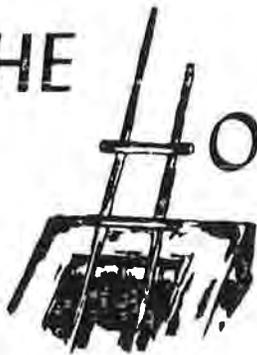
Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: Colorado State Historic Preservation Office

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

March 26, 2014

Lori Armstrong, District Manager
Bureau of Land Management, Southwest District Office
2465 South Townsend
Montrose, Colorado 81401

Re: Tri-State Generation and Transmission Association: Montrose-Nucla-Cahone Line Rebuild

Dear Manager Armstrong,

This letter is in response to your correspondence dated March 20, 2014, regarding the Bureau of Land Management (BLM) developing an Environmental Assessment for a Tri-State Generation and Transmission Association proposed right-of-way amendment for upgrades to an existing transmission line. The Hopi Tribe claims cultural affiliation to Ancestral Pueblo cultural groups in southwestern Colorado. The Hopi Cultural Preservation Office supports the identification and avoidance of our ancestral sites, and we consider the prehistoric archaeological sites of our ancestors to be Traditional Cultural Properties. Therefore, we appreciate the BLM's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office is interested in consulting on any proposal that has the potential to adversely affect Ancestral Puebloan prehistoric sites in the project area for this proposal. Regarding the Cooperating Agency status, we defer to the State Historic Preservation Offices and other interested tribes. However, we are interested in ongoing consultation on this proposal. To assist us in determining if this proposal may affect cultural resources significant to the Hopi Tribe, we look forward to receiving a copy of the cultural resources inventory of the area of potential effect for review and comment. If prehistoric sites are identified that may be adversely affected by project activities, we also request to be provided with copies any proposed treatment plans for review and comment.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619 or tmorgart@hopi.nsn.us. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Leigh J. Kuwanwisiwma", written over a horizontal line.

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: Colorado State Historic Preservation Office

From: [Aleta Powers](#)
To: [Clara Pena](#)
Subject: FW: Hopi Consultation
Date: Thursday, December 03, 2015 8:15:44 AM
Attachments: [Hopi letter.pdf](#)

Don't know if this got sent.

Also, there is a possibility that Anne will be asking you for some help with accounting/HR stuff.

Thanks Clara!

Aleta Powers, Environmental Scientist/Principal

ERO Resources Corporation

970.872.3020 O | 303.868.6361 C

From: Peter Rocco [mailto:peter.rocco@galileoaz.com]
Sent: Wednesday, December 02, 2015 2:42 PM
To: Aleta Powers; Karen Baud
Cc: Grace Ellis; Gina Jones
Subject: FW: Hopi Consultation

Hi Aleta and Karen,

Just realized this letter hasn't made it to you.

Peter

Peter Rocco
Galileo Project, LLC
4700 S. McClintock Drive, Suite 100
Tempe, AZ 85282
480-629-4705
www.galileoaz.com

From: Grace Ellis
Sent: Tuesday, December 1, 2015 9:52 AM
To: Peter Rocco; Maria Martin
Subject: FW: Hopi Consultation

For the record.

J. Grace Ellis
Galileo Project, LLC
4700 S. McClintock Dr. Suite 100
Tempe, Arizona, 85282
O 480.629.4705
C 928.856.1621
www.galileoaz.com

From: Hadden, Glade [mailto:ghadden@blm.gov]
Sent: Tuesday, December 1, 2015 9:49 AM
To: Barbara Sharrow; Grace Ellis

Cc: Gina Jones

Subject: Hopi Consultation

Barb

I called the Hopi Cultural office this morning and talked to Terry Morgart concerning the letters they sent (Grace - see attached letters for your files). In brief, the Hopi simply want to be kept in the loop, especially on anything concerning any Ancestral Puebloan sites. Terry does NOT want a copy of the report, but he does want a copy of the MOA and any on-going addenda that may concern Ancestral Puebloan stuff. Ultimately, the Hopi Tribe wants to be kept in the loop but they don't want to get buried in the paper, so I think keeping it to regular communication is best at this point. I will also send Terry a copy of the draft MOA for review.

--

Glade Hadden

Archaeologist

Uncompahgre Field Office



MONTROSE COUNTY
BOARD OF COUNTY COMMISSIONERS
317 South 2nd Street
Montrose, CO 81401
Phone: 970-249-7755
Fax: 970-249-7761

November 6, 2015

BLM Southwest District Office
Attn: Gina Jones
2465 South Townsend Avenue
Montrose, CO 81401

VIA CERTIFIED MAIL AND ELECTRONIC MAIL

Re: Preliminary Environmental Assessment DOI-BLM-CO-S000-2013-0001

Dear Ms. Jones:

Through our involvement as a Cooperating Agency we have made detailed comments at prior stages of this process. In-lieu of rehashing the minutia of previous comments we are now stating our unanimous support for **Alternative A (Proposed Action)**.

The Preliminary EA analyzes an appropriately broad range of alternatives. Upon review, it is our position that Alternative A is the most environmentally responsible choice of the alternatives presented. In addition to posing no significant environmental impact, Alternative A will also accommodate the critically necessary upgrade of the MNC 115kV line.

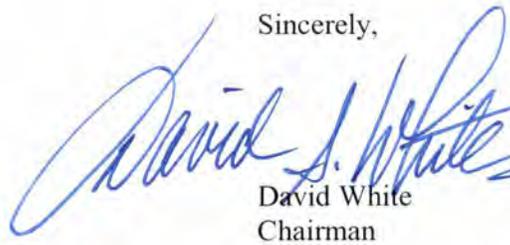
We offer the following points in support of this position:

1. By maximizing utilization of the existing transmission corridor, Alternative A minimizes new disturbance on the landscape particularly in GuSG Critical Habitat.
2. Alternative A requires the least amount of structures to accommodate the line. We find it compelling that this Alternative requires substantially fewer structures in Occupied and critical GuSG habitat.
3. The Dolores River Crossing realignment proposed in Alternative A is preferable for a variety of reasons:
 - a. This realignment will substantially reduce the ground disturbance associated with existing authorized access roads as compared with both current conditions and the "upgrade-in-place" option.
 - b. This realignment requires a fraction of the construction activity required for the "upgrade-in-place" option thereby limiting construction related disturbance in the vicinity of the Dolores River

- Canyon. This includes reducing duration of construction activities by approximately 66%.
- c. This realignment requires only 10% of the water usage for construction activities (dust suppression, soil compaction) that the “upgrade-in-place” crossing option requires.
 - d. This realignment will benefit worker safety, line integrity and environmental impact by removing existing structures from unstable slopes within the canyon. Required reclamation for these sites would improve soil stability, vegetation and visual aesthetics within this area.

We thank you for consideration of these comments. We look forward to continued dialogue on this important project.

Sincerely,



David White
Chairman



Glen Davis
Vice Chairman



Ronald Henderson
Commissioner



P.O. BOX 309
ACOMA, NEW MEXICO 87034

PUEBLO OF ACOMA
HISTORIC PRESERVATION OFFICE

TELEPHONE 505/552-5170
FAX 505/552-0903

November 24, 2015

Ms. Gina Jones
BLM Southwest District
2465 S. Townsend Avenue
Montrose, CO 81401

Dear Ms. Jones;

Please accept this letter as an official response from the Pueblo of Acoma Historic Preservation Office in response to the Tri-State MNC Transmission Line Improvement Project and MOA. After review of the proposed project the Pueblo has determined that it does not have any comments on the project at this time. Please keep us on your mailing list, especially if there are archaeological discoveries that may be culturally sensitive in nature.

Thank you for your time and cooperation.

Sincerely,

Damian Garcia
Project Coordinator-AHPO

cc: AHPO Files-Section 106 consultations

Forwarded from: **Phillip Shelley** <Phillip.Shelley@santaana-nsn.gov>
Date: Thu, Nov 19, 2015 at 1:37 PM
Subject: Tri-State Project MOA
To: "blm_co_tristatemnc@blm.gov" <blm_co_tristatemnc@blm.gov>
Cc: "Julian T. Garcia" <Julian.Garcia@santaana-nsn.gov>, Tim Menchego
<timothy.menchego@santaana-nsn.gov>, Joseph Pena <Joseph.Pena@santaana-nsn.gov>

Dear Ms. Jones,

We have reviewed Ms. Sharrow's communication 2800(COS000), COC-66840 and the enclosed CD of the Preliminary Environmental Assessment and the Pueblo of Santa Ana's Tribal Historic Preservation Office is not interested in a participant in the MOA.

Thank you

Phillip H. Shelley, PhD, RPA

Tribal Historic Preservation Officer

Pueblo of Santa Ana

02 Dove Road,

Santa Ana Pueblo, NM 87004

Phillip.Shelley@santaana-nsn.gov

505-280-5478

SAN MIGUEL COUNTY

BOARD OF COMMISSIONERS

JOAN MAY

ELAINE FISCHER

ART GOODTIMES

December 3, 2015

Attn: Gina Jones in Reply to: 2800 (COS000) COC-66840
blm_co_tristatemnc@blm.gov

RE: Tri-State Montrose-Nucla-Cahone (MNC) Transmission Line Improvement Project" United States Department of Interior Bureau of Land Management Preliminary Environmental Assessment DOI-BLM-CO-S000-2013-0001

Dear Ms. Jones,

The San Miguel County Board of County Commissioners (BOCC) appreciates the opportunity to comment on the Preliminary Environmental Assessment DOI-BLM-CO-S000-2013-0001 dated November 3, 2015 for the above referenced Transmission Line Improvement Project.

As you know San Miguel County is a cooperating agency that has been participating in the EA process from the outset. As a cooperating agency County staff and the Board of County Commissioners have provided comments and expressed our concerns regarding the routing option alternative developed by the Bureau of Land Management for the section of the Transmission Line Improvement Project within Dry Creek Basin that is located within unincorporated San Miguel County.

The BOCC provided comments to the BLM on forms provided by Grace Ellis, Galileo Project, concerning the Environmental Assessment, dated May 18, 2015.

San Miguel County finds much of the Preliminary Environmental Assessment (PEA) for this project to be acceptable. However, the County has two primary concerns that have resulted in fatal flaws in the PEA analysis. The BLM failed to address and or analyze local land use concerns and requirements during the alternatives development process and throughout the PEA analysis as required under the Federal Land Policy and Management Act of 1976 (Section 202(c)(9)/43/43 USC1712). The BLM is also required to coordinate planning efforts with local governments as dictated in 43 CFR 1610. The BLM's statutory responsibilities to cooperating agencies under the National Environmental Policy Act (NEPA) dictate that the BLM gain early and consistent involvement by cooperating agency partners and to incorporate local knowledge of social, economic, and environmental conditions as well the incorporation and consideration of state and local land use requirements.

While the BLM has the ultimate responsibility for the content of the PEA, by CEQ regulation (Section 1501.6(a)(b)), the BLM is supposed to “use the environmental analysis and recommendations of cooperating agencies with jurisdiction by law or special expertise to the maximum extent possible, consistent with its own responsibilities as the lead agency. “If the lead agency leaves out a significant issue or ignores the advice and expertise of the cooperating agency, the EIS (or in this case, EA), may be later found inadequate.” The PEA does not address land use as a resource requiring detailed analysis, despite the concerns and comments provided to the BLM by San Miguel County.

The second primary concern the BOCC has with the PEA is with regard to the analysis of Alternative A (rebuild in place.) The BOCC believes the analysis of impacts of the applicant’s proposal (an upgrade of an existing power line in an existing alignment that is recognized as a designated corridor in table 2.18.1 of the Tres Rios RMP) for the segment through Dry Creek Basin is deeply flawed.

San Miguel County continues to support the proposed upgrade-in-place alignment in Dry Creek Basin following the existing transmission line corridor, which is Tri-State’s proposed Action, and is identified as Alternative A in the Preliminary EA. It is San Miguel County’s considered position that the proposed upgrade in place in the BLM designated corridor will have the least impact on County residents and the environment, and is in compliance with our Land Use Code.

Any National Environmental Policy Act (NEPA) analysis of the project must evaluate the potential impacts against the existing or baseline condition. The PEA fails to recognize the impact of the current line to GuSG as a baseline condition. The estimate of indirect effects associated with the transmission line to GuSG should have been addressed as part of a base condition and should not be attributed to the Transmission Line Improvement Project. The 1,000 meter area of reduced habitat effectiveness metric used in the PEA to quantify impacts relative to GuSG is not supported by the best available science, is not useful or appropriate for comparing alternatives, and should not be used in assessing or evaluating alternatives.

Compliance with BLM Resource Management Plan and Record of Decision

San Miguel County continues to support the BLM position in its Resource Management Plan (RMP) that new transmission lines, including improvements to existing transmission lines, remain within the designated utility corridor similar to what is proposed for almost the entire 80 mile length of the existing Montrose-Nucla-Cahone (“MNC”) line that Tri-State is proposing to improve from a 115kV line to operate at 230-kV. This action would be in conformance with the 2015 RMP for the Tres Rios Field Office and Record of Decision (BLM 2015.)

As described on page II-139 of the RMP, energy transmission projects would be an appropriate use of land allocated to designated energy corridors and project applicants would be encouraged by the BLM to locate facilities in these corridors. The existing transmission line (Tri-State Generation and Transmission Association,

Inc. – Nucla to Cahone, which includes the existing line through Dry Creek Basin) is listed in Table 2.18.1 of the RMP as a designated corridor. Potential uses including **upgrade of existing facilities (emphasis added,)** and additional facility construction would be considered by the BLM on a case-by-case basis.

SMC Master Plan and Land Use Code

The PEA makes short shrift of the relevant provisions of the County's adopted Master Plan for the West End of the County, which includes this section of Dry Creek Basin where Tri-State's existing 115kV Transmission Line is located and the proposed upgraded 230 kV line would be constructed. The information in Table 1 in the PEA Required Agency Permit, Approval, or Consultation for the Proposed Project for San Miguel County is both inaccurate and incomplete. There is little or no mention of the applicable County Master Plan, County Land Use Policies, or regulatory land use requirements for constructing a Transmission Line Project on private lands that are not under the BLM's jurisdiction. This issue is discussed in greater detail in Substantive Legal Comments prepared by Steven Zwick, the San Miguel County Attorney in his comment letter. Mr. Zwick also comments on the NEPA guidance for the BLM concerning considering alternatives, which it does not have the legal jurisdiction to implement.

The Preliminary EA is not responsive to the previous comments San Miguel County provided concerning the County Master Plan for the West End that applies to Dry Creek Basin, nor is it responsive to the comments provided concerning the County LUC Section 5-709 Public Utilities Structures and Electricity Transmission and Distribution Lines.

In the County's Environmental Assessment Comments dated May 18, 2015 we provided comments concerning San Miguel County's adopted West End (Basin-Disappointment-Slick Rock Egnar) (WE) Master Plan, Section 5.3 which contains specific guidelines for the siting of Utilities and Utility Lines throughout the County. It is the policy of San Miguel County to locate public utilities and utility lines to create the least amount of impact on County residents and the natural environment. To accomplish this in an orderly manner, the County has established a land classification system. It is the County's policy to try and locate utility lines and utilities on Class 5 priority Lands. Class 5 Priority Lands are: All public and government lands, and all other lands not falling within the definition of Class 1,2,3 or 4 Priority. A copy of WE Master Plan Section 5.3 is attached to this comment letter. This section of the WE Master Plan states that any proposal to utilize other priority lands shall demonstrate a clear need to do so and shall consider the visual, environmental, physiographic, and socio-economic characteristics of the land including evaluation of broad ecosystems, topography, soils hydrology, geology, vegetation, wildlife, climate and unique features so that the siting of utilities and utility lines results in the least possible adverse impact.

Upgrading the Transmission Line in place would result in the least possible adverse impact. LUC Section 2-1 Conformance with Adopted Comprehensive Plan, which the

WE Master Plan is a part of, states it is the policy of the County to insure that the use and development of land within San Miguel County and any actions committing such land to development or a change in use are consistent with San Miguel County's adopted Comprehensive Plans. The proposed realignment routing option identified in the PEA is not consistent with the WE Master Plan.

The subject property that would be involved in and affected by the proposed Realignment Option is located within the West End (WE) Zone District. Utility Services such as utility lines and service centers are Uses Allowed Subject to Two-Step Planning Commission and Board of County Commissioner Special Use Permit Review (see Section 5-320 K. Review Standards for all WE District Special Uses.)

The review standards in LUC Section 5-320 K. require all Special Uses to be consistent with the County Master Plan, the County Land Use Policies in Article 2, and the purpose of the WE Zone District. The WE Zone District states in part that Development activities in the West End shall be encouraged to preserve historical, archaeological and natural resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed **with as little intrusion as possible on property rights**, emphasis added. The County has been in contact with private landowners whose property would be affected by the Realignment Option, who are opposed to moving the Transmission Line parallel to SH 141 and onto their private property as proposed by the BLM. If the new alignment is mandated, Tri-State will be forced to initiate condemnation actions against these private landowners, which, by anyone's measure, is a significant intrusion on private property rights.

The proposed realignment that would move the existing transmission line alignment parallel to S.H. 141 directly conflicts with San Miguel County Land Use Code Section 5-709, which states that all proposed aboveground transmission line extensions are to be routed to avoid paralleling major transportation routes, such as S.H. 141. The proposed realignment will create significant visual impacts to travelers on S.H. 141 driving through Dry Creek Basin. The existing transmission line is barely visible as seen from the state highway. The EA only evaluates visual impacts from a single Key Observation Point (KOP) near the Dry Creek Basin Store. The EA should evaluate the visual impacts associated with the entire nine mile length of the line that is proposed to be realigned parallel to S.H. 141. There are several policies in the County Land Use Code in Section 2-12 Scenic Quality that apply to the proposed realignment alternative that are not addressed or duly considered in the PEA.

LUC Section 2-1202 states it is the policy of the County to minimize the adverse scenic effects of roads and facilities by regulating the location and use of future development and the expansion of existing development where new or increased roads and facilities would be required to serve such areas and where construction of such roads would impact the scenic quality of areas visible from public roads, trails or major activity centers.

LUC Section 2-1203 states it is the policy of the County to minimize any adverse scenic effects of roads and other facilities by regulating their alignment, design, and construction so as to reduce their impact on the visual quality of any areas in the County, particularly public roads, trails and major activity areas.

The re-build in place alternative will have the least impact on scenic quality as seen from public roads, i.e. S.H. 141. The area where the existing line is located is not heavily used or generally available for use by the public, nor is it a major activity center. The proposed realignment and construction of a 230kV Transmission Line with the associated new access road paralleling S. H. 141 will have a significant adverse impact on the scenic quality and rural and natural setting of Dry Creek Basin as seen by the travelling public.

The BLM proposed realignment option, moving the existing line parallel to SH 141, involves a significant amount of private land where the land use jurisdiction and authority for approving or not approving development rests with San Miguel County and not the BLM.

It is a significant concern for SMC that if the BLM selects Alternative C as the preferred alternative this action may force Tri-State to apply to San Miguel County for a Special Use Permit in the West End Zone District that does not comply with the West End Master Plan, the County's applicable Land Use Policies or the Review Standards for Special Uses in the WE Zone District. Such an action or decision by the BLM would put the County Planning Commission and the Board of County Commissioners in a very difficult position.

Gunnison Sage Grouse Habitat

It is our understanding that the BLM is evaluating the realignment along SH 141 option in the Dry Creek Basin to address concerns regarding the project's related impacts on GuSG and occupied habitat from construction, operation, and maintenance, for the proposed upgrade to the 230-kV transmission line.

The preliminary EA overstates the impact of the Transmission Line improvement project to GuSG and overstates the benefits of re-locating portions of the line within Dry Creek Basin to parallel SH 141, while not properly or fully analyzing the impacts of the proposed 230-kV line on GuSG in the realignment parallel to State Highway 141 in Dry Creek Basin.

The proposed relocation along SH 141 does not accomplish the objective of moving the Transmission Line outside of GuSG critical habitat and in fact according to Table 11 in the PEA, it increases the number of poles, and new road disturbance for construction and access along SH 141 all within GuSG Occupied and Critical Habitat.

San Miguel County believes that a variety of factors that are not discussed in the EA are influencing the effectiveness of the habitat for GuSG in Dry Creek Basin. These

factors include drought, climate change, historic and perhaps current BLM rangeland management practices, development of the Broad Canyon Landfill in close proximity to Dry Creek Basin, increasing corvid populations in the area, and changes in predator management that have occurred over the years.

San Miguel County believes that the NEPA analysis fails to correctly analyze the impacts of the applicant's proposal against the existing conditions in Dry Creek Basin. Page 120 of the EA states, "...in 2001, researchers estimated 392 total birds inhabited the San Miguel Basin," but fails to document the population trends in Dry Creek Basin. The EA only states (at the bottom of page 120) that since 1992 the population of GuSG in Dry Creek Basin has been declining. The EA further states that the spring 2015 estimate of GuSG population numbers in Dry Creek Basin were fewer than 70 individuals—how much fewer is unclear. Additionally, it is not disclosed how this estimate was derived. According to lek counts provided by Colorado Parks and Wildlife (CPW) in 2014 on the three known leks in Dry Creek Basin there was one bird present on the Desert lek and zero on the other two.

It is our understanding that population estimates typically assume the lek counts represent 60% of the males and the number of females is twice the number of males. This would yield a population estimate of five birds in Dry Creek Basin. The EA goes on to disclose that an additional 29 birds were relocated in 2014 to Dry Creek Basin from the Gunnison population, and that an undisclosed number of birds were relocated from the Gunnison Basin in 2015. In 2015 CPW lek counts indicate that five males were counted on the Desert lek and again none on the other two leks in Dry Creek Basin. Using the same method of estimating GuSG populations described above, this would suggest a Dry Creek Basin population of 24 birds despite the relocation of an unspecified number of birds from the Gunnison Basin population. This indicates that the birds are not persisting or thriving in Dry Creek Basin.

This information is provided to emphasize that the effects of the applicant's proposal should be analyzed by the BLM against the existing conditions. San Miguel County believes that the EA is flawed with regard to the analysis of habitat effectiveness, which appears to us to be the key decisional factor in evaluating the Dry Creek Basin alternatives. A Dolores Public Lands Office Land Health Determination form for the Dry Creek Basin area is attached to this letter.

The existing Land Health Assessment finds that 93% of the San Miguel Basin GuSG occupied habitat fails to meet Standard Three for landscape health with regard to the health of the vegetative community. It takes twice as many acres to support an AUM (animal unit month) in the San Miguel Basin as it does in the rest of the occupied GuSG range. The Dry Creek Basin rangelands appear to us to be some of the poorest quality habitat in the San Miguel Basin. We believe this is supported by the fact that 80% of the GuSG population according to reports produced by Colorado Division of Wildlife, now Colorado Parks and Wildlife, for the San Miguel Basin GuSG

Working Group, are located in the Miramonte area where the better quality habitat occurs in the San Miguel Basin.

The factors affecting habitat conditions as discussed above should be considered and discussed when analyzing the existing baseline conditions with regard to habitat effectiveness in Dry Creek Basin relative to the impacts of Tri-State's proposed power line upgrade in place. San Miguel County believes that the evidence suggests that the habitat in Dry Creek Basin is only marginally effective and suitable for GuSG in its existing baseline condition. The mitigation measures proposed by the applicant would more than offset any incremental impact on habitat effectiveness caused by the rebuild in place. Based on the existing conditions in Dry Creek Basin, it is unclear to us how and why the PEA does not find that the applicant's proposal with the incorporated mitigation measures (fewer poles, self-supporting unguyed steel monopole structures with predator perch discouragers) would result in a net benefit to GuSG over the existing conditions.

San Miguel County has serious concerns regarding use of the existing literature to support extrapolations and assumptions used in the PEA to quantify the impacts to habitat effectiveness presented in the PEA. Tri-State shared with San Miguel County a review of the PEA analysis from Dr. Tom Remington, On Point, LLC. Dr. Remington is the former director of the Colorado Division of Wildlife (now Colorado Parks and Wildlife) and has extensive experience with sage-grouse biology and conservation. He has previously served on the Sage-Grouse Executive Committee and was one of the authors of the Gunnison Sage-Grouse Range-wide Plan and led the science review committee for these efforts. Given his extensive professional background and expertise in sage-grouse management, San Miguel County has reviewed and concurs with his comments pertaining to the Gunnison Sage-Grouse analysis in the PEA. As Dr. Remington participated in the development of some of the science used to underpin the PEA, his critique of the misuse of the science in the PEA is particularly troubling to us. The PEA fails to acknowledge that there is great uncertainty and lack of science relative to indirect impacts of transmission lines to GuSG.

Another area in which the PEA is in error, is in its description and characterization of the transmission lines as fragmenting sage-grouse habitat and the extent of fragmentation associated with the two routing options in Dry Creek Basin. This issue of connectivity and fragmentation of sagebrush habitat is discussed in Dr. Remington's comments and is also discussed and explained in a December 2, 2013 comment letter from the CPW Director to the USFWS during the GuSG Endangered Species Act listing and critical habitat designation process. A copy of that letter is attached. According to CPW, "fragmentation is defined as a result of a barrier that prevents an animal from traveling from one patch to another." The radio telemetry data collected in the San Miguel Basin indicates that GuSG are moving across the Tri-State power line ROW back and forth from the east and west side of the Basin and from Dry Creek Basin to Hamilton Mesa and Miramonte, which would require crossing roads and power lines. We therefore believe the EA overstates and

mischaracterizes the impacts of the alternatives on fragmentation as well as habitat effectiveness.

The PEA does not quantify or scientifically explain the direct benefit to Gunnison Sage-Grouse that would be derived from realigning the power line along Hwy 141 as an alternative to Tri-State's proposed action as described in Alternative A. The PEA does not adequately identify or address the potential impacts the relocated line paralleling the state highway will have on GuSG. Without this analysis, a fair comparison of the two routes cannot occur.

Federal Register exclusion of manmade structures as critical habitat

In the designation of Critical Habitat for GuSG as Threatened under the Endangered Species Act, the Federal Register states that "(3) Critical habitat for the Gunnison sage-grouse **does not** include manmade structures (such as buildings, airport runways, roads and other paved areas) and the land on which they are located existing within the boundaries of designated critical habitat on December 22, 2014." (Emphasis added) The existing 115 kV Transmission Line is a manmade structure and the land under the line falls within this exclusion from Critical Habitat for the GuSG, and therefore should not be considered Critical Habitat. This matter concerning the interpretation of the USFWS Critical Habitat Rule is discussed in greater detail by Steven Zwick, the San Miguel County Attorney, in his December 3, 2015 letter addressed to Gina Jones, BLM Southwest District.

Socio-Economics

San Miguel County does not agree with the statement in 3.4.8 of the PEA that permanent direct effects to the local economy at a project scale would be minimal as a result of implementing any action alternative. There is little or no information or analysis to support the statement that the impacts to the private landowners affected by new easements and locations for the transmission line across their property and the effects to property values are limited. The PEA suggests a potential reduction in sales value of about two to nine percent. The reduction in sales value where an entirely new easement is required could be substantially greater than this unsubstantiated two to nine percent range referred to in the PEA. Compensation to owners for easements at fair market value doesn't address the social and personal impacts to owners who don't want a new transmission line extended across their property where the option to upgrade the existing power line in place is what has been proposed by Tri-State and will have the least impact on their private property. The Socio-Economic section of the PEA doesn't include a discussion of the increased cost of the project if a new 230 kV transmission line is permitted and constructed paralleling S. H. 141 as compared to the cost to upgrade the transmission line in place.

In section 2.2.2.3.3. of the PEA there is a reference to the total cost of Tri-State's proposed voluntary design features to minimize proposed project related effects to GuSG, which is approximately 3.7 million. There does not appear to be a dollar figure referenced in the PEA that identifies or discusses the increased cost of the

project if it is realigned parallel to S. H. 141. It is our understanding in reading Appendix B, Tri-State's Biological Protection Plan, that Alternate-C (Re-Route in Dry Creek Basin) would require an additional 1.3 miles of transmission line (8.9 total miles) and associated self-supporting steel structures relative to the existing alignment, which is 7.6 miles. This additional length would add approximately \$1,019,460 to the \$2,095,320 that would be required for steel structures on the existing alignment. It is assumed there would also be additional costs associated with the new road parallel to the state highway. The total project costs to mitigate the potential impacts to the GuSG and the increased cost for the proposed realignment adjacent to the state highway needs to be discussed in the PEA as these costs will be borne by Tri-State members' rate payers including county residents served by San Miguel Power Association (SMPA).

San Miguel County has an almost 20-year history of GuSG habitat conservation, demonstrated by the investment of substantial time, effort and county financial resources. These efforts have been quantified and provided to the USFWS in the course of the listing process. Although we believe our conservation effort should focus on the Miramonte area, which supports 80% of the San Miguel Basin GuSG population, we will continue to pursue opportunities for GuSG conservation throughout its range in San Miguel County.

Eminent Domain and other land acquisition issues

In reviewing the land ownership for this realignment, we find that the public land portion administered by the BLM is only a small portion of the land that would be affected by this BLM initiated alternative to building the upgrade in place. Of the approximately nine miles of Transmission Line and access roads identified in this Realignment Option, it is estimated that the portion that crosses and involves public land administered by the BLM is roughly 1.5 miles.

We believe that if it becomes necessary for Tri-State to condemn private property to complete an upgrade of their Transmission Line parallel to SH 141, such action could be counterproductive to our long term efforts to work with our ranching community that owns and controls critical portions of the best habitat for GuSG in the San Miguel Basin. We will continue to work with partners in Dry Creek Basin and elsewhere in GuSG critical habitat to improve habitat quality and protect GuSG habitat through conservation easements that benefit GuSG and acquisition of important GuSG habitat as opportunities arise. Dry Creek Basin contains 62,000 acres of GuSG habitat and we believe there will be ample opportunities away from the power line to improve the situation for GuSG in Dry Creek Basin provided we retain our working relationships with all parties involved.

The BLM has previously authorized the existing 115 kV transmission line in its current alignment across the public land they administer. It appears that the route for the existing line affects less of the property owned by the State of Colorado (CPW) and the property owned by the Town of Telluride than would be affected by the Realignment Option.

Of greater concern to SMC, the proposed new alignment would cross the property of eight landowners, not affected by the existing power line. The new alignment would require Tri State to acquire Right of Way for the proposed re-alignment.

SMC is opposed to decisions that could unnecessarily necessitate condemnation of private land, which is the majority of the land in the realignment, unless it is proven to be truly beneficial to critical habitat. Such actions would potentially damage relationships that have been carefully built between landowners and San Miguel County, who have been working in partnership to improve GuSG habitat.

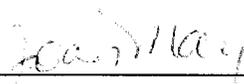
Conclusion

In summary, the PEA fails to present clear and convincing evidence that moving the transmission line from its current location to a new alignment adjacent to Colorado State Highway 141 will result in a quantifiable improvement in GuSG habitat over the applicant's proposed alignment relative to the existing habitat condition for GuSG in Dry Creek Basin. The PEA incorrectly characterizes the best available science and inappropriately uses the science to develop unsupported extrapolations and assumptions both in regard to impacts on habitat effectiveness and fragmentation. The PEA fails to correctly weigh the impacts of the alternative against a fully analyzed baseline condition. Additionally, the PEA lacks a full discussion of the alternatives as they relate to the San Miguel County Master Plan, the County's applicable Land Use Policies and our local land use regulations, and does not fully disclose the socioeconomic impacts of potentially imposing condemnation of private property.

San Miguel County looks forward to a full discussion of and resolution of our concerns in the Final EA.

Sincerely,

San Miguel County, Colorado
Board of County Commissioners



Joan May, Chair

Enclosures:

1. Letter from Steven Zwick, San Miguel County Attorney, to Gina Jones, BLM Southwest District, dated December 3, 2015.
2. Letter from Bob Broscheid CPW Director, to USFWS dated Dec. 2, 2013.
3. Dolores Public Lands Office Evaluation of Health Assessment Status of Resource Conditions, March 6, 2006.
4. Excerpts from the SMC West End Master Plan

5. Land Use Code Section 5-709 Public Utility Structures and Electricity Transmission and Distribution Lines, 5-320 West End (WE) Zone District, and Section 2-12 Scenic Quality

[Text/word/Tri.state.blm.final.ltr]

SAN MIGUEL COUNTY

OFFICE OF THE COUNTY ATTORNEY

December 3, 2015

BLM Southwest District
Attn: Gina Jones
2465 S. Townsend Avenue
Montrose, CO 81401

E-mailed to: blm_co_tristatemnc@blm.gov

RE: 2800 (COS000) COC-66840;
Preliminary Environmental Assessment Tri-State Montrose-Nucla-Cahone (MNC)
Transmission Line Improvement Project DOI-BLM-CO-S000-2013-0001;
San Miguel County Attorney's Office Comments

Dear Ms. Jones:

Based upon its review of the Preliminary Environmental Assessment ("PEA"), the San Miguel County Attorney's Office submits the following substantive comments that are intended to question the accuracy of, the methodology for, and/or the assumptions used in the PEA. These comments are in addition to the written comments that the San Miguel County Board of Commissioners will be submitting separately to your agency.

The BLM's "Dear Reader" cover letter for Tri-State's Proposed Montrose-Nucla-Cahone Transmission Line Improvement Project Preliminary Environmental Assessment, DOI-BLM-CO-S000-2013-0001, dated November 3, 2015, states that: "Substantive comments and information submitted will be summarized and addressed in the Final EA. Substantive comments are those that, with reasonable basis, question the accuracy of, methodology for, or assumptions used in the environmental analysis; present new information relevant to the analysis; present reasonable alternatives other than those analyzed; and/or changes or revisions in one or more of the alternatives".

PEA Section 1 PURPOSE AND NEED

1.7 Relationship to Statutes, Regulations, or Other Plans

1.7.1 Regulations and Guidance, on page 12, discusses the provision in San Miguel County Land Use Code Section 5-709 that states "that all proposed aboveground extensions are routed whenever possible to avoid paralleling major transportation routes, such as SH 141. San Miguel County would consider consistency of the selected alternative with the Land Use Code in the decision to issue a land use change permit". Missing from this section of the PEA is any discussion of the relevant provisions of the County's adopted Master or Comprehensive Plan for the West End of the County which includes the section of Dry Creek Basin where Tri-State's existing 115 kV transmission line is located and the

Letter to BLM Southwest District
Attn: Gina Jones
December 3, 2015
Page Two

proposed upgraded 230 kV line would be constructed, or any discussion of the relevant County land use policies in Article 2 of the County's Land Use Code ("LUC"), as well as the LUC's review standards for all West End Zone District special uses.

The BLM publication "A Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners", 2012 edition, includes a section titled "Meeting coordination and consistency requirements" at pages 31-34 that addresses the relationship between the BLM's land use planning and project approval process and local government land use planning and regulatory requirements. Among the regulatory provisions applicable to the BLM's PEA process for Tri-States' proposed 230 kV transmission line project are 43 CFR Ch. II, §1610.3 Coordination with other Federal agencies, State and local governments, and Indian Tribes, §1610.3-1 Coordination of planning efforts and §1610.3-2 Consistency Requirements.

San Miguel County participated as a cooperating agency in the Tres Rios Field Office's recent Resource Management Planning process that culminated in the Record of Decision ("ROD") issued earlier in 2015. That ROD provides that the siting of energy transmission facilities, such as Tri-State's proposed Montrose-Nucla-Cahone 230 kV Transmission Line, are encouraged to be located on land allocated to designated energy corridors, such as the existing 115 kV Transmission Line corridor, which guidance is also consistent with San Miguel County's adopted West End ("WE") Master Plan. However, the PEA does not appear to address the "Consistency requirements" in 43 CFR §1610.3-2, applicable to the County's adopted WE Master Plan provisions as they pertain to the proposed location of Tri-State's 230 kV transmission line in Dry Creek Basin in Section 1.7 or elsewhere in the document.

PEA Section 2 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.2.2 *Dry Creek Basin*

2.2.2.1 Background

This subsection includes an inaccurate characterization of the United States Fish and Wildlife Service's ("USFWS") "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Gunnison Sage-Grouse; Final Rule, 50 CFR Part 17, Section 17.95" as published in the Federal Register on 11/20/2014. In PEA Section 2.2.2.1, the USFWS Designation of Critical Habitat rule is inaccurately characterized as, "Although the final rule specifies that lands covered by buildings, pavement, or other manmade structures are not included in critical habitat, it further clarifies that a road or powerline right-of-way that is not paved would be considered to be critical habitat (79 FR 69326)". The reference to 79 FR 69326 is not a reference to the USFWS critical habitat rule, which is set forth at 79 FR 69354-69355.

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The PEA's reference to language located at 79 FR 69326 is to a USFWS response to a specific comment, the verbatim quotation for which is: (51) *Comment*: One commenter asked if road exclusions in critical habitat include power lines in road rights-of-way. *Our Response*: Lands covered by paved roads, buildings, or other manmade structures on the effective date of this rule are not included in critical habitat designated under this rule. A right-of-way that is not paved would be considered to be critical habitat. This comment was made in response to whether or not road rights-of-way that included power lines would be considered to be included or not included in the rules critical habitat designation. The comment does not address the status of power lines not located within road rights-of-way. The existing section of Tri-State's 115 kV transmission line located in Dry Creek Basin is not located within an approved road right-of-way, but rather previously received BLM approval as a power transmission line right-of-way in 2007 for the entire existing transmission line on both BLM and USFS land. PEA page 6, section 1.3.

PEA Section 3.5 Resource Topics Evaluated in Detail, at 3.5.6, *Threatened, Endangered, or Candidate Animal Species*, Subsection 3.5.6.1. *Gunnison Sage-Grouse* includes a further discussion of the USFWS Critical Habitat Designation Rule for the Gunnison Sage-Grouse ("GuSG") as it applies to the Monticello-Dove Creek and San Miguel Basin GuSG populations. That subsection quotes as follows from the USFWS Critical Habitat Designation Rule for the GuSG: "In all other areas, lands covered by buildings, pavement, and other manmade structures, as of the effective date of this rule, are not included in this designation, even if they occur inside the boundaries of a critical habitat unit, because such lands lack physical and biological features essential to the conservation of Gunnison sage-grouse, and hence do not constitute critical habitat as defined in Section 3(5)(A)(i) of the Act." This characterization of the USFWS Habitat Designation Rule for the GuSG appears to accurately interpret the actual text of the Rule as published in the Federal Register on 11/30/15, which states at "§ 17.95, Critical habitat – fish and wildlife, (b) Birds... Gunnison Sage Grouse (*Centrocercus Minimus*) (3) Critical habitat for Gunnison sage-grouse does not include manmade structures (such as buildings, airports runways, roads, and other paved areas) and the land on which they are located existing within the boundaries of designated critical habitat on December 22, 2014."

An accurate reading of the plain language of the USFWS GuSG habitat designation rule text supports the interpretation that the listing of specific types of manmade structures within the parenthetical language is intended to serve as examples or illustrations of various types of manmade structures, not as words of limitation that would restrict such manmade structures to only those listed in the parenthetical's language. Such an interpretation of the language in the rule is supported by the discussion of the rule's language found at 79 FR 69337, which states that: "When determining critical habitat boundaries within this final rule, we made every effort to avoid including lands covered by buildings, pavement, and other manmade structures because such lands lack physical and biological features essential to the conservation of the Gunnison

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Attn: Gina Jones
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sage-grouse. Therefore, we have determined that lands covered by existing manmade structures on the effective date of this rule do not meet the definition of critical habitat in Section 3(5)(a) of the Act, and should not be included in the final designation. Any lands covered by buildings, pavement, and other manmade structures on the effective date of this rule left inside critical habitat boundaries shown on the maps of this final rule have been removed by text in the final rule, and are not designated as critical habitat.” It is San Miguel County’s understanding that this interpretation of the USFWS critical habitat designation rule for the GuSG is consistent with that provided by the wildlife biology experts that the project proponent, Tri-State G&T, has retained, and which has been previously provided to the USFWS during the PEA drafting process.

Tri-State’s proposed alternative, that would locate the upgraded 230 kV transmission line along the existing transmission line right-of-way within Dry Creek Basin, would not result in the project being located within GuSG designated critical habitat as set forth in the USFWS’s critical habitat designation final rule. That rule explicitly provides that man-made structures, such as power lines and the land on which they are located, are not considered to be located within GuSG designated critical habitat. Accordingly, the PEA’s analysis that Tri-State’s proposed alternative to locate the Dry Creek Basin section of the proposed 230 kV transmission line along the existing 115 kV alignment would result in the project being located within GuSG designated critical habitat appears to be legally inaccurate and fundamentally flawed.

PEA Section 2 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.3 Alternatives

2.3.4. *Alternative C – Dry Creek Basin Routing Option (Alternative A Incorporating Realignment at Dry Creek Basin)* discusses an alternative project alignment that would shift the location of several miles of the project right-of-way, located within the Dry Creek Basin area of unincorporated San Miguel County from federally owned public lands under BLM management to several tracts of land located adjacent to Colorado State Highway 141 right-of-way to either the north or south side of the road that are either in private ownership or are owned by State of Colorado, Division of Parks and Wildlife, which property is not under the legal jurisdiction of either the BLM or any other federal public land management agency. San Miguel County submits that while it may be appropriate under the Council on Environmental Quality’s NEPA guidance for the BLM to consider an alternative which it does not have the legal jurisdiction to implement, (See: BLM CEQ 40 FAQs, 2a and 2b) such an alternative is presumed to be unreasonable under the BLM’s agency direction as set forth in the BLM’s National Environmental Policy Act Handbook (Public), H-1790-1, 01/30/2008, Section 6.6 ALTERNATIVES DEVELOPMENT, at 6.6.1 Reasonable Alternatives, which states as follows:

“In some situations it may be appropriate for you to analyze a proposed action or alternative that may be outside the BLM’s jurisdiction (Question 2b, CEQ, *Forty Most Asked Questions Concerning CEQ’s NEPA Regulations, March 23, 1981*). Such

Letter to BLM Southwest District
Attn: Gina Jones
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Page Five

circumstances would be exceptional and probably limited to the broadest, most programmatic EISs that would involve multiple agencies. **For most actions, we recommend that the purpose and need statement be constructed to reflect the discretion available to the BLM, consistent with existing decisions and statutory and regulatory requirements; thus, alternatives not within BLM jurisdiction would not be "reasonable."** [Emphasis added]

San Miguel County submits that in addition to the Purpose and Need Statement in the PEA being revised consistent with the agency's NEPA handbook guidance, that Section 2, Description of Alternatives, Including Proposed Action, should be revised consistent with the agency's NEPA handbook guidance to indicate that NEPA Alternatives that are not within the BLM's legal jurisdiction to implement, such as the Alternative discussed in Section 2.3.4, Alternative C – Dry Creek Basin Routing Option (Alternative A Incorporating Realignment at Dry Creek Basin) be determined to not be "reasonable" and eliminated from consideration as a "reasonable" alternative for purposes of the BLM Decision Record and Finding of No Significant Impact ("FONSI") for this proposed project.

Based upon the foregoing legal analysis, it is the considered position of the San Miguel County Attorney's Office that with regard to the section of the proposed Tri-State Montrose–Nucla–Cahone Transmission Line Project to be located within unincorporated San Miguel County, that the PEA Alternative A should be considered to be the preferred alternative for NEPA purposes and that the section of the transmission line located in Dry Creek Basin should be upgraded in place.

Your attention to this matter is appreciated.

Respectfully submitted:



Steven J. Zwick
San Miguel County Attorney

pc: Board of County Commissioners
Administrator
Clerk to the Board
Planning
Environmental Health
Other Persons/Entities Receiving Board of County Commissioner PEA Comments



COLORADO PARKS & WILDLIFE

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December 2, 2013

Public Comments Processing, Attn: FWS-R6-ES-2012-0108
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042-PDM
Arlington, VA 22203

Additional Comments Re:

Docket No. FWS-R6-ES-2012-0108 - Proposed Rule for Gunnison Sage Grouse as an Endangered Species, and
Docket No. FWS-R6-ES-2011-0111 - Designation of Critical Habitat for Gunnison Sage-Grouse

Attention U.S. Fish and Wildlife Service:

Colorado Parks and Wildlife (CPW) appreciates the additional opportunity to comment on the proposed listing of Gunnison sage-grouse (GuSG) as endangered.

Our previous comments (dated April 1, 2013) focused on concerns about the science used to support the listing proposal. We remain convinced that the best available science demonstrates that the species is sufficiently secure in a significant portion of its range that listing under the Endangered Species Act is not warranted.

This letter summarizes our perspective on the status of the Gunnison Basin population in relation to threats identified in the listing proposal and clarified in subsequent discussions with Region 6 staff, and our additional comments on the Service's designation of critical habitat for GuSG. Our detailed comments on both topics are enclosed.

Threats of Disease and Climate to the Gunnison Basin Population

The Gunnison Basin supports the majority (88%) of the range-wide population of GuSG on nearly two-thirds (63%) of occupied habitat. This single population is secured by state- and county-led conservation actions. The Service has expressed concern over the potential for catastrophic disease or climatic events to threaten this population's potential for persistence, and thus reduce the probability that the species will survive in the long term.

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources
Bob D. Broscheld, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian, Secretary • Jeanne Home
Bill Kane, Chair • Gaspar Pemicone • James Pribyl • John Singletary
Mark Smith, Vice-Chair • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

Connectivity and Fragmentation of Sagebrush Habitat

We believe the USFWS has misinterpreted the concept of fragmentation of sagebrush habitat throughout the listing document. This misinterpretation resulted in the conclusion that "fragmentation due to residential, exurban, and commercial development and associated infrastructure such as roads and power lines" are a major threat to GuSG. Fragmentation is defined as a result of a barrier that prevents an animal from traveling from one patch to another. Our radiotelemetry data indicate that these features are not barriers to GuSG movement, and therefore we argue that they do not fragment the landscape.

We have also documented long distance movements of radiomarked GuSG in the Gunnison Basin, demonstrating that they are capable of crossing highways to use habitat patches; there is no evidence of habitat loss and fragmentation within the Basin that would negatively impact GuSG.

Our agency's research data within the Gunnison Basin and San Miguel populations did not document any mortality due to roads or fence collisions. There were 4 collisions with utility lines; at 1% of the radiomarked GuSG sample, mortality due to collisions with utility lines was a relatively minor threat.

Critical Habitat

Colorado Parks and Wildlife does not believe designation of critical habitat is necessary in light of our position that a listing is not warranted. With that in mind, CPW would like to offer the following comments on the proposed critical habitat.

We believe finer scale mapping in some specific areas could increase the credibility of the overall proposed critical habitat. In the document provided to CPW titled "GIS Background for GUSG Proposed Critical Habitat Maps" dated 9/26/13, The Service states,

"The Proposed Critical Habitat (PCH) model and maps combined RCP mapped "potential" and "vacant/unknown" habitats, and classified them as "unoccupied habitat"; potential and vacant/unknown types were considered equal in importance (i.e., one was not ranked, or weighed, as being more important than the other)."

By assuming that these two habitat classifications are equal, large areas have been included as PCH that are not currently, nor will likely ever be, considered suitable habitat. Potentially suitable habitat was mapped at a coarse scale and based on soil data, when available, that indicated the area was capable of supporting sagebrush ecosystems (e.g., areas with piñon-juniper encroachment or converted rangelands). Thus, many of

Colorado Parks and Wildlife
Gunnison Sage-grouse December 2, 2013 Comment Letter
Enclosure

Summaries of the potential effects of disease, severe winters, drought and fragmentation of sagebrush habitat: reply to the USFWS.

1. Disease:

Much of the information below on disease was gleaned from 5 main sources:

- Apa A. D., L. Wiechman, M.L. Phillips. 2011. Gunnison Sage-grouse Captive-Rearing. Colorado Parks and Wildlife, Avian Research Program, Progress Report.
- Christiansen, T.J. and C.M. Tate. 2011. Parasites and infectious diseases of Greater sage-grouse. *In: Knick, S. T., and J. W. Connelly (editors). Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats. Studies in Avian Biology Series (vol. 38), University of California Press, Berkeley, CA.*
- Friend M. and J. C. Franson (eds.). 1999. Field Manual of Wildlife Diseases: General Field Procedures and Diseases of Birds. USGS, Biological Resources Division, National Wildlife Health Center, Madison, WI.
- Gunnison Sage-grouse Rangewide Steering Committee. 2005. Gunnison sage-grouse rangewide conservation plan. Colorado Division of Wildlife, Denver, Colorado, USA.
- Phillips, M.L. 2013. Comments on the Federal Register: "Endangered and Threatened Wildlife and Plants; Endangered Status for Gunnison Sage-grouse". Docket No. FWS-R6-ES-2012-0108 - Proposed Rule for Gunnison Sage Grouse as an Endangered Species.
- Walker, B.L. and D.E. Naugle. 2011. West Nile virus ecology in sagebrush habitat and impacts on Greater sage-grouse. *In: Knick, S. T., and J. W. Connelly (editors). Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats. Studies in Avian Biology Series (vol. 38), University of California Press, Berkeley, CA.*

a) West Nile virus (WNV):

Our knowledge of the potential impact of disease on Gunnison sage-grouse (GUSG) is limited. I was the principal investigator of a CPW monitoring project in 2004 in Gunnison Basin to evaluate the potential impact of West Nile virus on GUSG. Below is the summary of the project I included in my peer-review of the USFWS listing decision:

"West Nile virus has been detected only in Greater sage-grouse; however, CPW contracted with the Colorado Mosquito Control Company (CMCC; Brighton, Colorado) in 2004 to evaluate the relative risk of West Nile virus on GUSG in the Gunnison Basin population by monitoring mosquito traps and determine the species and abundance of mosquitoes (unpublished CPW Report). The CMCC used two types of mosquito traps (CDC Mosquito Surveillance Traps and Gravid Mosquito Surveillance Traps). They trapped a total of 6,729 mosquitoes collected over 136 trap-nights throughout the Gunnison Basin at 11 trap sites (6 sites had both trap types the other sites had only the CDC surveillance traps). Traps were located near riparian areas, ponds or livestock tanks in sagebrush communities. Traps were set and checked once per week. Trapping began June 1 and ended August 30. Testing of mosquito samples were conducted by the Colorado Department of Public Health. They observed 9 species of mosquitoes including *Culex tarsalis* (a known vector of WNV). However, the relative abundance of *C. tarsalis* was low

There has been speculation that sage-grouse may be able to develop resistance to WNV. However, the potential seroprevalence (the proportion of individuals with neutralizing antibodies to WNV), or the duration of immunity among birds that survive WNV is unknown (Marra et al. 2004). Low levels of resistance to WNV disease has been documented in a captive GRSG population (Clark et al. 2006). Even if a bird is immune to WNV it may experience negative, sublethal effects that affect behavior and reproductive success. Predicting seroprevalence is confounded by the relatively unknown possibility of transmission of immunity from mother to offspring, changes in the virulence of WNV over time, and the timing of WNV amplification in mosquito populations. The high mortality rates during WNV outbreaks suggest that development of resistance is not likely occurring (Naugle et al. 2004, Clark et al. 2006, Walker et al. 2007b). Compared to the Gunnison Basin, it is the small, isolated, GUSG populations that are more likely to be at risk of a WNV outbreak.

We know WNV is present in Gunnison Basin with relatively low levels of incidences (Centers for Disease Control and Prevention, <http://www.cdc.gov/ncidod/dvbid/westnile/surv&control.htm>). GUSG are likely susceptible to WNV given the incidence of infection in Greater sage-grouse (*Centrocercus urophasianus*, GRSG) populations. However, given the increase in lek counts in recent years there is no evidence that any outbreaks have occurred in the Gunnison Basin. Predicting the likelihood of WNV outbreak in the Gunnison Basin population is difficult considering the many factors that contribute to the transmission of WNV. Environmental factors such as elevation, temperature, and precipitation all influence mosquito populations and the timing of the amplification of the virus in mosquito populations. Land use practices such as coal-bed methane production, live stock water tanks, as well as, the distribution of natural springs and streams all influence the abundance and distribution of mosquito populations. Biotic factors such as the presence of mosquito species that are competent vectors for the transmission of WNV (e.g., *Culex tarsalis*) and the presence of suitable hosts (avian and mammalian) will determine the virulence of a WNV outbreak. However, given that the Gunnison Basin is a relatively large, isolated populations that is at a higher elevation, with colder spring temperatures, shorter summer breeding season for mosquitoes, lack of land-use practice such as coal-bed methane production, and the potential for seroprevalence, it is not likely that the Gunnison Basin is at a high risk of WNV outbreak that would negatively impact the population.

Management practices have been suggested that could mitigate the potential of an outbreak, such as: 1) monitoring and repairing overflowing stock tanks and overflow areas below earthen dams, 2) monitoring the timing of irrigation, or 3) to control mosquito populations with the application of biological or chemical larvicides.

Literature Cited:

- Clark, L., J. Hall, R. McLean, M. Dunbar, K. Klenk, R. Bowen, and C. A. Smeraski. 2006. Susceptibility of Greater Sage-Grouse to experimental infection with West Nile virus. *Journal of Wildlife Diseases* 42:14–22.
- Kilpatrick, A.M., S. L. Ladeau, and P.P. Marra. 2007. Ecology of West Nile virus transmission and its impact on birds in the western hemisphere. *Auk* 124:1121–1136.
- Marra, P. P., S. Griffing, C. Caffrey, A. M. Kilpatrick, R. McLean, and C. Brand. 2004. West Nile virus and wildlife. *BioScience* 54:393–402.

Klebsiella spp., *Burkholderia spp.*, *Staphylococcus spp.*, *Proteus vulgaris*, *Enterococcus spp.*, and *Clostridium perfringens*. These bacteria contributed to mortalities of captive-bred chicks. The overall chick mortality rate was 38% (58/153). Bacterial infections caused 60% (35/58) of the chick mortalities. The construction of an incubation and hatching facility helped us in isolating potential sources of bacteria and therefore reduce the rates of chick mortalities due to bacterial infections.

It is unknown if any of these bacteria are typically found in wild populations of GUSG, or of the potential impact on population dynamics. However, given that there have not been any outbreaks of any bacterial or parasitic organisms in GRSG or GUSG populations, it is unlikely that disease will be a threat to GUSG in the future.

2. Severe Winter:

From 2005-2010, CPW conducted a demography research project in the San Miguel and Gunnison Basin populations. The winter of 2007-2008 was one of most severe winters on record in the Gunnison Basin.

Snow depths were over three times that of any other year during the study and only two years out of the last 50 had snow depths recorded that were greater than in 2007-2008. There was no evidence of an impact of a severe winter on adult survival. The overall average adult survival during the demography study was 60.5%. The winter survival of 2007-2008 (November 2007 - March 2008) was 58%. Sage-grouse are well adapted to survive during the winter months. They can provide cover by burrowing into the snow, and they can use exposed ridge tops that allow better access to sagebrush for food.

There was a subsequent increase in nest success the following spring (2008). On average the peak nest initiation was May 8th in Gunnison Basin. In 2008, Gunnison Basin peak nest initiation was shifted to May 17th. From 2005-2010, nest success averaged about 38.8%. Nest success in 2008 was 60.1% which was the highest rate of nest success during the demography project. The higher nest success may be partly due to reduce predation that could be the result of increased mortality among predators or due to the increased availability of other sources of prey, such as the deer and elk carcasses.

3. Drought:

Given the infrequent occurrence of drought, the effect of drought on GUSG populations is unknown, but it has been suggested that drought could negatively impact sage-grouse reproductive success and survival. A decrease in the quantity and quality of the vegetation around nests could make them more vulnerable to predation. However, during the CPW demography project, we did not detect any major influence of vegetation on nest success. This may be due to the variation in nest success over the course of our study. In 2005 (the first year of the study) nest success was only 21.4% (range: 21.4-60.1%). Gunnison Basin was just emerging from extreme drought conditions during the preceding years. The low nest success may be due to the harsh conditions, or it may have been due to the small sample size (n=10 nests; range= 10-47 nests from 2005-2010). The drought conditions in 2005 did not influence adult survival. In 2005 the rate of adult mortality was 37% (average mortality rate = 35.8% : range 26-47%).

They also argued that habitat loss fragments the landscape. This is true only if the degree of habitat loss is so significant that it prevents movement between patches of habitat (Fahrig 2001, 2002). This has not been demonstrated for GUSG. Oyler-McCance (2001) estimated approximately 20% of sagebrush habitat was lost in southwestern Colorado between 1958 and 1993. She speculated on the possible impacts of roads and powerlines; however, she did not present information on whether this is sufficient to prevent movement and therefore actually fragments the habitat.

Reviews of fragmentation studies by Debinski and Holt (2000) and McGarigal and Cushman (2002) illustrate that there is no consistent conclusions on the effect of fragmentation on species abundance, distribution or persistence. However, Debinski and Holt (2000) note that species that exhibited the ability to make long distance movements did not respond to fragmentation "as theory would suggest" and effects were highly species specific (i.e., generalizations about fragmentation depend on the species and its ability to move between patches of habitat). CPW radiomarked and tracked > 200 adult GUSG and individuals frequently moved between habitat patches that were not contiguous. Sage-grouse are a species that can move long distances. CPW documented movement > 35 miles in the Gunnison Basin. The figure below is of females with broods. Females with broods are more conservative in their movements compared to females without a brood and males. Each polygon represents the movement by a female with a brood in one year (i.e., the polygons are 100% minimum convex polygons using the radiotelemetry locations recorded for each female). The figure illustrates that, even though most females remain in the general area where they nested, many females with broods can move large distances. The average area of the movement was 6,970 acres (range: 388 - 20,770 acres). However, some females will lead their broods across Highways (such as highway 50 and 114) and county roads (e.g., CR 730) to adjacent areas within the Basin, illustrating that these landscape features are not barriers to movement. Therefore, there is no evidence of habitat loss and fragmentation in the Gunnison Basin that would negatively affect GUSG.

While powerlines, roads and fences do not fragment the landscape, they argued that these features are a threat to GUSG due to collisions. CPW did not document any mortalities due to roads or fence collisions in the Gunnison Basin or San Miguel populations during the demography research project. However, four collisions with utility lines were documented. This was approximately 1% of the radiomarked GUSG, indicating a relatively minor threat to GUSG.

Literature Cited:

- Debinski, D. M. and R. D. Holt. 2000. A survey and overview of habitat fragmentation experiments. *Conservation Biology* 14:342-355.
- Fahrig, L. 1997. Relative effects of habitat loss and fragmentation on population extinction. *Journal of Wildlife Management* 61:603-610.
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- Mader, H. J. 1984. Animal habitat isolation by roads and agricultural fields. *Biological Conservation* 29:81-96.

Colorado Parks and Wildlife
Gunnison Sage-grouse December 2, 2013 Comment Letter
Enclosure

Listing of potential GuSG Critical Habitat issues: CPW reply to the USFWS

Specific areas with potential issues (numbers correspond to attached map):

1. Gunnison Basin - It doesn't appear that the Service used the latest overall range boundary for occupied habitat. It was revised in 2010, specifically the eastern boundary of Gunnison Basin was refined to exclude pine forests.
2. San Miguel Basin - Sanborn Park area (north of the Iron Springs area) - FWS included an area that is not currently mapped in the RCP with any habitat designation. This area does not appear to meet the "suitability" criteria described by the Service and includes conifer forest, some sagebrush, and semi-irrigated agriculture; therefore grasses not sagebrush. This area needs to be examined further to determine if there is currently or in the future the potential for suitable habitat. It is inconsistent with the overall mapping that this "unmapped" area was included as PCH. There appear to be other areas that could be considered linkages between existing mapped habitat that are not specified (i.e., areas between the occupied polygons of the San Miguel populations, the area between the Cerro Sims and Crawford and Gunnison populations). Why the Sanborn area is included but not these other areas is unclear.
3. Cerro Cimarron Sims Mesa Population - Bostwick Park and Poverty Mesa - Type conversion has occurred in the Bostwick Park area and is no longer habitat with virtually no potential for restoration. The Poverty Mesa area is oakbrush and aspen with very little sagebrush. Although it is not likely suitable habitat in any season it may be used as a linkage to the Crawford population.
4. Black Mesa, Between Crawford and Gunnison Basin - This area is considered "potentially suitable" habitat and includes large areas that are heavily forested particularly on the north side. There are sagebrush areas on the south side that are not included. The boundary should be revised using finer scale mapping.
5. Dove Creek - Southern portion - Much of this area has been type converted (see comments above) and does not meet the criteria for critical habitat. Finer scale mapping should be used to revise this area and remove areas that are not likely ever to be restored to sagebrush ecosystems.
6. Hinsdale County area - This area is mostly forested and should be evaluated and refined.
7. SE portion of Sims Mesa in Ouray County - This long "finger" of habitat should be evaluated at a finer scale as to the likelihood suitable habitat occurs.

Dolores Public Lands Office
Evaluation of Land Health Assessment
Status of the Resource Conditions
Rangeland Health Standards H-4180-1

Grazing Allotment Name Dry Creek Allotment Number 7016
Acres Federal 37,991 Acres State 636 Acres Private 7,994
Date of Evaluation and Determination March 8, 2006

Indicators used in Health Assessment (Interpreting Indicators of Rangeland Health version 3, Technical reference 1734-6, 2000)

Attributes >	Soil/Site Stability	Hydrologic Function	Biotic Integrity
Indicators			
Rills	X	X	
Water flow patterns	X	X	
Pedestals and/or terracettes	X	X	
Bare Ground	X	X	
Gullies	X	X	
Wind-scoured blowouts and/or deposition areas	X		
Litter movement		X	
Soil surface resistance to erosion	X	X	X
Soil surface loss or degradation	X	X	X
Plant community composition and distribution relative to infiltration and runoff		X	
Compaction layer	X	X	X
Functional/structural groups			X
Plant mortality/decadence			X
Litter amount		X	X
Annual production			X
Invasive plants			X
Reproductive capability of perennial plants			X
Biological soil crusts	X	X	X

Data sources used in evaluation:

- 1997, 1998 and 2004 Dry Creek Basin Rangeland Health Assessment - TR1734-6
- Vegetation composition – 2004 partial inventory of plant species cover data
- Ground cover status – 2004 partial inventory ground cover and soil surface resistance to erosion
- Vegetation production – 2004 production data for reference site
- Long-term compositional trend of vegetation and ground cover – 8 monitoring transects
- Actual livestock use records
- Noxious weed inventory
- Proper Functioning Condition Ratings for streams and springs TR1737-15, TR1737-16
- Water source inventory – San Juan Resource Area
- Status of Water Quality in Colorado – 2004 report
- Water quality samples
- 1994 and 2004 Dry Creek stream survey data
- Dry Creek Basin Coordinated Resource Management Plan 1993
- Colorado Natural Heritage Program – TES species database
- Precipitation records, Norwood, Uravan
- Standards for Public Land Health and Guidelines for Livestock Grazing Management in Colorado, Environmental Assessment, June 1996
- Gunnison Sage Grouse Rangeland Conservation Plan, April 2005

Dolores Public Lands Office
Determination Record – Dry Creek Basin Allotment, BLM lands

Statement of Achievement or Non-Achievement for each Standard:

1) Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, landform, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.

Standard achieved _____ Making significant progress towards achieving _____ Not achieved X .

2) Riparian systems associated with both running and standing water, function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment, and provides forage, habitat and bio-diversity. Water quality is improved or maintained. Stable soils store and release water slowly.

Standard achieved _____ Making significant progress towards achieving X (lotic) Not achieved X (lentic) .

3) Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential. Plants and animals at both the community and population level are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations, and ecological processes.

Standard achieved _____ Making significant progress towards achieving _____ Not achieved X .

4) Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

Standard achieved _____ Making significant progress towards achieving _____ Not achieved X .

5) The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and antidegradation requirements set forth under State law as found in (5 CCR 1002-8), as required by Section 303 (c). of the Clean Water Act.

Standard achieved X Making significant progress towards achieving _____ Not achieved _____.

If one or more Land Health Standards are not being achieved:

1) Reasons for not meeting and indicators used

Standard 1 - Upland Soils

- The health attribute soil and site stability dominantly reflects a moderate degree of departure for 50% of the BLM lands on the allotment. The health attribute hydrologic function dominantly reflects a moderate degree of departure for 49% of the BLM lands on the allotment. A moderate degree of departure is an at risk category. At risk indicates that these rangelands have a reversible loss in productive capability and increased vulnerability to irreversible degradation. Five percent (Soil and Site Stability) and 4% (Hydrologic Function) of the BLM lands rated in a moderate to extreme degree of departure from the ecological site descriptions. A moderate to extreme rating indicates the sites are beyond "at risk", or that these rangelands may have an irreversible loss in productive capability and may suffer irreversible degradation. Forty-five percent rated in the slight to moderate degree of departure from the ecological site descriptions.

- About 44% of the BLM lands on the allotment (64% of the allotment acres had ground cover estimates used in this evaluation) have significant amounts of bare soil, averaging 50% or more bare soil. Basal vegetation cover was less than 5% for 48% of the BLM acres. Biological crust cover was less than 5% for 52% of the BLM acres. Only 4% of the BLM acres had more than 25% biological crust cover. Grazed reference sites in good condition had 20% to 36% biological crust cover

Standard 2 – Riparian Systems –

- Lotic systems, Dry Creek and main forks of Dry Creek, met land health standards for riparian systems, Functional at Risk with an upward trend.
- Four lentic riparian areas within Dry Creek Basin allotment rated Functional at Risk with a downward trend. Those springs are West Fork Spring 1, South Salt Spring, South Basin Spring, and South Basin Spring West. Indicators for not meeting Proper Functioning Condition (PFC) standards for West Fork Spring 1 are:
 - Riparian-wetland area is not enlarging or achieving potential extent.
 - Natural surface or subsurface flow patterns are altered by disturbance.
 - Riparian-wetland plants do not exhibit high vigor.
 - Adequate vegetative cover is not present to protect shorelines/soil surface and dissipate energy during high wind and wave events or overland flows.
 - Riparian-wetland is not in balance with the water and sediment being supplied by the watershed.

Indicators not meeting Proper Functioning Condition (PFC) standards for South Salt Spring are:

- Riparian-wetland area is not enlarging or achieving potential extent.
- Upland watershed is contributing to riparian-wetland degradation.
- Natural surface or subsurface flow patterns are altered by disturbance.
- There is not a diverse age-class distribution of riparian-wetland vegetation.
- Vegetation is not comprised of those plants or plant communities that have root masses capable of withstanding wind events, wave flow events, or overland flows.
- Riparian-wetland plants do not exhibit high vigor.
- Adequate vegetative cover is not present to protect shorelines/soil surface and dissipate energy during high wind and wave events or overland flows.
- Saturation of soils is not sufficient to compose and maintain hydric soils.
- Riparian-wetland is not in balance with the water and sediment being supplied by the watershed.

Indicators not meeting Proper Functioning Condition (PFC) standards for South Basin Spring and South Basin Spring West are:

- Riparian-wetland area is not enlarging or achieving potential extent.
- There is not a diverse age-class distribution of riparian-wetland vegetation.
- Riparian-wetland plants do not exhibit high vigor.
- Adequate vegetative cover is not present to protect shorelines/soil surface and dissipate energy during high wind and wave events or overland flows.
- Saturation of soils is not sufficient to compose and maintain hydric soils.

Standard 3 – Healthy and productive plant and animal communities

- The health attribute biotic integrity dominantly reflects a moderate degree of departure from the ecological site descriptions for 83% of the BLM lands on the allotment. A moderate degree of departure is an “at risk” category. “At risk” indicates that these rangelands have a reversible loss in productive capability and increased vulnerability to irreversible degradation. Eight percent of the BLM lands rated in a moderate to extreme degree of departure from the ecological site descriptions. A moderate to extreme rating indicates the sites are beyond “at risk”, or that these rangelands may have an irreversible loss in productive capability and may suffer irreversible degradation.
- Overall 13% of the BLM lands rated in a “Very Poor” vegetation composition condition based on species cover estimates. These sites had less than 3% cover in perennial grass species and usually only one species, annual grass and weedy annual forbs could form a large part of the composition. Fifty-two percent rated in a “Poor” condition class. These sites typically had less than 10% cover

in perennial grass species often only warm season species and fewer than five species. Annual grasses and weedy annual forbs were often common. Twenty-six percent of the BLM lands rated in a "Fair" condition class. These sites typically had between 10 to 15% cover in perennial grass species, a mix of cool and warm season species with from 2 to 5 species present. Nine percent of the BLM lands rated in a "Good" condition class. These sites had from 15% to 35% cover in perennial grass species, a good mix of cool and warm season species and up to 8 different species present, annual grass and weedy annual forbs were less than 10% of the cover. Acres rated in the "Very Poor" or "Poor" condition class are not acceptable, sites in a "Fair" condition class are not acceptable unless trend is upward.

- There are eight trend studies on the allotment, each pasture has at least one study. All transects show a downward vegetative trend as indicated by the loss of cool season grass species and in two cases warm season grasses. Annual grasses and forbs, rabbitbrush and snakeweed are commonly increasing on many of the transects. Ground cover values are more variable. Basal vegetation cover has decreased on six of the eight transects. Litter has increased on five of the eight transects, possibly due to the increases in annual grasses and forbs. Bare ground has increased on three of the eight transects, is stable on two and decreased on three.
- Noxious weeds – Russian thistle can be found all along the county road through this allotment. There are small (<1 acre) locations of knapweed in the West Monogram, Improved, Six Shooter, and West Highway pastures. There are small locations of musk thistle and Canada thistle in the Improved and Gravel Pit pastures. Whitetop is present in the West Highway and Gravel Pit pastures, two small locations in West Highway and three small locations and one 24 acre patch in the Gravel Pit pasture. Noxious weeds are related to ground surface disturbing activities such as gravel pits, reservoir construction, road maintenance, oil and gas activities, minerals extraction etc.
- A review was made of the closest two precipitation gauges, Uravan, approximately 20 miles northwest and Norwood, approximately 20 miles northeast. Over the last 10 year period Uravan was at 97% of the 40 year median (station history) and 89% of the 40 year median over the last 5 years. Over the last 10 year period Norwood was at 112% of the 50 year median (station history) and 101% of the 50 year median over the last 5 years. Drought has been the suspected cause of a die-off of some sagebrush populations in Dry Creek basin. The above precipitation stations do not indicate drought conditions in the general vicinity but may not reflect localized conditions.

Standard 4 – Special status, T&E species

- Gunnison sage grouse - the primary threats to the San Miguel population are the recent increases in natural gas development, habitat loss to development and subdivision, poor habitat quality, and the effects of drought. All threats can be identified within the Dry Creek Basin area allotments except for habitat loss to development and subdivision, which occurs elsewhere in the range of this population. The Rangeland Plan also identifies sagebrush removal and loss as a threat as a result of past overgrazing and pinyon-juniper encroachment. The succession to a late seral sagebrush community dominated by sagebrush and lacking in understory is not ideal for sage grouse use. Population numbers continue to decline, particularly in Dry Creek Basin where lek counts have decreased annually since 2000.
- No BLM special status plant species.

2) List suspected causal factors

Standards 1 and 3 - Upland soils and healthy and productive plant and animal communities

Within control of agency:

- Current livestock grazing practices
- Weeds associated with mineral extraction, oil and gas development, county road, old gravel pit and other surface disturbing activities.
- Poor conditions related to previous land improvement practices such as plowing, seeding, mowing and spike treatments without changes to grazing management.

Outside of control of agency:

- Historic livestock grazing practices
- Mixed land ownership - weeds from non-federal lands

- Big game populations
- Drought

Standard 2 - Riparian systems

Within control of agency:

- Current livestock grazing practices

Outside control of agency:

- Historic livestock grazing practices
- Drought
- Big game use

Standard 4 - Special status, T&E species

Within control of agency:

- Current livestock grazing practices
- Pinyon – juniper encroachment into sagebrush
- Oil and gas leases

Outside of control of agency:

- Historic livestock grazing practices
- Traffic on County Roads
- Historic and current suppression of fire in pinyon juniper and sagebrush communities.
- Big game use
- Drought
- Predation
- Oil and gas development, leased

3) Evidence used to reach conclusions for each causal factor:

Standard 1 and 3:

- Vegetative composition reflects a loss or decline of species expected for the ecological sites represented on the allotment and an increase in weedy and invasive species not expected for these ecological sites.
- Lack of re-growth of cool season perennial grasses after spring grazing use.
- Declining conditions reflected by long term trend studies
- Presence of weeds along road, near reservoirs and other areas of disturbance.

Standard 2:

- Soil and watershed conditions around springs
- Current and historic livestock use of the area
- Current big game use of the area
- Climate/precipitation records (drought conclusion)

Standard 4:

- Poor quality Gunnison sage grouse brood rearing habitat
- Declining Gunnison sage grouse population numbers
- Lack of quality riparian habitat

Statement of Conformance or Non-Conformance with Guidelines:

1) Is it more likely than not that existing grazing management practices or levels of grazing use are significant factors in failing to achieve the Standards or conform with the guidelines

Yes X No _____

2) Is it more likely than not that existing grazing management needs to be modified to ensure that the fundamentals of rangeland health are met, or making significant progress toward being met

Yes X No _____

Assessment Team Members:

Bob Ball, Rangeland Management Specialist
Shauna Jensen, Hydrologist
Kathy Nickell, Wildlife Biologist
Leslie Stewart, Ecologist

Original Rangeland Health Assessment Team, 1997-1998: Bob Ball, Amanda Clements, Cliff Giffen, Cathy Hagen, Ron Huntly, Clyde Johnson, Dave Kauffman, Darby Livingston, Dennis Murphy, Dean Stindt, Andy Stump, Gary Thrash, Wayne Werkmeister.

Where land health standards are not achieved and there is no significant progress toward achieving them there will be additional documentation through NEPA analysis. Recommendations for additional analysis:

Steven K. Beverlin
Manager, Dolores Public Lands Office

Date

- (4) Ensure the suitability of land dedicated for school purposes by allowing school boards involvement in selecting the location of any land dedicated.

Policies:

- (1) Promote adequate fire and law enforcement protection to serve the West End.
- (2) Require subdivision developers to provide fire protection devices that can be used on site by residents.
- (3) Encourage the upgrading of present fire equipment and facilities.
- (4) Encourage the development of a satellite county office for the West End.
- (5) Maintain County support for the existing West End emergency services.

5.3 More Specific Guidelines for the Siting of Utilities and Utility Lines Throughout the County *FROM THE SMC WEST END MASTER PLAN*

It is the policy of San Miguel County to locate public utilities and utility lines to create the least amount of impact on county residents and the natural environment. To accomplish this in an orderly and equitable manner, the County has established a land classification system.

It is the County's policy to try and locate utility lines and utilities on Class 5 priority lands. Any proposal to utilize other priority lands shall demonstrate a clear need to do so and shall consider the visual, environmental, physiographic, and socio-economic characteristics of the land including evaluation of broad ecosystems, topography, soils hydrology, geology, vegetation, wildlife, climate and unique features so that the siting of utilities and utility lines results in the least possible adverse impact.

Class 1 Priority - Cemeteries, airports, private and emergency landing strips, future airport sites and approach and take off areas.

Class 2 Priority - Intensive cropland, including irrigated farms, meadows, irrigated pasture land, cropland used for dryland culture, lands along valley floors intermingled with cropland, farm and ranch headquarters and storage points.

Class 3 Priority - Unincorporated land zoned residential, multi-family residential, and commercial in which public utilities are a permitted use; lands containing or having significant impact on historical, natural, or archaeological resources, shorelines of major lakes or reservoirs, natural streams and ponds, skylines visible from major transportation routes, geologic hazard areas and critical wildlife areas.

Class 4 Priority - Timbered areas that would require modification or removal to provide clearance for utilities or utility lines; land within the boundaries of approved developments and land suggested as future growth areas around existing communities.

Class 5 Priority - All public and government lands, and all other lands not falling within the definition of Class 1, 2, 3, or 4 Priority.

- 5-707 B. All existing trees to be preserved, as determined by the action on the preliminary plan, shall be clearly marked prior to any grading or construction work. All existing trees to be preserved shall be protected from damage.
- 5-707 C. All slash materials, vegetative residues, fallen trees, limbs, roots, etc., shall be removed from the development, or, in the case of large limbs and trees, may be cut for fire wood and stacked at appropriate locations.
- 5-707 D. Substantial disturbances of the land created by construction of structures, roads, water, or sewer facilities, drainage control systems, installation of utilities or other improvements shall be restored by reseeded and/or revegetation of the affected area with native plant materials or appropriate substitutes.

5-708 Filled Lands

Required fill shall be of suitable filling material and placed in such a manner as to insure that the finished elevation of all lots and roadway areas will be adequate to protect the subdivision from flooding and to provide adequately for the passage of storm water run-off after settlement and compaction. No building or construction on filled land shall be commenced until satisfactory evidence has been submitted that the required elevation has been obtained and that the fill will provide a stable base for the construction proposed. Such evidence of satisfactory fill shall be submitted to the Board of County Commissioners, and the approval for construction of improvements upon said fill shall be granted by the County road supervisor.

5-709 Public Utilities Structures and Electricity Transmission and Distribution Lines

All public utility structures and electricity transmission lines more than 115 kilovolts shall comply with the standards in this section. Additionally, all above ground electricity transmission or distribution lines in excess of 1,000 linear feet in length in San Miguel County are subject to compliance with the standards in this section. These standards do not apply to the normal construction of local service natural gas lines.

- 5-709 A. The proposed development poses no significant threat to the health, welfare and safety of the citizens of San Miguel County or the citizens of the region.
- 5-709 B. Construction and operation of the facility will not unreasonably impact the physical, economic, or social environment of San Miguel County or this region, including agricultural land and water.
- 5-709 C. Adverse impacts to the County and/or region have been identified, and the applicant has presented a satisfactory program of mitigation, including assurances of implementation.
- 5-709 D. Alternative sites and routes and methods to reduce the impact to the land such as

combining new lines with existing lines, placing new lines underground, etc., have been identified and approved by the San Miguel County Board of County Commissioners.

- 5-709 E. All costs associated with the construction of new distribution lines, including any costs resulting from mitigation of visual impacts, shall be paid by the utility provider and/or the individual property owners who will connect to the new lines.
- 5-709 F. The benefits of the development outweigh the unavoidable and unmitigatable impacts upon the physical, social, and economic environment of San Miguel County and this region.
- 5-709 G. Proposed uses in Airport Reservations shall be for use by the facility and these and any other allowed facility shall meet the navigable airspace requirements of AC No. 70-7460-2-E, dated 7/5/73 and issued by the U.S. Federal Aviation Administration, Department of Commerce, as may be amended.
- 5-709 H. All proposed above ground extensions are routed wherever possible to:
- I. Avoid paralleling of major transportation routes;
 - II. Cross any transportation route at as close to a right angle as possible;
 - III. Avoid "tunnel" effect of clearing areas visible from a population concentration or major transportation route;
 - IV. Avoid clear-stripping of right-of-way;
 - V. Avoid corrosive soils;
 - VI. Avoid creation of access way scars visible as above;
 - VII. Avoid historic and archaeological sites; natural phenomenon;
 - VIII. Avoid impact on wildlife and wildlife habitat;
 - IX. Preserve as much as possible the natural landscape;
 - X. Minimize conflict with existing and planned uses shown on the County Master Plan Map;
 - XI. Maximize the natural screening potential of vegetation and topography; and
 - XII. Avoid crossing or use interference with a fishery.
- 5-709 I. All proposed extensions of central service plant whose curvature, grade or other

constraint inherent in such facility tends to require alignment along valley floors or public ways, shall avoid impacts listed in C. above; provide for recompactation to restore the original density of disturbed irrigated ground; provide for restoration of the original slope of hillsides and ridge cuts; and by innovative construction techniques minimize the width of clearing and cuts, including those required for installation of normally buried facilities above ground where such might be less disturbing to the sum of criteria of this plan.

5-709 J. These regulations shall not apply to the normal construction of individual telephone subscriber service, distribution and feeder cables, including the delivery of cable television, toll service, and extended area service telephone lines.

5-709 K. Approval shall not be considered until such time as the Public Utilities Commission has granted a Certificate of Public Necessity and Convenience, if such Certificate is required from the Public Utilities Commission.

5-320 West End (WE)

5-320 A. Purpose

The West End (WE) Zone District is intended to preserve large, relatively remote areas of western San Miguel County for resource, agricultural, open space, and recreational purposes, while protecting private property rights. These areas currently have minimum public facilities and services and are considered premature for substantial development. Development activities in these areas shall be encouraged to preserve historical, archeological and natural resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed with as little intrusion as possible on property rights.

Development Permits are not required in the WE Zone District except for Oil and Gas Exploration and Development. Based on historic lack of growth in the West End and the flexibility inherent in the WE District, this Zone District shall be reviewed every 5 years.

5-320 B. Uses Allowed by Right

- I. Agriculture, ranching and related uses, operations and activities, including but not limited to:
 - a. elevators and feed grain storage and mixing operations;
 - b. storage and sale of motorized and non-motorized farm and ranching equipment and structures other than dwelling units;
 - c. animal training and boarding facilities;
 - d. livestock or equipment auction yards and facilities;
 - e. truck and sod farms, nursery stock and green houses;
 - f. milk and dairy product processing;
 - g. owner operated poultry hatcheries and production facilities, fish hatcheries, specialty domestic animal production farms, dairy farms, fur farms, bee-keeping operations;
 - h. feedlots (livestock owned by operator); and
 - i. commercial feed lots (livestock owned by other parties) existing at the time of adoption of this zoning amendment, and expansion of existing operations within existing property boundaries;

- II. Single-family detached dwellings including mobile homes and homes abandoned prior to adoption of the West End Zone District and utility, water, and sewer systems where an abandoned home or mobile home existed, provided such homes meet applicable state standards;
- III. Group home with no more than eight (8) persons and not located within 750 feet of another such group home;
- IV. Timber production and farming including raising of trees for any purpose, and timber harvesting operations;
- V. Mining of sand and gravel or other minerals for personal (non-commercial) use;
- VI. Multi-family residential, office, commercial, industrial, and associated accessory uses existing at the time of adoption of the WE Zone District;
- VII. Veterinary clinics, hospitals, small animal kennels, and large animal holding facilities for medical purposes;
- VIII. Accessory Uses (accessory to uses by right):
 - a. personal ham radio and/or television tower and satellite TV dishes;
 - b. living quarters for up to 20 farm and ranch workers (on the farm or ranch where they are employed), or family members of any configuration or size supported by adequate water and sewage disposal in accordance with Section 5-320 K;
 - c. farm and/or ranch related commercial offices;
 - d. garages, parking and other equipment storage and supply buildings for use in all agricultural and related uses, operations and activities;
 - e. roadside stands for sale of locally grown vegetables, fruit and farm products;
 - f. farm and ranch buildings, storage sheds, and silos for storage and protection of farm and ranch products and livestock;
 - g. petroleum, fertilizer and chemical storage for personal (non-commercial) use;
 - h. Home Occupations and offices associated with Home Occupations (as defined in Article 6);

- i. storage of equipment, supplies and vehicles related to home occupations; and
 - j. outhouses, with County Environmental Health Department approval;
- IX. Bed and breakfast (with up to 10 guest bedrooms);
 - X. Day care homes;
 - XI. Hunting Lodges;
 - XII. Non-commercial indoor/outdoor shooting ranges and courses;
 - XIII. Non-commercial golf courses;
 - XIV. Private cemeteries;
 - XV. Private airstrips existing as of Dec. 31, 1998;
 - XVI. Restoration or reconstruction of any building damaged by fire or other natural disasters;
 - XVII. Auto Repair Shops; and
 - XVIII. Equestrian activities and private riding stables.

5-320 C. Uses Allowed Subject to Administrative Review

- I. Open Land Protection Subdivision Exemption for four or fewer lots (see Section 5-1207), and
- II. Minor Oil and Gas exploration, drilling and pipelines, including wells, and geophysical operations (refer to Section 5-26).

5-320 D. Uses Allowed Subject to One-step Planning Commission Special Use Permit Review (see Section 5-320 K.)

- I. Public recreation facilities;
- II. Churches, civic facilities, public emergency service facilities;
- III. Campgrounds and recreational vehicle (RV) parks; *State Standards*
- IV. Expansion of or new commercial mineral resource development and extraction operations and facilities;
- V. Public indoor/outdoor shooting ranges and courses;

- VI. Junk, scrap metal, auto wrecking, storage and salvage yards;
- VII. Auto sales;
- VIII. Construction contractors;
- IX. Commercial laundries, dry cleaning plants and self-service laundries;
- X. Appliance and equipment rental;
- XI. Automobile washing facilities;
- XII. Electrical and plumbing service shops;
- XII. Commercial storage units;
- XIV. Private airstrips constructed after Dec. 31, 1998; and
- XV. Guest Ranches.

5-320 E. Uses Allowed Subject to One-Step Board of County Commissioner Review

- I. Open Land Protection Subdivision Exemption for five or more lots (see Section 5-1207); and
- II. Subdivision Exemption for the West End to create 5 or fewer parcels of at least 3 acres each (see Section 5-1211).

5-320 F. Uses Allowed Subject to Two-Step Planning Commission and Board of Commissioners Special Use Permit Review (see Section 5-320 K.)

- I. Schools;
- II. Commercial golf courses;
- III. Utility service facilities such as utility lines and service centers;
- IV. Commercial feedlot operations, poultry hatcheries and production facilities, fish hatcheries, specialty domestic animal production farms, dairy farms, fur farms that are operated by someone other than the landowner;
- V. Cemeteries and crematoriums;
- VI. Solid waste sites or landfills;
- VII. Water and sewer treatment and storage facilities;

- VIII. Vehicular and animal race tracks;
- IX. Mobile home parks;
- X. Group homes for persons not covered pursuant to 30-28-115 C.R.S.;
- XI. New commercial operations such as retail food service, general stores;
- XII. New industrial operations;
- XIII. Gasoline stations and commercial gasoline storage facilities(which must meet all applicable State regulations); and
- XIV. Hotels and motels (excluding bed and breakfasts, guest ranches and hunting lodges).
- XV. Major Oil and Gas Facilities, including compressor stations, gas treatment facilities and pipelines (Section 5-320 K. does not apply, refer to Section 5-26).

5-320 G. Area and Bulk Requirements

I. Minimum Parcel Size

The minimum parcel size for a single-family residence is 3 acres. Two principal uses are allowed per parcel, including legally created parcels less than 3 acres created prior to the adoption of this section.

II. Setbacks

Front yard – 15 feet

Rear yard – 10 feet

Side yard – 10 feet

III. Maximum Height of Buildings - 35 feet (Agricultural Buildings are exempt from any height limit)

5-320 H. Minimum Off-street Parking

Off-street parking shall be provided for each approved use as required in Section 5-702.

5-320 I. Cemetery and Radio and Microwave Transmitting Station Standards

In addition to complying with the standards for special uses in Sections 5-320 K. and 5-10, cemeteries and radio and microwave transmitting stations shall comply

with the standards in this section.

- I. Such uses shall serve an obvious public need;
- II. Sufficient distance shall separate such uses from incompatible uses on adjacent properties; and
- III. Satisfactory proof shall be obtained that such areas will be properly maintained.

5-320 J. General Development Guidelines for all uses

- I. All uses must conform to the state health and sanitation requirements regarding potable water supply and sewage disposal;
- II. Before issuing a special use permit for any land use change adjoining or affecting agricultural lands, assurance must be established that adequate provisions are included that minimize or eliminate impacts on agricultural lands, including compliance with the following guidelines:
 - a. Fences shall be constructed to separate development from adjoining agricultural lands or stock drives. Both new and existing fences shall be properly maintained and repaired. Notification of the lot owner's duty to maintain such fences shall be provided on subdivision plats;
 - b. Where irrigation ditches cross or adjoin land proposed to be developed, adequate provisions shall be made to insure that the use of such ditches, including the maintenance thereof, can continue uninterruptedly; and
 - c. Existing historical easements utilized to gain access to ditches, head gates and fences for maintenance or operational purposes shall be preserved or replaced with alternate easements suitable for a continuation of the historic use.
- III. In addition, local landowners recognize that the cooperative existence between landowners and wildlife is a way of life. To assure the preservation of both farmers/ranchers and wildlife, the Colorado Parks and Wildlife is encouraged to maintain reasonable herd populations.

5-320 K. Review Standards for all WE Zone District Special Uses

All special uses shall:

- I. Be consistent with the County Master Plan, the County Land Use Policies in Article 2 and the purpose of the WE Zone District;

- II. Be consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, and/or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development;
- III. Be designed, located and operated so that the public health, safety and welfare will be protected;
- IV. Be located, designed and operated to minimize adverse effects, including impacts on scenic quality, pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibration and odor on surrounding properties;
- V. Provide adequate public facilities and services to serve the special use, including but not limited to roads, adequate water supply in terms of both quality and quantity, sewer, solid waste and fire protection;
- VI. Not substantially adversely affect agriculture or ranching operations and residences;
- VII. Only include roads, utilities and associated structures that bear logical relationships to existing topography and minimize cuts and fills; and
- VIII. Be consistent with the historic rural and agricultural character of the West End. Input from neighbors shall be considered by the County in determining consistency.

SECTION 2-9: SOIL, SURFICIAL GEOLOGIC CHARACTERISTICS AND RADIATION

It is the policy of the County to discourage inappropriate land uses or development in hazard areas; those areas susceptible to radiation hazards or to structural damage or failure resulting from soil and surficial geological characteristics such as shrink-swell, inadequate bearing capacity, inadequate groundwater drainage, frost heaving, or chemical reactions.

SECTION 2-10: DRAINAGE

It is the policy of the County to preserve the integrity of existing and natural drainage patterns in order that future public and private development activities do not cause or contribute to storm drainage and floodwater patterns exceeding the capacity of natural or constructed drainage ways, subject other areas to increased potential for damage by flood, erosion or sedimentation, or cause or contribute to polluting natural streams. New development must provide for structures and/or detention facilities necessary to insure that the runoff characteristics of a site are no more disruptive to natural streams, or existing land uses, or drainage systems than are the runoff characteristics in its natural state.

SECTION 2-11: EROSION

It is the policy of the County to prevent the acceleration of the erosion of soil and rock and whenever possible maintain vegetative cover to minimize soil disturbance.

SECTION 2-12: SCENIC QUALITY

It is the policy of the County to preserve the scenic quality of lands within the County for the benefit of its residents and the continued viability of a resort economy that is dependent upon the quality of its rural and natural setting. To this end, it is the policy of the County to:

2-1201

Preserve the natural appearance of the mountain slopes, particularly from major activity areas, public roads, and trails by regulating the location, height, design and screening of development;

2-1202

Minimize the adverse scenic effects of roads and facilities by regulating the location and use of future development and the expansion of existing development where new or increased roads and

facilities would be required to serve such areas and where the construction of such roads and facilities would impact the scenic quality of areas visible from public roads, trails or major activity centers;

2-1203

Minimize any adverse scenic effects of roads and other facilities by regulating their alignment, design, and construction so as to reduce their impact on the visual quality of any areas in the County, particularly public roads, trails and major activity areas;

2-1204

Control the use of natural areas to insure that development does not result in scars from fire, erosion or vandalism;

2-1205

Preserve and create scenic views of the surrounding mountains from public places within the County;

2-1206

Achieve visual quality within areas of existing and future development by prohibiting or mitigating the impacts of unsightly equipment, uses and structures; controlling the design and alignment of electricity and phone lines and similar facilities; and, where feasible, requiring such lines to be underground; specifying design standards such as setbacks, height limits, view corridors, historic zones and material requirements; controlling signs, and ensuring the rehabilitation of areas subject to temporary or discontinuous use, such as mines, pits and quarries; and

2-1207

Manage development within the designated view planes and the scenic foreground to preserve the natural appearances within the Telluride Region.

SECTION 2-13: AIR QUALITY

It is the policy of the County to permit only that development which will not contribute significantly to degradation of air quality in the County.

SAN MIGUEL COUNTY

BOARD OF COMMISSIONERS

ELAINE FISCHER

ART GOODTIMES

JOAN MAY

February 22, 2016

Barb Sharrow
BLM Acting Southwest District Manager
bsharrow@blm.gov
2465 South Townsend Ave.
Montrose, CO 81401

RE: Tri-State's Voluntary Conservation Measures for Montrose-Nucla-Cahone Transmission Improvement Project - Alternative A (rebuild in place) through Dry Creek Basin.

Dear Barb,

Thank you for keeping San Miguel County (SMC) informed regarding the ongoing discussions with the project applicant, Tri-State, on their proposed voluntary conservation measures for the Montrose-Nucla-Cahone Transmission Line Improvement Project. As you are well aware San Miguel County, as a Cooperating Agency, continues to support the proposed upgrade-in-place alignment in Dry Creek Basin, identified as Alternative A, in the Preliminary Environmental Assessment dated November 3, 2015. Additionally, SMC has consistently asked for and recommended that the applicant, the Bureau of Land Management (BLM), Colorado Parks and Wildlife (CPW) and the U.S. Fish and Wildlife Service (USFWS) work together cooperatively to identify viable mitigation strategies that will benefit Gunnison Sage-Grouse (GuSG) and their habitat within the San Miguel Basin to include land acquisition within or outside of the Dry Creek Basin.

As stated during our recent telephone conference, San Miguel County has received and had an opportunity to review the January 12, 2016 letter from Karl Myers, Tri-State Manager, to you concerning the PEA and their proposed voluntary conservation measures for the build-in-place option identified as Alternative A. In reading the PEA it states that Alternative A would result in a net benefit to GuSG in Dry Creek Basin relative to the baseline condition. As a part of Mr. Myers letter to you there is an offer and discussion of three (3) Conservation Options.

A primary purpose of this letter is to let you as the Acting Southwest Regional Manager know that San Miguel County supports Conservation Option #1 Off-site Habitat Acquisition and encourages the BLM as part of its Environmental Assessment to identify Alternative A as the preferred option and accept Tri-State's proposal to pursue its option to purchase a 500-acre parcel of private land located near Miramonte Reservoir in GuSG critical habitat as a voluntary conservation measure. It is our understanding in reading Mr. Myers letter to you and in speaking with CPW staff that CPW's GUSG biologist identified this site as high quality sage-grouse habitat with a potential lek on site. Tri-State would transfer this 500-acre site to CPW ownership.

San Miguel County agrees that the acquisition of this site that includes high quality habitat and a lek would increase the contiguous protected habitat owned and managed by CPW at the reservoir and in proximity to the Dan Noble Wildlife area, providing a significant direct benefit and protections to the San Miguel Basin GuSG population. It is our understanding that Tri-State is also pursuing one to two parcels identified in coordination with CPW located in critical habitat around the Gurley Reservoir. This position in support of Tri-State's Conservation Option #1-Off-site Habitat Acquisition is consistent with SMC's comments on the PEA as provided in our December 3, 2015 letter to Gina Jones concerning GuSG Habitat. In this letter we expressed our concerns that the EA is flawed with regard to habitat effectiveness in Dry Creek Basin and provided information about the poor quality of the habitat and stated that we believe that the evidence suggests that the habitat in Dry Creek Basin is only marginally effective and suitable for GuSG in its existing baseline condition. According to reports produced by the Colorado Division of Wildlife, now Colorado Parks and Wildlife for the San Miguel Basin GuSG Working Group 80% of the GuSG population is located in the Miramonte area where the better quality habitat occurs in the San Miguel Basin

A report on conservation strategies developed by CPW biologists and presented to the San Miguel Basin Working Group concludes "The biologic data collected to this point (lek counts, trapping and radio telemetry) all seems to indicate that the Miramonte Reservoir area forms the core of the San Miguel Basin GSG population. This area constitutes the largest single block of contiguous, high quality habitat available (12,000 acres). Lek counts (2004) also indicates a seasonal population over five times larger than any other in the Basin. For these reasons alone, it is clear that the Miramonte area will be critical in any effort to sustain or increase GSG population in the San Miguel Basin." We concur with this assessment and believe this area presents the greatest opportunity for improving SMC grouse populations and should be protected as opportunities arise.

Although table 20 in the Preliminary Environmental Assessment (PEA) states (and SMC agrees) that the applicant's proposed design features would provide a "net benefit to sage grouse relative to the No Action- baseline condition (existing H-frame)" SMC encourages CPW, BLM, USFWS, and Tri-State to continue to make it a priority to pursue permanent protection of GuSG habitat through acquisition of suitable high quality habitat while continuing to improve rangeland management to correct degraded conditions and restore wet meadows as opportunities arise.

It is our understanding from an informal conversation with BLM personnel that they were of the opinion that Tri-State's Conservation Option and proposal to purchase 500 acres of high quality habitat with a potential lek on site did not include a sufficient amount of land area to be considered by BLM as an appropriate mitigation or conservation measure for Alternative A. SMC doesn't understand or accept that there is a scientific basis for making such a statement that 500 acres is not a sufficient size area to offset the direct effects of the construction disturbance of Tri-States proposed Transmission Line Improvement Project. As SMC has asserted in our previous comment letter the 1,000 meter area of reduced habitat effectiveness metric used in the PEA to quantify impacts relative to GuSG is not supported by the best available science, is not useful or appropriate for comparing alternatives, and should not be used in assessing or evaluating alternatives nor should it be used as a metric for accepting or rejecting proposed mitigation of conservation measures.

SMC believes Tri-State has been very diligent in their efforts to present a proposal that will result in a net benefit to GuSG populations in the San Miguel Basin while avoiding conflicts with the County Land Use Plan, eliminating the need for potential condemnation litigation and protecting visual assets on which SMC places a high value. We hope these efforts will culminate in a project approval for Alternative A that satisfies the needs of all the stakeholders.

San Miguel County looks forward to a full discussion of and resolution of our concerns in the Final EA.

Sincerely,

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS



Joan May, Chair

Cc: Gina Jones, Connie Clementson, Jon Holst, Renzo Del Piccolo



Town Council
Dawna Morris, MAYOR
Judith Mayersmith, MAYOR PRO-TEM
Richard Craig, TRUSTEE
Tammy Gillaspay, TRUSTEE
Mark Jones, TRUSTEE
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TDD-711

BLM Southwest District
2465 S. Townsend Ave.,
Montrose, CO 81401

Attn: Gina Jones

The Town of Nucla would like to submit comment in support of the Tri-State Montrose-Nucla-Cahone (MNC) Transmission Line.

We believe the Tri-State Montrose-Nucla-Cahone (MNC) Transmission Line strengthens and ensures the continued reliability of electricity and broadband services in southwest Colorado, which is vital to our community and that Alternative A - Tri-State's proposed action as described in the EA.

Under this alternative, Tri-State will rebuild the existing 115-kV transmission line to 230-kV largely utilizing the existing transmission line corridor with the exception of the Dolores River Crossing, where a re-route is proposed to address maintenance access, worker safety and erosion concerns. We believe Alternative A is the most economical and environmentally responsible approach to meet the current and future needs of our community.

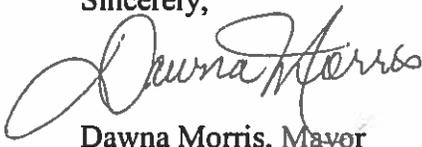
We support the project and Alternative A because it will provide the following benefits to our community:

- The existing line was built in 1958 and has exceeded its expected lifespan of 50 years. The line is requiring more frequent, substantial and costly repairs, and the age of the poles has made them susceptible to cracking, rotting, insect infestation and woodpecker damage. Greater maintenance means greater costs to ratepayers, as well as increased opportunities for incidents that could threaten worker safety.
- Existing and future operational restraints exist because the physical limitations of the line affect Tri-State's ability to serve the projected load growth. In addition to leaving the utility at greater risk of outages, the existing line simply does not have the capacity to handle future growth demands of our community.

- Rebuilding the MNC line aligns with larger regional goals within the overall system, which benefits our community and southwestern Colorado. Strengthening the electrical grid requires system upgrades, and the MNC rebuild is a piece of this greater objective.
- Tri-State provides and maintains a telecommunications network that our community relies on for emergency services and broadband access. The rebuild will replace the existing fiber optic cable that is currently located on the line to ensure continued reliable emergency communications and broadband service for the region.

The Town of Nucla appreciates all that you do to ensure wise use of our public lands and hope that the benefit mentioned in this letter will be considered and held to the highest importance in the decision making process.

Sincerely,

A handwritten signature in cursive script that reads "Dawna Morris". The signature is written in black ink and is positioned above the printed name.

Dawna Morris, Mayor

Nucla Town Board of Trustees,
Richard Craig
Mark Jones
Les Mahannah
Judith Mayersmith
Josh Newingham



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
445 West Gunnison Ave, Suite 240
Grand Junction, Colorado 81501-5711

IN REPLY REFER TO:
ES/CO: BLM/SWDO
TAILS 06E24100-2016-CPA-0007

December 4, 2015

Bureau of Land Management
Southwest District Office
Attn: Gina Jones
2465 S. Townsend Avenue
Montrose, Colorado 81401

Dear Ms. Jones:

The Fish and Wildlife Service (Service) has reviewed your November 3, 2015, Preliminary Environmental Assessment (EA) for the proposed Tri-State Montrose-Nucla-Cahone Transmission Line Improvement Project. The project is proposed to increase power capacity by replacing 80 miles of 115 kilovolt line with 230 kV line between Montrose and Cahone, Colorado.

The Service's primary concern with the rebuild is impacts to the Gunnison sage-grouse (*Centrocercus minimus*) in Dry Creek Basin (the Basin). The Service prefers that the line be moved adjacent to State Highway 141 as described in Alternative C. Moving the transmission line will consolidate impacts, thereby lessening habitat fragmentation. Upon review of the preliminary EA, we see that the northern end of the realigned route in the Basin is intended to run on the southwest side of an existing route (County Road 29W) in order to reconnect to the existing alignment. If Alternative C (realignment) is chosen as the preferred alternative, the Service prefers that the line reconnect to the existing alignment further north and east in order to move the line further away from occupied habitat. At a minimum we think the line should be placed on the northeast side of the County Road 29W so it is closer to the northern edge of occupied sage-grouse range and further into pinyon-juniper habitat.

We would like to see more detailed maps of access roads which identify existing and new routes. And, we would like to continue discussions with you on what species of native plants are proposed to be used for revegetation of disturbed areas in Dry Creek Basin.

We would like to continue to work with you on the appropriate level of mitigation for Gunnison sage-grouse if the line is rebuilt in the current alignment. As the Bureau of Land Management's (BLM) analysis indicates, moving the line to the road is expected to cause a net improvement of effective sage-grouse habitat by about 2,163 acres. As such, and specific to this project, the

Service will not request compensatory mitigation if the line is moved adjacent to the highway. Tri-State developed a mitigation strategy for leaving the line in the current alignment (Alternative A) that was included with the preliminary EA. The Service also provided recommended mitigation for Alternative A during an October 2, 2015, conference call with Tri-State, BLM, San Miguel County, and other involved parties. Our mitigation recommendations should be included in the EA.

To provide further information for your consideration, we are enclosing a white paper relating to transmission lines, their effects, and possible mitigation. As discussed there are three zones (Figure 2) reflecting differing types of impacts.

We commend BLM and Tri-State for their proposed plan to install monopoles and to implement other actions to reduce raptor/raven perching and nesting under either Alternative A or C. As an additional consideration, in conjunction with installment of spikes on the davit arms, the arms should be 8 inches wide or less, to more effectively limit the arms from being used as hunting perches and perhaps nesting. The most effective flight diverters should be used to limit collisions with the lines by sage-grouse and other birds.

Thank you for this opportunity to comment. If you need further information please contact Terry Ireland at (970) 628-7188 or Terry_Ireland@fws.gov.

Sincerely,

12/4/2015

 Ann Timberman

Signed by: ANN TIMBERMAN

Ann Timberman
Western Colorado Supervisor

Enclosure

Assessing Indirect Effects of Transmission Lines on Greater Sage-Grouse for the Gateway West Interstate Transmission Line Project

Prepared Jointly by
U.S. Fish and Wildlife Service and Bureau of Land Management

June 4, 2015

Introduction

Increasing expansion of human populations into the western United States has led to an increase in demand for natural resources and the necessary infrastructure to support them. Thousands of miles of new transmission line projects are currently proposed within the range of sage-grouse, potentially resulting in significant direct and indirect effects. As our nation continues to modernize and expand its energy transmission grid in sage-grouse states, the likelihood increases that transmission line projects will be proposed in sage-grouse habitats, including in high quality (e.g., Priority Area for Conservation or PAC) sage-grouse habitat.

The U.S. Fish and Wildlife Service (Service) and Bureau of Land Management (BLM; hereafter jointly called the Agencies) have reviewed Rocky Mountain Power and Idaho Power (hereafter jointly called the Companies) *Summary of Potential Sage-grouse Indirect Effects Quantification Approaches for the Gateway West Transmission Project Mitigation Plan* (Summary), and shared our initial comments and concerns with the Companies during an April 16, 2015, conference call. The Agencies appreciate the Companies' recognition that indirect effects to sage-grouse will occur due to the construction, operation, and maintenance of the Gateway West Transmission Line Project (Project). The Agencies are also encouraged with the Companies' willingness to consider un-modeled indirect effects. As noted by the Agencies during the conference call, we appreciate that the Companies' Summary has identified a scenario for each of the Agencies' three impact zones. We also find merit in some additional considerations presented in Scenarios 1-4 of the Companies' Summary. For example, the Agencies agree that accounting for existing anthropogenic disturbance on the landscape (Scenario 2) and incorporating some consideration of raven nesting densities (Scenario 3) are important elements to consider when calculating debits for indirect impacts to sage-grouse. The Agencies believe that the methodology for assessing indirect impacts due to avoidance, increased avian predation and presence, and decreased productivity and survival should incorporate these considerations. However, as summarized in Table 1, none of the Scenarios 1-4 presented in the Companies' Summary addresses all indirect effect mechanisms in question or the appropriate zones of influence for each. Only Scenario 5 has the ability to address all these indirect effect mechanisms and zones of influence, and therefore be consistent with guidance provided in the *Conservation Objectives Team Report* (COT Report; USFWS 2013), the *Rangewide Sage-Grouse Mitigation Framework* (Mitigation Framework; USFWS 2014), and BLM's Instruction Memorandum 2013-142, *Interim Policy, Draft – Regional Mitigation Manual Section -1794* (BLM 2013).

Table 1. Evaluation of the Companies' Summary indirect effects methodologies (Scenarios) and how each addresses the mechanisms and zone affected by each indirect effect type.

Indirect Effects	Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5
Avoidance	Addressed Appropriate buffer covered	Addressed Appropriate buffer covered	Not addressed	Not addressed	Addressed Appropriate buffer covered
Increased Avian Predation and Presence	Not addressed	Addressed Appropriate buffer NOT covered	Addressed Appropriate buffer NOT covered	Not addressed	Addressed Appropriate buffer covered
Decreased Productivity and Survival	Not addressed	Not addressed	Not addressed	Addressed Appropriate buffer covered	Addressed Appropriate buffer covered

During the April 16 conference call, the Agencies provided a summary of recent scientific literature on indirect effects of transmission lines that supports Scenario 5, including three zones of impact that are indicated by recent science, types of impact that sage-grouse will experience, and level of certainty/degree of flexibility that the Agencies have identified from this latest science. As stated by the Agencies during the April 16 conference call, we believe that any approach to assess and mitigate indirect effects that does not comprehensively address avoidance, increased avian presence and predation, and decreased productivity and survival will be inadequate. However, we also identified the opportunity to collaboratively address habitat services reduced by indirect effects within each impact zone, and we identified project design considerations, such as collocation of transmission lines at narrowest-allowable separation distance, that could greatly reduce the Project's indirect effects and mitigation burden.

Background on Indirect Effects

Power lines are common to nearly every type of anthropogenic (human-influenced) habitat use. Major power lines directly influence approximately 3.8 million acres (2.7%) of sage-grouse habitat throughout the range of the species, and may indirectly influence 44% of sage-grouse habitats rangewide (Manier *et al.* 2013).

Mechanisms of Impact of Transmission Lines

Besides the physical footprint of a power line that permanently alters sage-grouse habitat, power lines also can cause long-term direct effects to sage-grouse by posing collision and electrocution hazards (Braun 1998; Connelly *et al.* 2000a; Schroeder 2010) and can have long-term indirect effects by decreasing lek recruitment (Braun *et al.* 2002; Schroeder 2010), increasing predation (Connelly *et al.* 2004; Gibson *et al.* 2013a), facilitating the invasion of nonnative invasive annual plants that degrade habitat (Knick *et al.* 2003; Connelly *et al.* 2004), causing behavioral avoidance (Gillan *et al.* 2013; Dinkins *et al.* 2014b), and acting as a potential barrier to movement (Pruett *et al.* 2009; WHCWG 2010; Shirk *et al.* 2015). The indirect influence, or ecological footprint, of a power line extends out further than the physical footprint of the infrastructure (Knick *et al.* 2011).

Based on presence of power lines and related factors, sage-grouse and other related species have been observed to shift their habitat use away from these features. In a comparative study between extirpated and extant sage-grouse populations, occupied sage-grouse range was greater than 15-km from transmission lines (Wisdom *et al.* 2011). Another study determined that sage-grouse leks were absent from areas where power line densities exceeded 0.20 km/km² (Knick *et al.* 2013). Several studies have identified significant decrease in sage-grouse use of suitable habitat within 500-600-m of a power line (Braun 1998; Hanser *et al.* 2011; Gillan *et al.* 2013) and this adverse response to power lines appears to be most significant during brood-rearing (Dinkins *et al.* 2014b). In Washington, 95% of leks located within 7.5-km of 500-kV power lines are now vacant compared with a vacancy rate of 59% at greater distances (Schroeder 2010), and results from a study on connectivity demonstrated that transmission lines provide resistance to sage-grouse movement, gene flow, and lek activity (Shirk *et al.* 2015). In addition, both lesser and greater prairie-chicken (prairie grouse with similar reproduction and life history strategies) crossed power lines less often than nearby roads, which suggests that power lines may be a greater barrier to movement (Pruett *et al.* 2009).

The construction and maintenance of power lines can facilitate the spread of nonnative invasive plant species (such as cheatgrass) as equipment is taken off-road and into habitats that would not normally be traveled (Gelbard and Belnap 2003; Knick *et al.* 2003; Connelly *et al.* 2004). The spread of invasive grasses facilitates more frequent fires. Of 8,028 fires that burned from 2005 through 2014 in priority and general sage-grouse habitats, 28% were human-caused. The most common human-caused fires were from power lines, vehicles, and equipment use (Havlina *et al.* 2014).

The ability to detect ultraviolet light is common in many species of diurnal birds (Ödeen and Håstad 2013), and is utilized to inform behavioral decisions (Cuthill *et al.* 2000). Because ultraviolet discharges occur on transmission lines and appear as standing coronas and irregular flashes on insulators, it has been suggested that avoidance of transmission lines may be linked with the ability of animals (including galliformes such as sage-grouse) to detect ultraviolet light (Tyler *et al.* 2014). In addition, sage-grouse may avoid the electromagnetic fields produced by power lines (Wisdom *et al.* 2011).

Raptors and corvids (e.g. ravens) have been shown to use new power lines as soon as the first breeding season post-construction (Steenhoff *et al.* 1993), leading to large increases in nesting pairs of avian predators (Steenhoff *et al.* 1993; Atamian *et al.* 2007), often in habitats that are typically devoid of trees or other natural tall structures (Ellis 1984; Steenhoff *et al.* 1993; Connelly *et al.* 2000; Manville 2002; Vander Haegen *et al.* 2002; Howe *et al.* 2014). Studies suggest that the introduction of anthropogenic structures into sage-brush habitats may unnaturally increase raven abundance (Boarman 1993) and also increase predation success on sage-grouse nests by providing taller hunting perches (Knight and Kawashima 1993).

At the request of the U.S. Department of the Interior, the U.S. Geological Survey (Manier *et al.* 2014) compiled and summarized scientific studies that evaluated the influence of anthropogenic activities and infrastructure on sage-grouse. The Manier *et al.* (2014) report identified a literature-derived minimum buffer of 1-km to a maximum buffer of 18-km from leks to infrastructure (such as transmission line projects) for observed effects on sage-grouse. The authors of the report then developed a range of potential conservation buffers (3.3 to 8-km) around infrastructure projects, based on interpretation of literature and the distribution of sage-grouse around leks (Manier *et al.* 2014).

Previous Assertions of Scientific Uncertainty

Prior analysis and compensation for indirect effects to sage-grouse from transmission line projects has been de-emphasized by utilities and authorizing entities because of assertions that a non Before-After-Control-Impact (BACI) study design could not isolate the indirect effects as accruing from a transmission line alone. Siting guidelines and protective stipulations for utility infrastructure in sage-grouse areas therefore vary between state and federal agencies, as well as within federal agencies (Messmer et al. 2013). However, research investigating the relationship between transmission lines and sage-grouse habitat use and population dynamics has been underway for some time now. Recently completed short-term (<5 years) and long-term (>5 years) studies have now contributed greatly to our understanding of this complex transmission line - sage-grouse habitat use - sage-grouse population dynamics relationship, and our knowledge on the subject is continually increasing as on-going studies release preliminary information, are finalized, and researchers publish their findings.

Agencies' Review and Interpretation of Recent Indirect Effects Studies

The studies discussed in Mechanisms of Impact of Transmission Lines, above, provide a substantial and meaningful basis for the Agencies to be concerned that new transmission line projects, like Gateway West, will cause new, long-term indirect effects to sage-grouse. The Agencies have carefully reviewed more recent literature and science of sage-grouse indirect effects from transmission lines and developed an approach to better quantify various mechanisms of these indirect effects. The Agencies' methodology targets the various mechanisms of these indirect effects and includes the use of discreet "disturbance bands" to represent the overlapping zones of influence and associated reduction of habitat services, as identified in Scenario 5 of the Companies' Summary. Within each indirect impact assessment section below we identify key information from recent studies that led to the Agencies' analytical guidance for each indirect impact zone, including buffer distance. We also provide supporting information, such as habitat type and timing of habitat use, from these studies that will assist with collaborative determination of magnitude of indirect impact (i.e., habitat services reduced) within each indirect impact zone. Finally, we provide guidance for a sequential, collaborative process that will lead to final quantification of the Project's indirect effects to sage-grouse.

Indirect impacts are in addition to the direct habitat loss associated with the Project's physical footprint. Depending on the type of indirect impact, not all functions or habitat services would be lost from the indirectly impacted habitat. Habitat services include the ecosystem features (physical site-specific characteristics of an ecosystem) and ecosystem functions (biophysical processes that occur within an ecosystem) that support sage-grouse and other wildlife (including insect) populations. Habitat services are generally quantified using a metric that represents the functionality of habitat (i.e., the ability of the habitat to provide wildlife services such as nest sites, forage, cover from predators, etc.). For each kind of indirect impact identified below, a habitat services reduction adjustment factor should be applied to the acres of indirectly affected habitats to reflect the reduced, but not complete loss of, habitat services in that impacted habitat zone. The reduction of habitat services for each indirect impact zone is presented as a range of percentages that can be utilized to calculate mitigation debits that will be necessary to offset indirect impacts.

The Project will accrue indirect impacts to sage-grouse via the following main categories: avoidance of transmission lines, increased avian predator presence and predation, and decreased productivity and survival (i.e., higher nest failure and female mortality).

Avoidance

In west-central Idaho, a spatial analysis of sage-grouse locations showed a significant avoidance of power lines by 600-m (Gillan *et al.* 2013). In a study of sage-grouse scat (i.e., pellets) locations in the Wyoming Basins Ecoregional Assessment areas, presence of anthropogenic features (e.g., power lines) negatively affected sage-grouse occurrence, as indicated by significantly lower number of sage-grouse pellet piles within 500-m of power lines (Hanser *et al.* 2011). Similarly, models developed in Washington state demonstrated that power lines affect sage-grouse movement, gene flow, and lek activity to distances greater than 500-m (WHCWG 2012; Shirk *et al.* 2015). These studies indicate that while avoidance-related indirect impacts will be greater during sage-grouse breeding season and within breeding habitat, these indirect impacts also will occur during other periods of the year and in all sage-grouse habitats. Avoided habitats may otherwise exhibit vegetative characteristics equal to highly suitable habitat (Hall and Haney 1997; Braun 1998).

After considering these recent studies, especially the Gillan *et al.* (2013) paper, the Agencies recommend a **600-m impact zone** from the transmission line to quantify the reduction of habitat use. In addition, these studies indicate that regardless of habitat type or quality, sage-grouse avoidance behavior leads to a substantial, if not significant, loss of habitat functionality and landscape permeability for migratory movement within this impact zone. Because behavioral avoidance of the transmission line affects lek attendance and persistence, nest site selection, and habitat use, the Agencies recommend a **high (75-90%) habitat services reduction adjustment factor** be assigned to account for the reduction of habitat functionality within 600-m of the transmission line. The Agencies recognize that habitat functionality is not fully lost, because individual sage-grouse may still be found within this zone of influence. However, due to these above elements, the Agencies believe that there is a limited amount of negotiation space available to set this impact zone's habitat services reduction estimate (Table 2).

Increased Avian Predator Presence and Predation

Nest depredation is the primary cause of sage-grouse nest failure (Gregg *et al.* 1994; Schroeder and Baydack 2001; Holloran 2005; Lockyer *et al.* 2013), and predation-related sage-grouse chick and fledgling mortality have a significant influence on sage-grouse population growth rate (Guttery *et al.* 2013). Corvids benefit from human activity and are implicated as a significant predator on many native species (Marzluff and Neatherlin 2006). Corvids, particularly ravens, have been documented as the most common avian nest predator of sage-grouse (Vander Haegen *et al.* 2002), accounting for almost 50% of depredations in some locations (Lockyer *et al.* 2013). In sagebrush habitats, which are typically devoid of many types of natural vertical structures, such as trees, ravens and raptors have been shown to select power lines as perching, roosting and nesting substrates (Kristan and Boarman 2007, Howe *et al.* 2014). The introduction of anthropogenic structures into these habitats may unnaturally increase raven and raptor abundance (Boarman 1993) and also predation success on sage-grouse nests, fledglings, and adult hens by providing taller hunting perches (Knight and Kawashima 1993). Howe *et al.* (2014) studied nest site selection by ravens and found that the probability of locating nesting ravens decreased 31% for each 1-km away from a transmission line. Additionally, recent research has indicated that raven occurrence during the sage-grouse nesting period was highest within 2.2-km of transmission lines, independent of raven breeding status (Coates *et al.* 2014).

Ravens are less mobile during the nesting period, which coincides with the nesting and brood-rearing of sage-grouse, when ravens spend approximately 75% of their time foraging close to the nest (Sherman 1993). Information compiled by Boarman and Heinrich (1999) indicated that ravens opportunistically forage within 1.2-km (570 ± 707 -m) of their nest site. Bui *et al.* (2010) found that the abundance of nesting ravens was more significantly related to sage-grouse nest depredation, suggesting that nesting territorial ravens were more harmful to sage-grouse than transient non-breeding ravens. Coates and Delehanty (2010) found that an increase of 1 raven per 10-km survey transects associated with sage-grouse nest sites resulted in a 7.4% increase in the odds of sage-grouse nest failure.

Transmission line construction could potentially lead to more territorial ravens using subsidized nest sites. Because ravens are the primary avian nest predators of sage-grouse (territorial ravens in particular) and their abundance is greatest near transmissions lines (independent of tower locations), it can be assumed that sage-grouse nest depredation risk is high for sage-grouse nesting near the proposed Project. Therefore, the Agencies suggest using the largest foraging distance for nesting ravens identified in Boarman and Heinrich (1999), and recommend a **1,200-m impact zone** from the transmission line to quantify the area that will receive higher predation pressure on sage-grouse. The increased presence of avian predators near transmission lines and concomitant enhanced predation opportunities affect sage-grouse nest success in particular. Increased predation will likely be limited to sage-grouse nesting and brood rearing habitats, and occur during nesting and brood-rearing periods. Increased predation would likely impact lek attendance, male survival, female survival, nest survival, brood survival, and habitat use. Although a fair amount of habitat functionality would remain to accommodate general adult foraging and non-breeding season habitat use, a majority of nests within this zone of influence would be depredated by ravens at saturation densities (e.g., nests on every tower). However, because intra-specific territorial behavior and BMPs and design features (e.g., perch/nest deterrents, monopole towers) will limit the density of nesting ravens and raptors along the transmission line, a **moderate (20-50%) habitat services reduction adjustment factor** is recommended to account for the reduction of functionality within this zone of increased avian predator presence and predation (Table 2). The wide range in the habitat services reduction adjustment factor in this impact zone is due to the site-specific variability of the metrics (i.e., local raven and raptor nest presence, local raven and raptor nesting densities) that inform the estimate, as well as differences in design and BMPs that are applied to reduce raven and raptor nesting success on Project features. Due to these elements, the Agencies' believe there is a moderate amount of negotiation space available to set this impact zone's habitat services reduction estimate (Table 2).

Decreased Productivity and Survival

Recent research suggests that several factors associated with transmission lines, including habitat fragmentation, spread of non-native plants, increased presence of predators, and increased power line-associated disturbance, work in concert and influence sage-grouse demographic vital rates (Coates and Delehanty 2010; Wisdom *et al.* 2011; Gibson *et al.* 2013; Lockyer *et al.* 2013; Dinkins *et al.* 2014a). Tall structures, such as transmission lines, are known to provide avian predator perches that are higher than local vegetation and topography in certain locations (Ellis 1984; Braun 1998), and it's likely that avian predators (e.g. corvids and raptors) of sage-grouse nests and adults use transmission line features (i.e., towers and conductors) to increase hunting efficiency, thereby reducing sage-grouse adult survival and nest success. Nesting and brood-rearing sage-grouse have been shown to avoid areas with increased raven density (Dinkins *et al.* 2012), and hen survival has been shown to be negatively associated with power line density (Dinkins *et al.* 2014a).

It is hypothesized that sage-grouse avoid power lines due to an increase in perceived predation risk, which leads to sage-grouse lek abandonment and loss of functionality of habitats (Hall and Haney 1997; Braun 1998). In Washington, 95 percent of leks located within 7.5-km of 500-kV transmission lines are now vacant compared to a vacancy rate of 59 percent at greater distances (Schroeder 2010). Lek declines are often driven by decreased recruitment of males (Braun 1986; Braun 1998; Holloran 2005). Recruitment may be affected by productivity of nesting females (Lyon and Anderson 2003; Holloran 2005), and female survival and nest success have an important influence on sage-grouse population growth (Taylor *et al.* 2012).

Due to sage-grouse site fidelity, sage-grouse do not appear to select nest sites away from the transmission line based on two recent studies (Gibson *et al.* 2013 and Dinkins *et al.* 2014b); however, those sage-grouse that nested closer to the line were more likely to demonstrate decreased nest success and lower female survival. Results indicate that nest and female survival improves for each 5-km between the nest and the transmission line out to 20-km from the project centerline (Gibson *et al.* 2013). Because the Falcon to Gondor transmission line was specifically designed to minimize disturbance to sage-grouse, the influence of transmission lines in general on sage-grouse demographic rates may actually be underestimated.

Because productivity (nest, chick, and fledgling survival) and adult hen survival have the most influence on population growth rates (Taylor *et al.* 2012; Guttery *et al.* 2013), and the Falcon to Gondor project demonstrated that these vital rates are affected most within 5-km of the transmission line, the Agencies' recommend a **5,000-m impact zone** to account for the loss of habitat functionality attributable to decreased productivity and survival (Table 2). This decreased productivity and survival is applicable to nesting and brood rearing habitat. While the Agencies acknowledge that the Falcon to Gondor study observed effects out to 20,000-m, the Agencies anticipate that in most situations there are other confounding factors (e.g. large interstate highways, other transmission lines, etc.) that likely are exerting effects at distances greater than 5,000-m, and therefore support 5,000-m as a more reasonable limit to this impact zone.

Similar to the increased avian predator presence and predation disturbance band, much habitat functionality would remain in this outer impact zone to accommodate general adult foraging and non-breeding season habitat use, and intra-specific territorial behavior of ravens and BMPs and design features would similarly will limit the density of nesting ravens along the transmission line. Therefore, a **low (5-40%) habitat services reduction adjustment factor** is recommended to account for the reduction of functionality within the decreased productivity and survival impact zone (Table 2). The wide range in the habitat services reduction adjustment factor in this impact zone is due to the site-specific variability of the metrics (i.e., local nest success, local raven nesting densities) that inform the estimate. Due to these elements, the Agencies' believe there is a moderate amount of negotiation space available to set this impact zone's habitat services reduction estimate (Table 2).

Summary of Indirect Effects Studies

Although quantifying indirect impacts can be a complex task, and some uncertainty remains as how to enumerate the magnitude of the effect (e.g., habitat services reductions and the resulting functional acre losses), information from these recent papers provide a substantial and meaningful basis for the Agencies to recommend that new transmission line projects, like Gateway West, evaluate and mitigate for indirect effects to sage-grouse. Based on the above research and discussion, the Agencies have significant basis to support an indirect effects analysis comprised of three impact zones. Impacts to sage-grouse in these zones will vary in intensity and by habitat type. Figure 1 provides an example of how the Agencies recommend the three impact zones be applied to the Project. Table 2 identifies the zones of impact and provides the Agencies' rationale and guidance for development of a collaboratively-negotiated indirect effects analysis for the Project. A complete indirect effects analysis, consistent with guidance herein, will be necessary for development of mitigation actions to offset the Project's indirect impacts.

Table 2. Summary of Analysis and Calculation of Indirect Effects Methodology

Indirect Effect	Mechanism and Impact of Concern	Relevant Research	Confidence Level in Science, Magnitude of Effect, Negotiation Flexibility
<p>Avoidance</p> <p>Zone of Influence: 600-m</p> <p>Applies to: All sage-grouse habitat</p>	<p>Avoidance of areas in proximity to transmission lines affects:</p> <ul style="list-style-type: none"> • General habitat use • lek attendance and persistence • seasonal movements/population connectivity 	<p>Hanser <i>et al.</i> 2011 (500-m) WHCWG 2012 (500-m) Gillan <i>et al.</i> 2013 (600-m) Shirk <i>et al.</i> 2015 (>500-m)</p>	<p>Confidence in Zone of Influence: HIGH</p> <ul style="list-style-type: none"> • 600-m buffer <p>Confidence in Effect: HIGH</p> <ul style="list-style-type: none"> • Avoidance of anthropogenic features leads to a substantial loss of sage-grouse habitat <p>Habitat Service Reduction (HSR) and contributing metrics: HIGH</p> <ul style="list-style-type: none"> • Significance level of habitat non-use <p>HSR Negotiation Space: LIMITED</p>
<p>Increased Avian Predator Presence and Predation</p> <p>Zone of Influence: 1,200-m</p> <p>Applies to: Sage-grouse nesting and brood-rearing habitat</p>	<p>Transmission line subsidies for perching and nesting ravens (and other raptors) affects:</p> <ul style="list-style-type: none"> • nest survival • brood survival • adult survival • lek attendance and persistence 	<p>Howe <i>et al.</i> 2014 Coates <i>et al.</i> 2014 Coates and Delehanty 2004 Bui <i>et al.</i> 2010 Boarman and Heinrich 1999 Knight and Kawashima 1993</p>	<p>Confidence in Zone of Influence: HIGH</p> <ul style="list-style-type: none"> • 1,200-m buffer <p>Confidence in Effect: HIGH</p> <ul style="list-style-type: none"> • Some functionality of the habitat would remain and continue to be used by sage-grouse, but most significant impacts to nest success would occur within this zone of impact <p>Habitat Service Reduction (HSR) and contributing metrics: MODERATE</p> <ul style="list-style-type: none"> • Raven and Raptor Nest Presence • Raven and Raptor Nesting Density • Length of Breeding Season <p>HSR Negotiation Space: MODERATE</p>
<p>Decreased Productivity and Survival</p> <p>Zone of Influence: 5,000-m</p> <p>Applies to: Sage-grouse nesting and brood-rearing habitat</p>	<p>Reduced nest success and lowered hen survival are affected by the presence of a transmission line. Chick survival and hen survival have the most influence on growth rate, thus inferences to decreased recruitment are reasonable, affecting:</p> <ul style="list-style-type: none"> • nest survival • brood survival • adult survival (females in particular) • lek attendance and persistence 	<p>Gibson <i>et al.</i> 2013 Schroeder 2010</p>	<p>Confidence in Zone of Influence: MODERATE</p> <ul style="list-style-type: none"> • 5,000-m buffer <p>Confidence in Effect: MODERATE</p> <ul style="list-style-type: none"> • Majority of habitat services would remain, however sage-grouse growth rates are particularly influenced by hen and chick survival <p>Habitat Service Reduction (HSR) and contributing metrics: LOW</p> <ul style="list-style-type: none"> • Nest Success • Female Survival • Raven Nesting Density • Length of Breeding Season <p>HSR Negotiation Space: MODERATE</p>

Considerations for Existing Anthropogenic Influences and Other Strategies to Reduce Indirect Effects

Certain already-proposed and/or additional, voluntary Project design considerations, such as undergrounding the new transmission line through discrete areas, colocation of the Project with existing transmission or other infrastructure features, and use of non-guy-wired monopole towers in sage-grouse breeding habitat, may be effective in reducing indirect effects of the new transmission line.

Undergrounding

The indirect effects to sage-grouse discussed above are avoided in areas where a new transmission line is placed underground. Undergrounding new transmission lines in sage-grouse habitat is recommended in BLM's Instruction Memorandum 2012-043 (BLM 2012), the National Technical Team Report (NTT Report; SGNTT 2011) and COT Report (USFWS 2013). As undergrounding requires significant funding and risk commitments from a transmission line project applicant, the Agencies recommend this method in locations and for discrete distances where there are no other feasible alternatives to siting new transmission lines within sage-grouse PAC habitats. The Agencies anticipate that an underground design employed in PAC habitat, while having some construction-related direct habitat disturbance impacts in the construction right-of-way that will take time to restore, will ultimately result in a significant avoidance and/or reduction in long-term indirect effects to PAC habitats in comparison to indirect effects that would occur from an overhead transmission line design. While undergrounding has not yet been widely employed to avoid indirect impacts to high quality wildlife habitat, several recent and ongoing transmission line permitting processes are considering or requiring undergrounding new transmission lines for limited, discrete distances.

Colocation

Colocating new transmission lines alongside existing transmission lines is identified as a method to reduce impacts to sage-grouse in NTT and COT reports and various State sage-grouse management plans (e.g., State of Nevada 2010). Indirect effects to sage-grouse are minimized when a new transmission line is sited adjacent to an existing transmission line. Due to the already-realized indirect impacts to sage-grouse from an existing transmission line (Figure 2), colocation of a new transmission line project within this existing impact zone will result in reduced indirect impacts to sage-grouse from the new Project (Figure 3). The greatest reduction in indirect effects will occur when the new transmission line is placed at the narrowest allowable centerline-to-centerline separation distance from the existing transmission line.

Self-Supporting Monopole Towers

Transmission towers that have multiple horizontal avian predator nesting and perching surfaces (e.g., self-supporting lattice tower) will likely be a long-term source of increased sage-grouse predation where those towers occur in and near sage-grouse breeding habitat (Graul 1980; Ellis 1984; Ellis 1985; Steenhof *et al.* 1993). Secondly, towers supported by guy wires will likely increase the incidence of adult sage-grouse collisions that occur over the life of a transmission line's operations. As a new transmission line operating in sage-grouse habitat will accrue these indirect effects for decades or longer, the Agencies anticipate that use of self-supporting monopole towers, installed (at a minimum) in and near sage-grouse breeding habitats and in combination with other avian predator nest management activities, will provide a significant reduction in the Project's sage-grouse indirect effects when compared to use of self-supporting lattice towers or various designs of guy-wired towers.

Agencies' Indirect Effects Analytical Guidance

The following steps would be utilized in a sequential fashion to calculate mitigation debits for the indirect impacts discussed above. Acres would constitute the common currency for tracking indirect impacts debits across impact types and jurisdictional boundaries. For ease in comparison, the Agencies anticipate acres would also be used as a common currency to subsequently define mitigation credits that are necessary for offsetting the Project's indirect effects.

The Agencies recommend the Project's mitigation debits be calculated in a sequential fashion, using the following steps. Additional guidance is provided below for steps 1-3.

1. Calculate acres of indirect effects that will accrue to the impacted habitat types within each of the three indirect impact zones (see Figure 1).
2. Adjust acres of indirect effects within each of the three indirect impact zones based on collaboratively-identified services reduction adjustment factors (see Table 3).
3. Further adjust acres of indirect effects within each of the three indirect impact zones based on considerations of existing anthropogenic influences as well as any Project design considerations (above) that are applied.
4. If appropriate, multiply adjusted indirect effect debits, as quantified in steps 1-3, above, by a mitigation ratio(s). Mitigation ratio(s) could be used to address new indirect impacts to highest-importance sage-grouse habitats, such as PAC habitats, to assist in ensuring the overall Project achieves a net conservation benefit to sage-grouse.

Calculate and Adjust Habitat Services Within Impact Zones

As discussed above, new transmission lines will accrue indirect impacts to sage-grouse through the following main categories of indirect impact: avoidance of transmission lines, increased avian predator presence and predation, and decreased productivity and survival. The identified habitat services reduction (HSR) adjustment factors for each of the indirect impact zones is intended to reflect the reduced, but not complete loss of habitat services in the area that would be impacted by a new transmission line. Indirect impact zone widths and associated HSR adjustment factors for this example were discussed above, and are presented in Table 3 and displayed in Figure 2.

Table 3. Summary of Indirect Impact Zones and Percent of Habitat Services Reduced¹

Indirect Impact Type	Impact Zone	Habitat Services Reduction (%)
Avoidance	0-600 m	75-90%
Increased Avian Predator Presence and Predation	>600-1,200 m	20-50%
Decreased Productivity and Survival	>1,200-5,000 m	5-40%

¹ For demonstration purposes, the habitat service reduction values depicted in Figures 2 and 3 represent the highest value within the habitat service reduction range identified in Table 3. The specific habitat service reduction value for each impact zone will be open for varying degrees of negotiation, as discussed above and identified in Table 2, before being finalized.

Consider Existing Anthropogenic Influences and Project Design Considerations

The Project Design Considerations (above) may be applied to reduce indirect effects where there are existing anthropogenic influences, or when there are minimal anthropogenic influences in the Project's indirect impact zones. Existing anthropomorphic features and activities already have directly and indirectly reduced the quality of sage-grouse habitats. Existing anthropomorphic features that occur within the Project's indirect impact zones therefore will already have reduced or removed available habitat services, resulting in less overall indirect Project effects than in similar sage-grouse habitat that does not have these existing anthropogenic features and impacts. An example of how to account for existing anthropogenic impacts when calculating the Project's new indirect impacts is provided, below.

To account for an existing anthropogenic influence (e.g., an existing transmission line) and its already-realized impact zones, the habitat services currently remaining on the landscape and the HSR with the addition of a new transmission line would be analyzed using GIS (Figures 2 and 3). This methodology is spatially explicit and recognizes that every transmission line (present and future) has indirect impact zones of influence (impact zones) with accompanying reductions in habitat services. This analysis takes into account where new impact zones occur with the new transmission line, where the new and existing impact zones overlap, and where they don't. In general, the methodology functions as follows: as new transmission lines and their associated impact zones overlap existing transmission line impact zones, the remaining habitat services are further reduced based on the associated percent loss of habitat services attributed to the particular overlapping impact zone.

For example, within the 600-m Avoidance impact zone of an existing transmission line (not located adjacent to another existing line and, for demonstration purposes, using the higher end of HSR value range), 10% of the habitat services would be remaining because 90% of the habitat services would already have been lost. To account for the further reduction in habitat services that would be lost within the 600-m Avoidance impact zone with the addition of a new colocated transmission line, the change in habitat services where the 600-m Avoidance impact zones overlap would be calculated by removing 90% of the remaining 10% of habitat services, or 9% of the habitat services (i.e., $0.90 \times 0.10 = 0.09$). The spatially explicit implication of this analytical methodology results in a direct relationship between separation distance and habitat services reductions (i.e., smaller separation distance between colocated transmission lines results in less overall habitat service reductions). Colocating transmission lines at the narrowest allowable separation distance (i.e., 250 ft) will result in significantly lower indirect effects (and therefore significantly less compensatory mitigation burden) than a wider (e.g., 1,500 ft) separation distance. Figure 3 provides an example of calculating the indirect effects of a new project after colocation with an existing project, using several possible HSR values.

To calculate the number of acres of indirect effects for a new transmission line that is colocated with an existing transmission line, the following steps are utilized to adjust indirect effect debits for each impact zone (see Figure 3):

1. Calculate the existing transmission project's already-realized indirect impacts for each of the three indirect impact zones;
2. Calculate the number of new (non-overlapping) and overlapping acres for each of the three impact zones;
3. Multiply the number of non-overlapping and overlapping acres within each impact zone (from Step 2, above) by the modified HSR percent (from Table 3) to obtain additionally-reduced acreages from each impact zone;
4. The acreages from Step 3 are then summed to determine total indirect impact acre debits of the new colocated project.

Figure 2. Disturbance Bands and Habitat Service Reduction Adjustment Factors - Existing Transmission Line

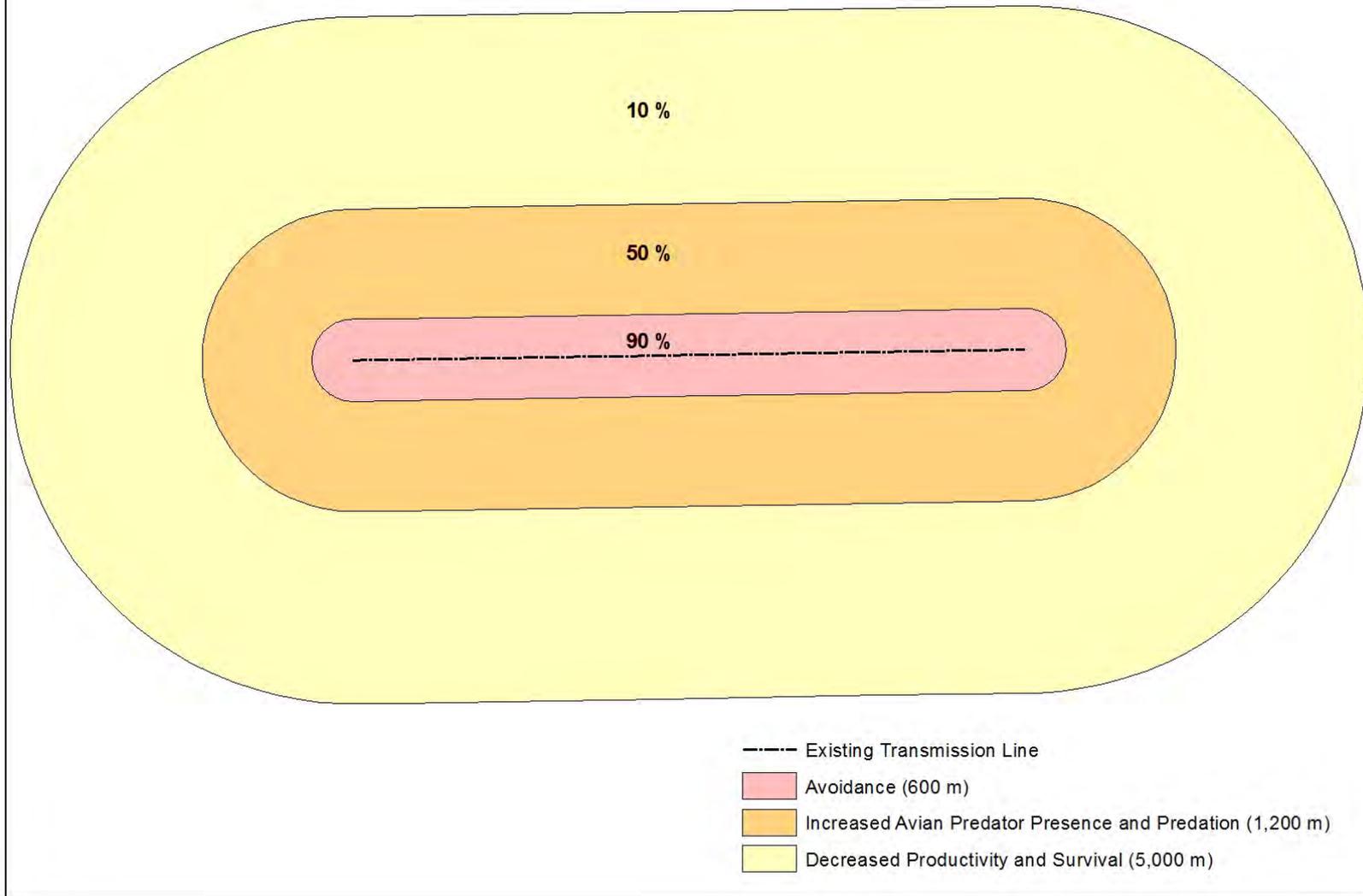
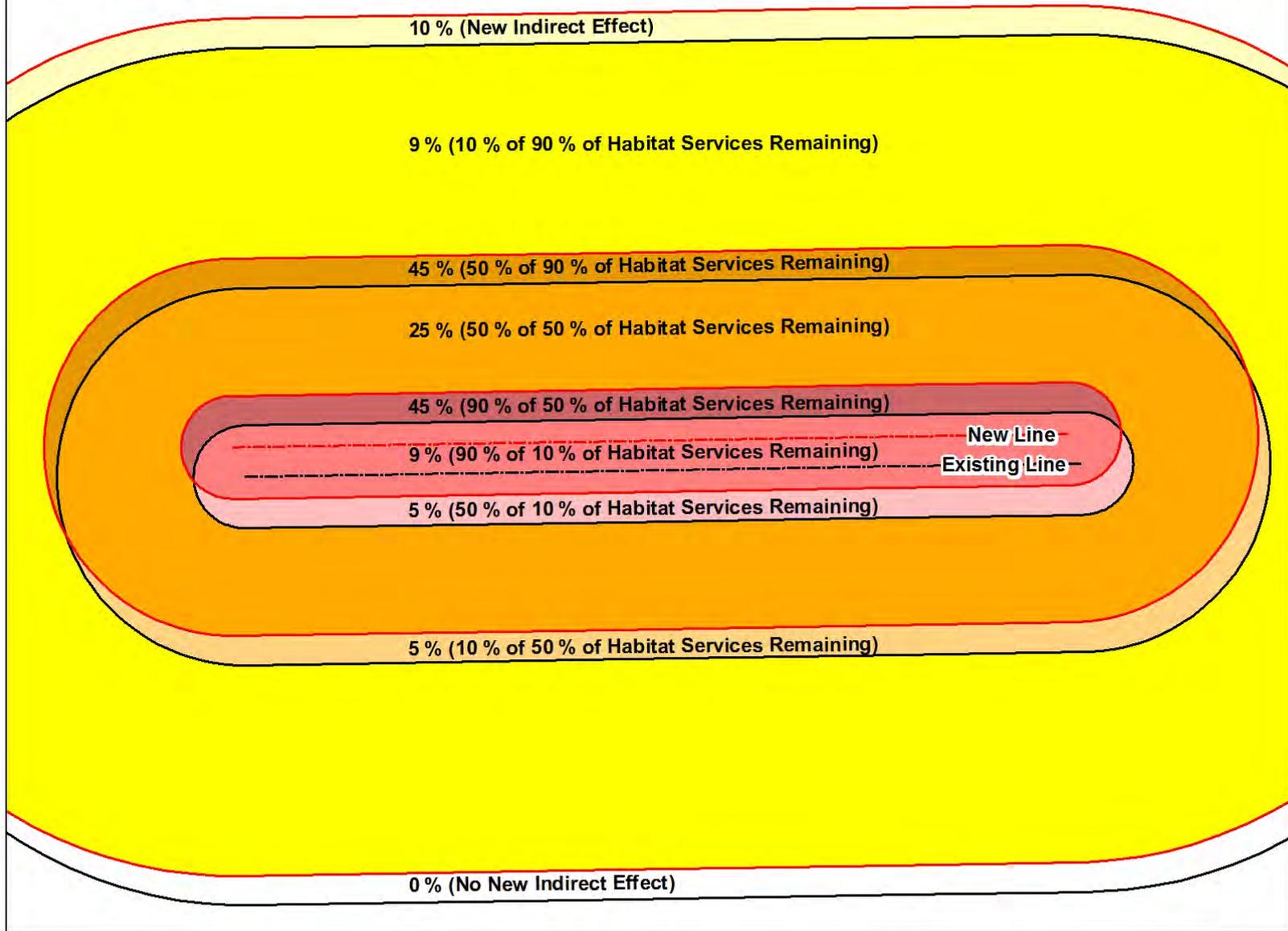


Figure 3. Disturbance Bands and Habitat Service Reduction Adjustment Factors - New and Existing Transmission Line

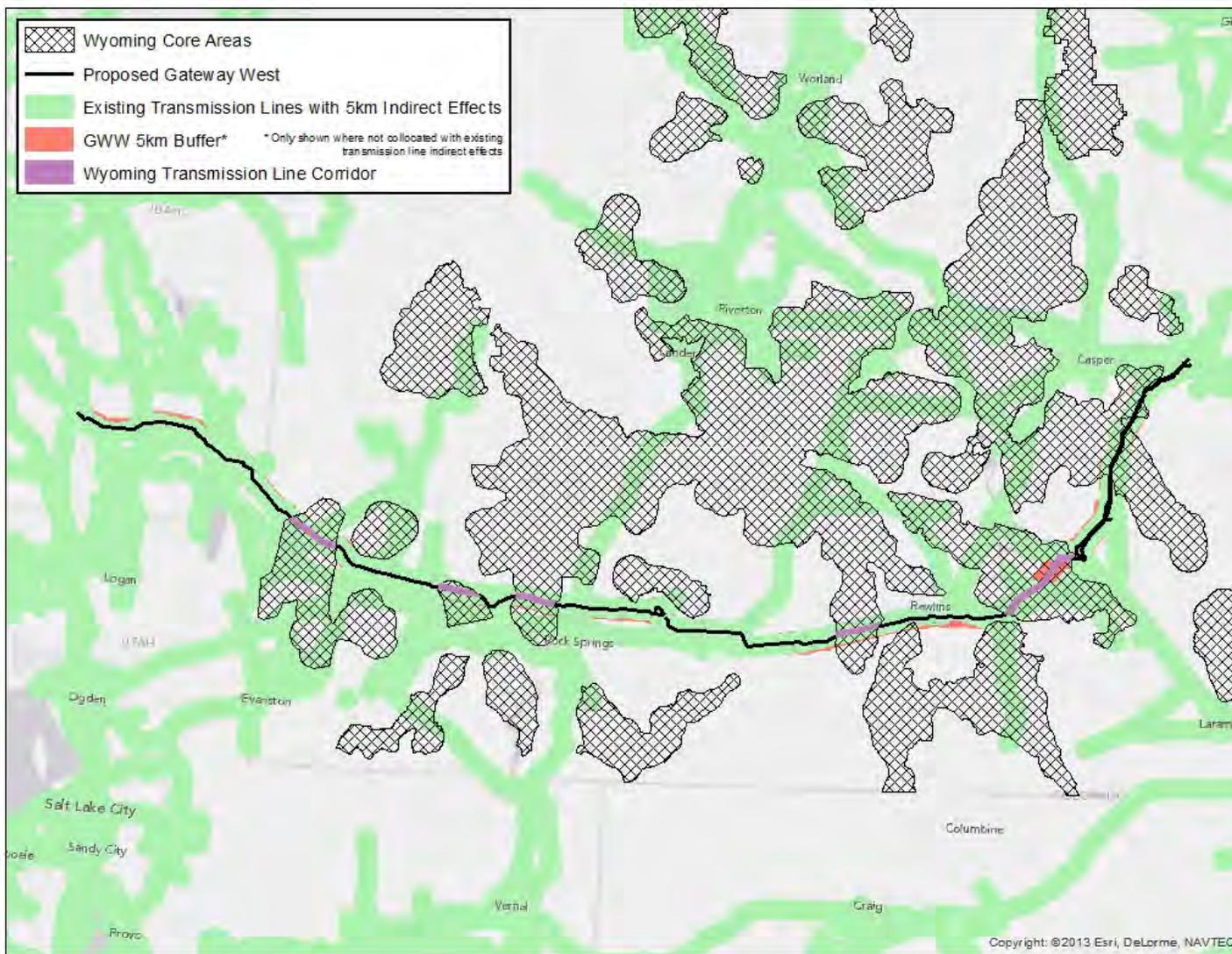


Demonstration – Applying the Agencies’ Indirect Effects Analytical Guidance - Wyoming Example

For demonstration purposes, the Agencies applied the indirect effects analytical guidance provided herein to the Project in Wyoming. In Figure 4, the proposed Gateway West transmission line is identified as a yellow line. Areas in blue represent existing transmission lines, with a 5,000-m decreased productivity and survival indirect impact zone identified on either side of the existing transmission line. Areas in purple identify where the Project is located in a designated utility corridor (where reduced indirect impacts may be realized if the Project is colocated with existing infrastructure), and gray hash polygons represent Wyoming sage-grouse PACs. Areas in red indicate where indirect effects have not been reduced via colocation with an existing transmission line, and therefore these “greenfield” areas are likely to have the largest amount new Project-related indirect effects.

Via application of the Agencies’ indirect effects analytical guidance, the Agencies were able to generally determine the magnitude of new indirect effects that will be caused by the Project in Wyoming. Due to the Project’s already-approved design considerations (e.g., colocation with existing transmission lines), the Project’s indirect impacts in Wyoming already have been significantly reduced, and, while new indirect effects will likely accrue across the entire Project in Wyoming, Figure 4 indicates that only limited, discrete Project areas in Wyoming appear to have substantial, new indirect effects. The Agencies note that new indirect impacts to sage-grouse occurring in red, purple, blue, and gray hash areas could be further reduced by application of new or additional strategies (e.g., self-supporting monopole towers, narrowest allowable separation distance when colocating transmission lines), thereby further reducing the Project’s mitigation burden.

Figure 4. Demonstration of Agencies' Analytical Process for Gateway West Indirect Effects in Wyoming.



Summary and Recommendations

Based on the latest scientific literature presented above, the Agencies have determined that indirect impacts to sage-grouse from transmission lines are likely to occur and can be reasonably quantified. The Agencies appreciate the Companies' recognition, as stated in the Companies' Summary, that indirect effects to sage-grouse will occur from the Project, and the Agencies acknowledge that each of Scenarios 1-4 have some merit in addressing indirect effects. However, in isolation, each Scenario (1-4) is not comprehensive of all the indirect effects that will accrue over the life of the new transmission project. Any approach to assessing indirect effects that does not comprehensively address the three primary indirect impacts associated with transmission line projects (avoidance, increased avian predator presence and predation, and decreased productivity and survival) will be viewed by the Agencies as inadequate. The Agencies' methodology, as described in this guidance document, utilizes the latest science and provides the key elements and processes that, if addressed sufficiently, will be viewed as consistent with the COT Report, the Mitigation Framework, and IM 2013-142, and as an adequate treatment of the aforementioned indirect effects.

The Agencies have identified the opportunity to reduce the Project's indirect effect debits, such as collaboratively identifying habitat service adjustment factors for each the three indirect impact zones, as well as accounting for existing anthropogenic influences that occur near the new transmission line. The Agencies also have identified additional Project design criteria that, if further implemented, are likely to reduce the Project's indirect effects and associated mitigation burden. The Agencies look forward to meeting the Companies face-to-face in near future to continue discussions of the Project's indirect effects and developing the key elements identified in Scenario 5 using the Agencies' guidance provided herein, followed by discussions of compensatory mitigation for offsetting the Project's indirect effects.

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From: Jones, Gina <gmjones@blm.gov>
Sent: Wednesday, December 09, 2015 4:43 PM
To: Aleta Powers; Karen Baud; Grace Ellis; Peter Rocco; Glade Hadden
Subject: Fwd: San Felipe Pueblo

Categories: Decision File

----- Forwarded message -----

From: **Pinu'u Stout** <pstout@sfpueblo.com>
Date: Wed, Dec 9, 2015 at 4:39 PM
Subject: San Felipe Pueblo
To: "gmjones@blm.gov" <gmjones@blm.gov>
Cc: "blm_co_tristatenmc@blm.gov" <blm_co_tristatenmc@blm.gov>

Good Afternoon,

The Pueblo of San Felipe would like to continue government-to-government consultation regarding the Preliminary EA "Tri-State Montrose-Nucla-Cahone (MCN) Transmission Line Improvement Project" and requests to be considered as having standing as a consulting party to this project.

Thank you,

Pinu'u Stout

Pinu'u Stout, Director

Department of Natural Resources



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