1.0 Introduction

The TransWest Express (TWE) Transmission Project (Project) is proposed as an extra high voltage (EHV), direct current (DC) transmission system extending from south-central Wyoming to southern Nevada (**Figure 1-1**). The proposed transmission line (and alternatives) cross four states (Wyoming, Colorado, Utah, and Nevada) encompassing lands owned or administered by the Bureau of Land Management (BLM), United States (U.S.) Forest Service (USFS), National Park Service (NPS), Bureau of Reclamation, Utah Reclamation Mitigation and Conservation Commission (URMCC), various state agencies, Native American tribes, municipalities, and private parties. The Project would provide the transmission infrastructure and capacity necessary to deliver approximately 3,000 megawatts (MW) of electric power from renewable and/or other non-renewable energy resources in south-central Wyoming to southern Nevada. One MW (or 1 million watts) of power can deliver approximately 6.5 million kilowatt-hours (kWh) of electricity in 1 year. An average U.S. household consumes about 10,655 kWh of electricity in a year. Therefore, 1 MW of power provides electricity for 610 households' annual use (American Wind Energy Association [AWEA] 2008). The Project would transmit power for over 1,800,000 households annually.

The TransWest Express LLC (TransWest/Applicant) proposed action would consist of an approximately 725-mile-long, 600-kilovolt (kV), DC transmission line and two terminals, each containing a converter station that converts alternating current (AC) to DC or vice-versa. The northern AC/DC converter station would be located near Sinclair, Wyoming, and the southern near the Marketplace Hub in the Eldorado Valley, approximately 25 miles south of Las Vegas, Nevada. The Project would retain an option for a future interconnection with the Intermountain Power Project (IPP) transmission system in Millard County, Utah. The Project has been divided geographically into four regions for analysis in this environmental impact statement (EIS). Each Project region contains a proposed route and two to four alternative routes that are analyzed in this EIS. The BLM has identified a preferred alternative within each of the four Project regions that would all combine to create a complete preferred alternative from Wyoming to Nevada. A more detailed description of the proposed and alternative routes, Project facilities and design, and construction schedule is presented in Chapter 2.0. Project operation, maintenance, and decommissioning also are considered.

The following describes the Project ownership, and the BLM right-of-way (ROW) application process.

- In November 2007, National Grid filed a ROW application with the BLM to construct and operate portions of an EHV transmission line between Wyoming and delivery points in the southwestern U.S.
- In 2008, The Anschutz Corporation (TAC) formed TransWest Express LLC, a wholly owned subsidiary of TAC, and acquired the Project from National Grid. In September 2008, National Grid and TransWest submitted an amended ROW application to the BLM requesting the assignment of the application and related project files to TransWest. As a result, TransWest became the project applicant.
- TransWest submitted an amended ROW application in December 2008 and again in January 2010 to reflect changes and refinements in the proposed Project. The application was assigned case file number WYW-177893.
- In April 2010, TransWest and Western Area Power Administration (Western), an agency of the U.S. Department of Energy (DOE), entered into a Memorandum of Understanding (MOU) in which Western agreed to act as joint lead agency with the BLM in the preparation of the EIS in accordance with the National Environmental Policy Act of 1969, as amended (NEPA). BLM's status as a joint lead agency was based on its potential federal action to grant a utility ROW across BLM lands. Western's status as a joint lead agency was based on its potential federal action to provide federal funds for the Project. Each of these decisions will be informed by the NEPA analysis contained in this EIS.

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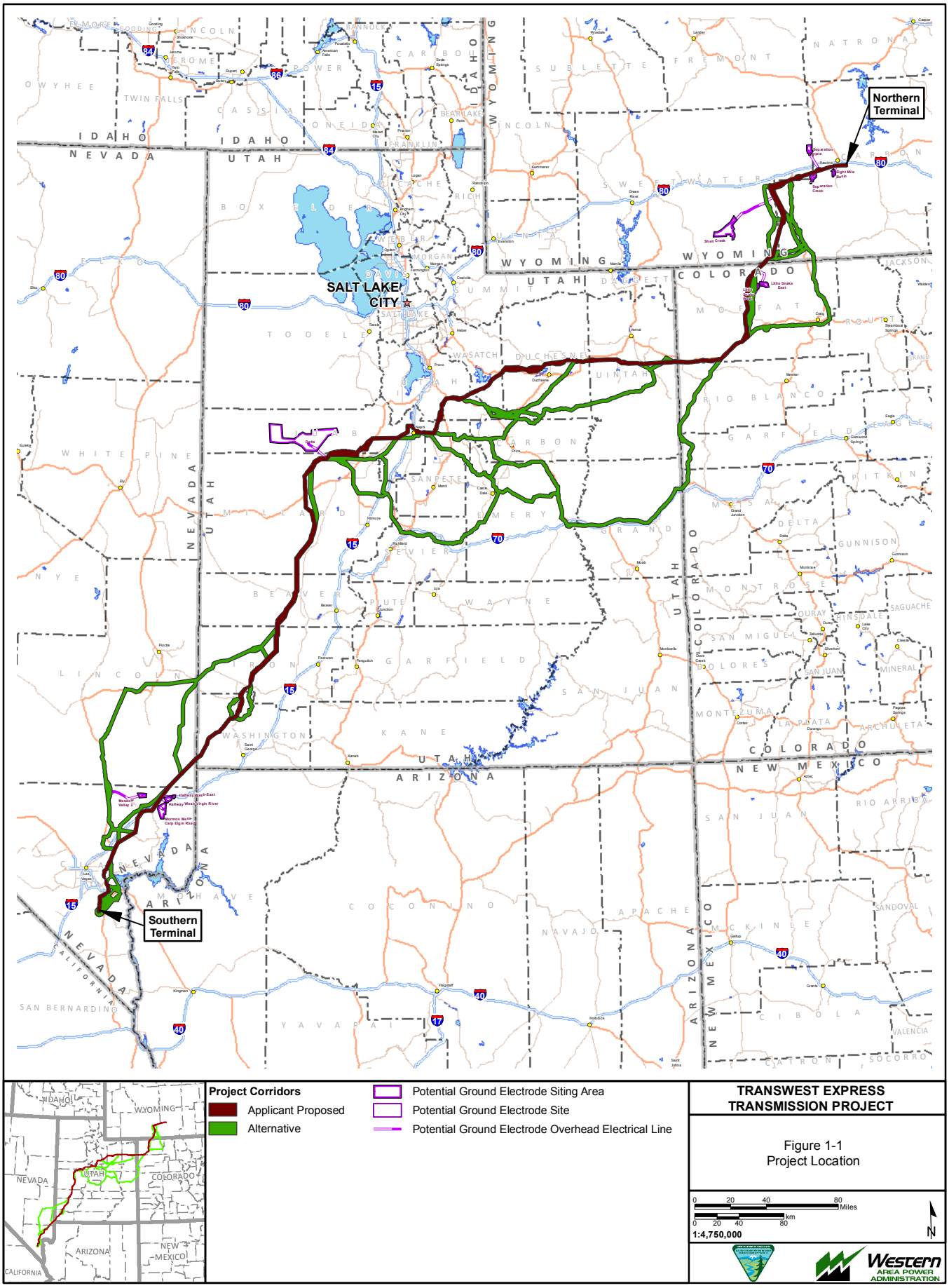

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- On September 9, 2011, Western and TransWest executed a Development Agreement in which the entities agreed to jointly fund the development phase of the Project, each responsible for 50 percent of the development costs if Western decides to participate in the Project. Under this Agreement, Western could acquire a 50 percent joint ownership in the Project. As with BLM's decision on whether to grant a ROW for the project, Western's decision on whether to invest federal funds into the development and future phases of this Project will be informed by the results of this NEPA analysis.

To ensure it meets NEPA disclosure requirements, this EIS has been prepared in compliance with the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 Code of Federal Regulations [CFR] 1500). The BLM Wyoming State Office and Western have been designated as joint lead federal agencies for the NEPA process, and are mutually overseeing the preparation of the EIS. Accordingly, this EIS also conforms to both the BLM's and Western's requirements for NEPA implementation as described in the BLM NEPA Handbook (H-1790-1) and the DOE's NEPA Implementing Procedures (10 CFR 1021), respectively. However, depending on the chosen alternative, this Project potentially would cross other federal lands. Accordingly, project implementation would require other federal agencies to make decisions related to granting ROWs. The BLM has included those agencies, as well as non-federal agencies and/or municipalities with jurisdictional authority or special expertise with respect to resource issues addressed by the NEPA analysis as cooperating agencies in this EIS process. The cooperating agency relationship ensures that the BLM engages and considers comments of these agencies when making Project decisions and includes information required to satisfy the environmental and public review processes associated with those decisions. The cooperating agencies are responsible for assisting the BLM with identifying issues to be addressed, providing associated data or feedback, development of alternatives, and for review and feedback on the NEPA document. As part of the process for satisfying these requirements, this Draft EIS analyzes the environmental impacts of construction, operation, and maintenance of the transmission system on all lands crossed by the Project. While the EIS contains sufficient information to allow the BLM and Western to choose among alternatives, in some instances, cooperating agencies may require additional information before making decisions related to specific lands within their jurisdiction. The general steps in the EIS process are illustrated on **Figure 1-2**.

1.1 Lead Federal Agencies' Purpose and Need, and Decisions

The lead federal agencies' purpose and need for the major federal actions for the proposed Project are described below.

1.1.1 BLM's Purpose and Need

In accordance with the Federal Land Policy and Management Act of 1976 (FLPMA) (Section 103(c)), public lands are to be managed for multiple use that takes into account the long-term needs of future generations for renewable and non-renewable resources. The Secretary of the Interior is authorized to grant ROWs on public lands for systems of generation, transmission, and distribution of electric energy (Section 501(a)(4)).

The purpose of the BLM's federal action is to respond to TransWest's application for a ROW to construct, operate, maintain, and decommission a transmission line on public lands. The need for this action is to fulfill BLM's responsibility under FLPMA and BLM ROW regulations to manage the public lands for multiple uses, including transmission of electric energy (43 CFR 2806). To advance these objectives, BLM designates utility corridors through BLM lands and endeavors to co-locate large, linear facilities such as transmission lines within those corridors, thereby avoiding the proliferation of new routes through sensitive lands and wildlife habitats (43 United States Code [U.S.C.] 1763). These designated corridors conform with long-range corridor needs established by the DOE under Section 368 of the Energy Policy Act and correlate with designated corridors on adjoining public lands.

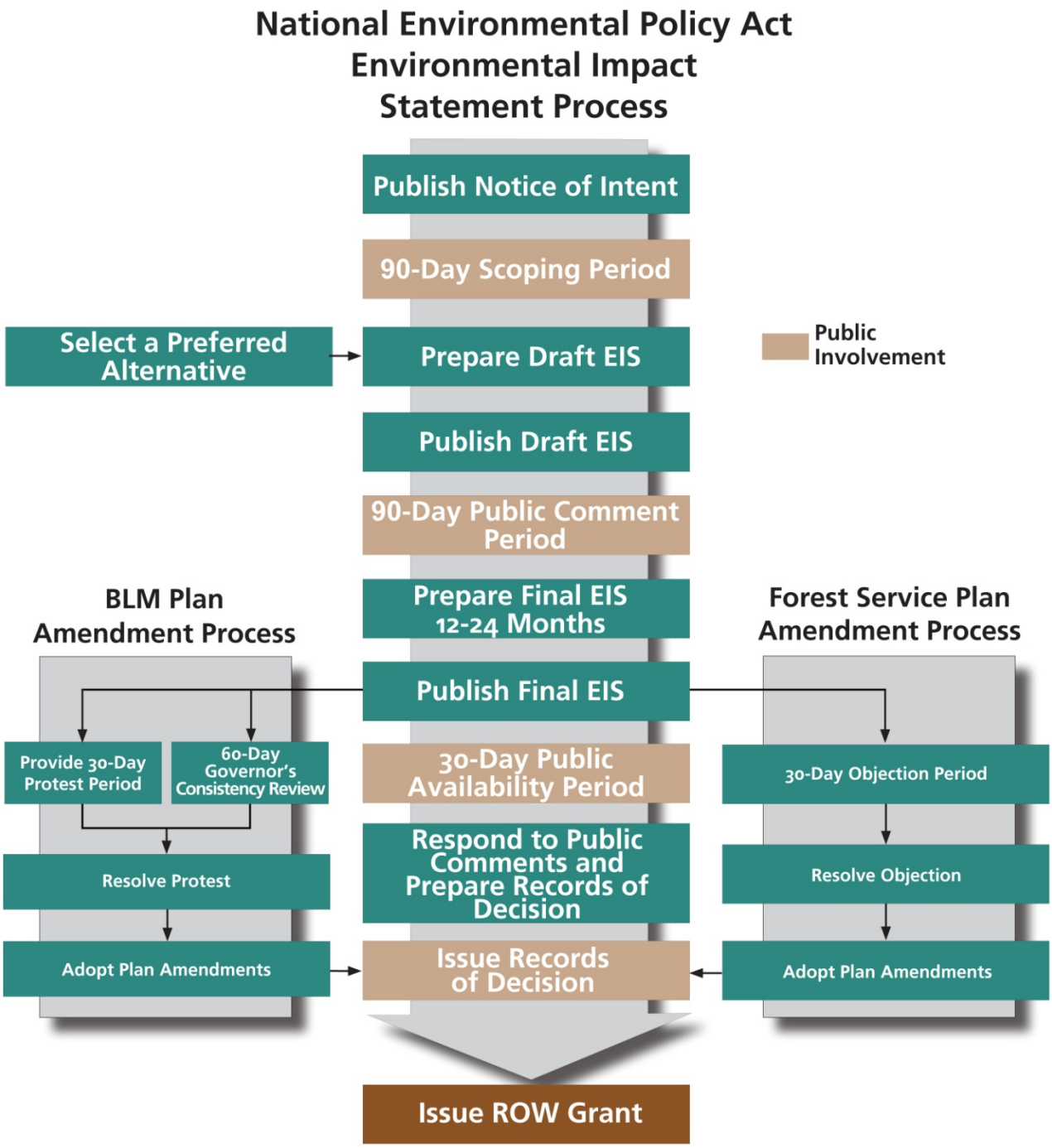

Figure 1-2 National Environmental Policy Act Environmental Impact Statement Process

The agencies' purpose and need is further guided by the Energy Policy Act of 2005, which recognized the need to improve domestic energy production, develop renewable energy resources, and enhance the infrastructure (e.g., transmission lines) for collection and distribution of energy resources across the nation. To this end, the BLM and USFS are charged with analyzing applications of utility and transportation systems on federal lands they administer. When analyzing applications, the agencies' also must consider the recommendations in the 2011 Western Electricity Coordinating Council (WECC) 10-Year Regional Transmission Plan regarding future transmission needs (WECC 2011).

1.1.1.1 BLM's Decisions

The BLM must review and authorize each component of the project that involves the use of public lands (e.g., construction staging/storage areas, access roads, the transmission line towers and conductors, and other ancillary facilities). This use would be authorized by a ROW grant supported by the environmental record. When a ROW grant is offered, a Record of Decision (ROD) documents the BLM's decision and its rationale for the route authorized, adopts construction and mitigation measures proposed by the Proponent (usually contained in the Proponent's Plan of Development [POD]), and adds terms and conditions deemed necessary by the BLM to provide resource protection not included in the Proponent's Proposal. The BLM decisions to be made are to:

- Decide whether to grant, grant with modification, or deny a ROW to construct, operate, and maintain the proposed facilities for a transmission line on public lands;
- Decide whether one or more BLM land use plans should be amended to allow the proposed transmission line;
- Determine the most appropriate location for the transmission line on public lands, considering multiple-use objectives; and
- Determine the terms and conditions (stipulations) for the construction, operation, maintenance, and decommissioning of the transmission line on public lands that should be applied to the ROW grant.

The BLM has prepared this EIS to disclose and analyze the potential direct, indirect, and cumulative impacts of the proposed action and alternatives, as required by NEPA, to facilitate public participation and to assist the BLM decision-maker in making the decisions listed above. The BLM Wyoming state director is the agency official who will be making the decisions in the ROD.

1.1.2 Western Area Power Administration's Purpose and Need

Western's purpose and need is to carry out Federal policy to facilitate renewable energy development and transmission expansion as established by the American Recovery and Reinvestment Act's 2009 amendment of the Hoover Power Plant Act of 1984 (P.L. 98-381, Title III, § 301) (Hoover Act). The amended Hoover Act provides Western the authority to borrow funds from the U.S. Treasury to construct, finance, facilitate, plan, operate, maintain, and/or study construction of new or upgraded electric power transmission lines and related facilities. These transmission lines and related facilities must have at least one terminus in Western's marketing area and deliver or facilitate the delivery of power from renewable resources constructed or reasonably expected to be constructed after the enactment of the amended Hoover Act.

1.1.2.1 Western Area Power Administration's Decision

Western's decision is whether it would use its borrowing authority to partially finance and hold partial ownership with TransWest in the resulting transmission facilities and capacity. Specifically, funding would be used to construct, operate, maintain, and decommission a transmission line. This decision would be managed through agreements that would include defining the respective rights and obligations associated with ownership of the Project; address construction, operation, and maintenance associated with the transmission line; and provide for acquisition of ROWs for the Project.

Prior to committing funds for construction, Western must certify that a project is in the public interest; a project will not adversely impact system reliability, system operations, or other statutory obligations; and it is reasonable to expect the proceeds from the project will be adequate to make repayment of the loan from Treasury. In addition, the Project will need to satisfy the requirements of Western's Transmission Infrastructure Program (TIP) and its authority under the Hoover Act. As with BLM's decision, Western's decision is informed by the required NEPA analysis and disclosure in this EIS.

1.2 Cooperating Agencies

The CEQ regulations implementing NEPA allow the lead agencies to invite other federal, state, tribal, or local agencies to serve as cooperating agencies in preparing the EIS (40 CFR 1501.6). A cooperating agency must hold legal jurisdiction over resources that could be impacted by the project, or provide special expertise with respect to resource issues addressed by the NEPA analysis. In addition, a MOU generally is implemented between the lead agencies and each cooperating agency.

Forty-two cooperating agencies have signed a MOU for the Project. These agencies are listed in **Table 1-1**.

Table 1-1 Project Cooperating Agencies

Federal	
USFS, Intermountain Region, Ogden, Utah representing: - Ashley National Forest - Dixie National Forest - Fishlake National Forest - Manti-La Sal National Forest - Uinta-Wasatch-Cache National Forest[1]	
U.S. Fish and Wildlife Service (USFWS) representing: - Mountain Prairie Region, Lakewood, Colorado - Pacific Southwest Region, Sacramento, California	
NPS - Intermountain Region, Lakewood, Colorado - Pacific West Region, San Francisco, California	
U.S. Army Corps of Engineers (USACE) - South Pacific Division - Northwestern Division	
U.S. Army Region 8	
Navy Region Southwest, San Diego, California	
Bureau of Reclamation, Lower Colorado Region	
Bureau of Indian Affairs (BIA) Western Region, representing: - Rocky Mountain Region, Billings, Montana - Southwest Region, Albuquerque, New Mexico	
Utah Reclamation Mitigation and Conservation Commission	
State	
State of Wyoming	State of Colorado
State of Utah	State of Nevada

Table 1-1 Project Cooperating Agencies

County	
Wyoming: Carbon, Sweetwater	
Colorado: Garfield, Mesa, Moffat, Rio Blanco	
Utah: Beaver, Carbon, Daggett, Duchesne, Emery, Grand, Iron, Millard, Juab, Piute, Sanpete, Sevier, Uintah, Utah, Wasatch, Washington	
Nevada: Clark, Lincoln	
Other	
Little Snake River Conservation District	Saratoga-Encampment-Rawlins Conservation District
Medicine Bow Conservation District	Sweetwater County Conservation District
Douglas Creek Conservation District	White River Conservation District
N-4 State Grazing Board	

[1] In March of 2008, the Uinta National Forest and the Wasatch-Cache National Forest were combined into one administrative unit (Uinta-Wasatch-Cache National Forest). Each of these forests continues to operate under individual forest plans approved in 2003. When the term Uinta National Forest is used, it refers to the Uinta Planning Area of the Uinta-Wasatch-Cache National Forest.

1.3 TransWest's Goals and Objectives

TransWest's primary goal is to provide the transmission infrastructure and capacity necessary to reliably and cost-effectively transmit up to 3,000 MW of electric power from Wyoming to the desert southwest. TransWest's objectives for the Project are to:

- Allow consumers access to renewable energy sources and contribute to meeting national, regional, and state energy and environmental policies, including state-mandated renewable energy portfolio and greenhouse gas reduction targets;
- Meet increasing customer demand with improved electrical system reliability;
- Allow consumers access to domestic energy sources and contribute to complying with national energy policy;
- Provide system flexibility and increased access to the grid for third-party transmission users;
- Expand regional economic development through increased employment and enlargement of the property tax base; and
- Maintain the standard of living associated with highly reliable electricity service.

While meeting these broad objectives, TransWest would work within the following Project-specific objectives:

- Provide for the efficient, cost-effective, and economically feasible transmission of approximately 20,000 gigawatt hours per year (GWh/year) of clean and sustainable electric energy from Wyoming to markets in the desert southwest region. This estimate is based on 8,760 hours per year of 3,000-MW transmission capacity.
- Meet North American Electric Reliability Corporation (NERC) Reliability Standards and WECC planning criteria and line separation requirements.
- Maximize the use of existing and designated utility corridors and access roads to the extent practical to minimize adverse effects of the Project.
- Provide these benefits in a timely manner to the desert southwest region and the broader Western U.S. to meet the region's pressing environmental and energy needs. TransWest has identified a need

for the Project by the expected in-service date of 2015 or as soon as the regulatory reviews can be completed.

- Provide for flexibility and maximize the use of infrastructure to increase future transmission capacity by configuring the Project to allow for future interconnection with the IPP transmission system near Delta, Utah.

1.4 Relationship to Programs, Policies, and Plans

1.4.1 Federal Multi-agency Programs

The West-wide Energy Corridor (WWEC) Programmatic EIS was prepared jointly by the U.S. Department of the Interior (DOI) and the DOE for energy corridors in 11 western states and completed in January 2009. The RODs for the WWEC Programmatic EIS designated energy transmission corridors and provided guidance, best management practices (BMPs), and mitigation measures to be used for any power lines proposed to be constructed within the corridors on public lands. The Programmatic EIS provides a framework (further described in Chapter 2.0) for the development of Project alternatives. The analysis in this EIS refers to the analysis from the WWEC Programmatic EIS, to the extent applicable, and incorporates by reference all BMPs and mitigation measures in the RODs for the WWEC Programmatic EIS.

In October of 2009, nine federal entities including the CEQ, the USDI, the U.S. Department of Agriculture (USDA), the DOE, the Department of Commerce, the Department of Defense (DOD), the U.S. Environmental Protection Agency (USEPA), the Federal Energy Regulatory Commission (FERC), and the Advisory Council on Historic Preservation (ACHP) signed a MOU committing each of the signatories to increase their coordination to expedite and simplify the process for analyzing, permitting, and building transmission lines on federal lands.

On October 5, 2011, the Obama Administration announced the formation of a Rapid Response Team for Transmission (RRTT) comprised of the nine agencies who signed the MOU. This team was formed to more quickly advance the permitting for seven pilot transmission projects, including this Project.

The RRTT mission (CEQ 2011) is to “accelerate responsible and informed deployment of these seven key transmission facilities by:

- Coordinating statutory permitting, review, and consultation schedules and processes among involved federal and state agencies as appropriate through Integrated Federal Planning,
- Applying a uniform and consistent approach to consultations with Tribal governments, and,
- Expeditiously resolving interagency conflicts and ensuring that all involved agencies are fully engaged and meeting schedules.”

1.4.2 Federal Agency Roles, Requirements, and Decisions

The following sections briefly describe the roles, policies, plans, programs, and decisions of the federal lead agencies and those agencies whose jurisdictional lands may be requested for Project facilities. Also included are the federal agencies that must consult with the lead agencies, or review and approve applications for certain activities.

The level of involvement by various federal agencies in EIS decisions largely depends on whether lands and resources under agency jurisdiction would be directly or indirectly affected by project facility construction, operation, and decommission. **Table 1-2** provides miles of potential transmission line ROW that would be required for the Project and Project alternatives in the various federal jurisdictions.

Table 1-2 Miles of Proposed Project Transmission Line ROW by Jurisdiction

Federal Agency	Proposed Action (Miles)	All Alternatives (Miles)
USDI – BLM	447	872
USDI – Bureau of Reclamation	7	6
USDI – BIA/Tribal	0	24
USDI – NPS	0	22
USDA – FS (USFS)	39	176
DOE	0	3
URMCC	1	0
State – Wyoming, Colorado, Utah, and Nevada	43	192
Private	188	611
Total	**725**	**1,907**

Figure 1-2 provides the steps in the EIS process and shows how BLM Resource Management Plan (RMP) and USFS Land and Resource Management Plan (LRMP) amendments would fit in to the process. The plan amendment process for these two agencies is described briefly below and discussed in detail in Chapter 4.0.

1.4.2.1 Bureau of Land Management

The BLM is a joint lead federal agency for the Project, along with Western. The technical guidance and guidance documents used for EIS preparation include: 1) the CEQ implementing regulations for NEPA (40 CFR 1500-1508); 2) the BLM NEPA Handbook (H-1790-1); 3) the USDI NEPA regulations (43 CFR 46); 4) the BLM Planning Regulations (43 CFR 1601 and 1610); 5) the BLM Land Use Planning Handbook (H-1601-1); 6) relevant BLM Instruction Memoranda (IM), including IM Nos. 2011-059, 2011-060, and 2011-061; 7) the RMPs for the individual BLM field offices (FOs); and 8) the proponents' POD and Project Description Technical Report (PDTR), which describe how and where the Project would be constructed. **Table 1-3** lists the BLM FOs potentially crossed by the Project and their pertinent RMPs.

Table 1-3 Current BLM Resource Management Plans Relevant to the Project

State	Field Office	Current RMP
Colorado	Grand Junction	Grand Junction Resource Area RMP, January 1987.
Colorado	Little Snake	Little Snake FO RMP, October 2011.
Colorado	White River	White River FO RMP, July 1997.
Nevada	Caliente	Ely District RMP, August 2008.
Nevada	Las Vegas	Las Vegas FO RMP, October 1998.
Nevada	Las Vegas	Las Vegas FO RMP Approved ROD Maintenance Record, January 2007.
Utah	Cedar City	Pinyon Management Framework Plan (MFP), June 1983.
Utah	Cedar City	Cedar Beaver Garfield Antimony Planning Area RMP, October 1986.
Utah	Fillmore	Warm Springs Resource Area RMP, April 1987.
Utah	Fillmore	House Range Resource Area RMP, October 1987.
Utah	Moab	Moab FO RMP, October 2008.

Table 1-3 Current BLM Resource Management Plans Relevant to the Project

State	Field Office	Current RMP
Utah	Price	Price FO RMP, October 2008.
Utah	Richfield	Richfield FO RMP, October 2008.
Utah	Saint George	Saint George FO RMP, March 1999.
Utah	Salt Lake	Pony Express Resource Area RMP and Rangeland Program Summary for Utah County, January 1990.
Utah	Vernal	Vernal FO RMP, October 2008.
Wyoming	Rock Springs	Green River Resource Area RMP, August 1997.
Wyoming	Rawlins	Rawlins FO RMP, December 2008.

Actions that result in a change in the scope of resource uses, terms, conditions, and decisions of federal agency land use plans, including the approval of this proposal, may require amendment of one or more of the plans in **Table 1-3**. As required by 43 CFR 1610.2(c), the BLM notified the public of potential amendments to RMPs in the Notice of Intent (NOI) to Prepare an EIS (see *Federal Register*, Volume 76, No. 2, Tuesday, January 4, 2011). All authorizations and actions proposed for approval in the EIS would be evaluated to determine if they conform to the decisions in the referenced land use plans. If the BLM determines that plan amendments are necessary, compliance with NEPA for any land use plan amendments would occur simultaneously with the consideration of the Project as described in 43 CFR 1610. Refer to Chapter 4.0 for additional details regarding the need for plan amendments and how they may relate to the Project.

As illustrated in **Figure 1-2,** the proposed BLM plan amendments would be included in the Final EIS and would then be subject to a 30-day protest period, a 60-day Governor's consistency review, and a resolution of protests. The BLM may adopt the plan amendments after this public review, and attach the adoption decisions to the ROD.

The Project authorization decisions would be documented in the Project ROD prepared by the BLM. The BLM would consider the decisions of other federal land management agencies that are required for the Project before issuing or denying the Project ROW (43 CFR 2882.2).

Under the authority granted by the FLPMA (43 U.S.C. 1701), the BLM would issue ROW grants for BLM-administered lands crossed by the proposed Project.

1.4.2.2 Western Area Power Administration

As a joint lead federal agency along with the BLM, Western is assisting with preparation and review of the EIS. Under the Hoover Act, as amended by Section 402 of the Recovery Act, Western was granted authority to borrow funds from the U.S. Treasury to (among other things) construct, finance, facilitate, plan, operate, maintain, and/or study construction of new or upgraded transmission facilities that deliver renewable energy. Prior to committing funds, Western must certify that a project is in the public interest; a project will not adversely impact system reliability, system operations, or other statutory obligations; and it is reasonable to expect the proceeds from the project will be adequate to make repayment of the loan.

On March 4, 2009, Western solicited interest in proposed transmission projects that resulted in the submission of Statements of Interest, including one for this Project.

Western is considering whether to participate in the Project as a joint owner with TransWest as part of Western's TIP. For Western to participate, Western needs the Project to satisfy Western's TIP requirements.

As with the BLM's decision, Western's decision is informed by the required NEPA analysis and disclosure in this EIS.

1.4.2.3 Bureau of Reclamation

The Bureau of Reclamation is a cooperating agency on the Project. Project facilities could be located on Bureau of Reclamation lands in the vicinity of Lake Mead in southern Nevada. The Bureau of Reclamation would issue the Right of Use Authorization for any transmission facilities to be located on Bureau of Reclamation lands and a separate ROD that would outline the Bureau of Reclamation's decision and the terms and conditions under which the Right of Use Authorization would be granted.

1.4.2.4 Bureau of Indian Affairs

As a cooperating agency, the BIA would participate in the development of the EIS. If portions of the Project would be located on tribal lands, the BIA also would prepare a ROD and ROW grant for tribal lands. Tribal lands are crossed by alternatives in Uintah and Duchesne counties, Utah (Uintah and Ouray Indian Reservation), and in Clark County, Nevada (Moapa Indian Reservation). It should be noted that, although one of the alternative routes crosses the Moapa Indian Reservation in southern Nevada, the utility corridor within which the alternative would be located is administered by the BLM; therefore, no additional BIA approval would be required if the alternative route remains within the designated BLM-administered utility corridor through the Moapa Indian Reservation.

1.4.2.5 National Park Service

The NPS is a cooperating agency on the Project. The Project transmission line corridor alternatives contain a small portion of Dinosaur National Monument lands at the eastern end of the Deerlodge access road approximately 12 miles from the Dinosaur National Monument proper. Consideration of a ROW across the Deerlodge road lands is included in the EIS because of land use and other resource constraints in the area. Because no application has been received by the NPS from TransWest to date for this alternative, no potential NPS plan amendments have been identified.

Project transmission line corridor alternatives have been developed across portions of the Lake Mead National Recreation Area (NRA) administered by the NPS because of limited available width within an existing utility corridor within the Sunrise Mountain Instant Study Area (ISA) established by Congress. The current Lake Mead NRA Management Plan would not allow construction and operation of the Project. As a consequence, the Lake Mead Management Plan could require amendment to open new utility corridors to accommodate the Project. NPS policy directs the use of authority under 16 U.S.C. 79 for electric transmission ROWs, which typically limits authorizations to 100-foot-wide ROWs. Deviation from NPS guidance on the application of 16 U.S.C. 79 to electric transmission line approvals likely would require a policy waiver from the NPS.

1.4.2.6 U.S. Forest Service

The USFS is a cooperating agency on the Project. The proposed Project and alternative corridors being analyzed would cross USFS lands under the jurisdiction of up to five different national forests. The National Forest Management Act (NFMA) (16 U.S.C. 1601-1614) requires the Secretary of Agriculture to develop and revise LRMPs for lands under its jurisdiction.

LRMPs provide direction, goals, and criteria for management, including standards and guidelines for resource use and land management practices. **Table 1-4** lists the national forests potentially crossed by the Project and their pertinent LRMPs.

Table 1-4 Current USFS Land and Resource Management Plans Relevant to the Project

State	National Forest	Current LRMP
Utah	Ashley	LRMP for the Ashley National Forest, October 1986
Utah	Dixie	LRMP for the Dixie National Forest, September 1986
Utah	Fishlake	LRMP for the Fishlake National Forest, June 1986
Utah	Manti-La Sal	LRMP Manti-La Sal National Forest, November 1986
Utah	Uinta	LRMP Uinta National Forest, May 2003

According to the NFMA (16 U.S.C. 1604(f)(4)) and its implementing regulations, all actions authorized subsequent to the plan must be in conformance with the approved LRMP. An action must be clearly consistent with decisions of the LRMP to be in conformance. To be clearly consistent, an action must comply with: 1) all stipulations, constraints, standards, and guidelines listed in a LRMP; and 2) all stipulations developed specifically for the proposed Project for the purpose of avoiding or reducing impacts on sensitive resources identified in the LRMP.

Under the NFMA, LRMPs may be amended after final adoption. The NFMA regulations at 36 CFR 219.10(f) state: "Based on an analysis of the objectives, guidelines, and other contents of the forest plan, the Forest Supervisor shall determine whether a proposed amendment would result in a significant change in the plan." The Forest Service Land and Resource Management Planning Handbook (Forest Service Handbook 1909.12) provides a framework for consideration. Section 5.32 of the Forest Service Handbook lists four factors to be used when determining whether a proposed change to a LRMP is significant or not significant. These significance factors include timing; location and size; goals, objectives, and outputs; and management prescriptions. The resulting findings are based on relevant information and documented in the USFS ROD. As illustrated on **Figure 1-2**, the USFS plan amendment approval process is conducted in conjunction with the development of the special use permit, requires a 30-day objection period, and requires a resolution of objections.

On January 12, 2001, the USFS published the Roadless Conservation Final Rule in the *Federal Register* (*Federal Register* 66 (9): 3243-3273), including the text of the Final Rule, and the reasons for its adoption. The Final Rule describes USFS policy concerning roadless areas throughout the National Forest System (NFS) and specifies that constructing new access roads or reconstructing existing unclassified roads that cross inventoried roadless areas (IRAs) would not be allowed (unless approved under specific exceptions). The Final Rule was implemented on May 12, 2001, and has been recently affirmed. On October 21, 2011, the U.S. Court of Appeals for the Tenth Circuit decided *Wyoming v. USDA* and found the USFS's adoption of the 2001 Roadless Area Conservation Rule does not violate federal law.

The USFS would require preparation of a Biological Evaluation (BE) for the Project. USFS policy (FSM 2670.32) states that all programs and activities would be reviewed in a BE as part of the NEPA process to determine the potential effect of such proposed activities on regional forester-designated sensitive species. Further, it is policy to avoid or minimize impacts to species whose viability has been identified as a concern, and permitted activities must not result in loss of species viability or create significant trends toward federal listing. The objectives of this policy are to ensure that species do not become endangered or threatened because of USFS actions, and that viable populations of all native and desired nonnative wildlife, fish, and plant species are maintained in habitats distributed throughout their geographic range on USFS lands (FSM 2670.22).

The USFS decision maker, in consultation with affected forests, would use this EIS to inform his/her decision regarding: 1) the choice of a preferred alternative; 2) whether to issue a Special Use Authorization under the NFMA; 3) under what terms and conditions a permit should be issued; and 4) the need to amend LRMPs.

1.4.2.7 U.S. Fish and Wildlife Service

The USFWS is a cooperating agency on the Project. The USFWS is responsible for ensuring compliance with the Endangered Species Act (ESA), the Bald and Golden Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA). The BLM, as the lead federal agency for ESA Section 7 consultation, is responsible for initiating informal consultation (e.g., communication) with the USFWS to determine the likelihood of effects on listed species. In accordance with the ESA, formal consultation (as described below) with the USFWS is required when the action agency determines that a project may affect a listed species or designated critical habitat. The consultation process determines if a project is likely to jeopardize the continued existence of a species, or destroy or adversely modify critical habitat. Formal consultation begins with the BLM's written request for consultation and the submittal of a Biological Assessment (BA) and concludes with the issuance of a Biological Opinion (BO) from the USFWS. The BLM has entered into informal consultation with the USFWS for the Project.

The BLM will prepare a draft BA to assess potential impacts on federally listed species and their habitats from the agency preferred alternative. The draft BA would be submitted to the USFWS for review and concurrence. The USFWS would issue a letter of concurrence on the BA, or a BO, depending on the level of effects on listed species.

1.4.2.8 Advisory Council on Historic Preservation

ACHP oversees implementation of Section 106 of the National Historic Preservation Act (NHPA), which requires the lead federal agencies to consider the effects of the agencies' undertakings on properties listed in or eligible for the National Register of Historic Places (NRHP). NRHP properties can include a diversity of archaeological, historical, and traditional cultural properties. Regulations for Protection of Historic Properties (36 CFR 800) implement Section 106, and define a process for federal agencies to consult with the State Historic Preservation Office (SHPO) and other interested parties as they assess the effects of their undertakings. Pursuant to these regulations, the BLM has initiated Section 106 consultation with the Wyoming, Colorado, Utah, and Nevada SHPOs.

A Programmatic Agreement (PA) currently is being prepared for the Project. The PA is a document that records the terms and conditions agreed upon to resolve potential effects to historic properties of a federal agency program or complex undertaking in accordance with Section 106 of the NHPA. The PA for this Project defines the general and specific measures that would be undertaken by BLM, Western, TransWest, and the SHPOs to ensure Western's and BLM's objectives and responsibilities regarding protection of historic properties under the NHPA are fulfilled. Primary signatories for the PA include the BLM, Western, the USFS, TransWest, the SHPOs, and the ACHP. Those tribes whose lands would be crossed by the selected transmission line route also would be invited to sign the PA.

1.4.2.9 U.S. Army Corps of Engineers

The USACE is a cooperating agency on the Project. Section 404 of the Clean Water Act (CWA) establishes a permit program administered by the USACE to regulate the discharge of dredge and fill materials into the waters of the U.S. (WUS), including their adjacent wetlands. The Project would be under the jurisdiction of the Omaha, Sacramento, and Los Angeles districts of the USACE. The Applicant would be responsible for conducting wetland delineations for the proposed routes and filing the Section 404 application(s) and other CWA certifications.

Section 10 of the Rivers and Harbors Act (RHA) establishes a permit program to prevent unauthorized obstruction or alteration of any navigable WUS by construction in, over, or under said waters. Section 10 also

is administered by the USACE. The Applicant would be responsible for filing Section 10 permit application(s) for crossings at navigable waters.

1.5 Additional Governmental Requirements

Table A-1 in **Appendix A** provides a list of the major federal, state, and local permits and approvals that could be required for construction, operation, and maintenance of the Project.

1.6 Right-of-way Easement Acquisition Process on Non-Federal Lands

TransWest, or Western if they choose to participate in the proposed Project, would negotiate details regarding needed land acquisition across non-federal lands (e.g., private, county, state), either in fee or as an easement for the transmission line and associated facilities (substations, etc.), with each landowner. A private land easement, usually negotiated with the landowner, is the legal instrument that would be used to convey ROW to Western or TransWest. The easement would give TransWest or Western the right to operate and maintain the transmission line in the permanent ROW and, in return, would compensate the landowner for the use of the land.

The easement negotiations between TransWest or Western and the landowner could include compensation for loss of use during construction, loss of nonrenewable or other resources, and the restoration of unavoidable damage to property during construction. Although BLM does not enforce stipulations on private lands, Project implementation on these lands does have to comply with those regulatory requirements that also apply to private land (e.g., ESA, CWA). Thus, TransWest or Western and their contractors would be responsible for ensuring that the Project complies with these requirements. Additionally, private landowners may negotiate stipulations to address resource impacts as part of their agreements with TransWest or Western.

If a fee ownership or an easement cannot be negotiated with the landowner, federal and state laws allow in some cases for the acquisition of property rights for facilities to be built in the public interest. Western, as a federal agency investing in the Project, would have the ability to acquire the rights needed under eminent domain laws prevailing in the affected states. However, Western has committed to working with citizens and landowners to address any concerns regarding acquisition of any private lands required for Project implementation, should it decide to participate. Western views effective public involvement and engagement as a much more productive route than exercising eminent domain authority.

1.7 Scoping and Public Involvement

1.7.1 Public Scoping

The BLM and Western conducted pre-scoping activities in 2009 and Spring 2010 with the BLM FOs, USFS, and the cooperating agencies. Comments received during pre-scoping were considered in developing the alternative corridors presented to the public during the scoping period.

The NOI for the Project was published in the *Federal Register* on January 4, 2011. A Project newsletter was concurrently mailed to approximately 23,000 interested parties including federal, state, and local agencies; tribal governments; and potentially affected landowners within the proposed 2-mile transmission line corridors for the proposed and alternative routes. The BLM and Western placed display advertisements in local newspapers, and public service announcements were submitted for broadcast on local radio and television announcing the public scoping meetings. TransWest also conducted additional outreach related to the scoping process.

The BLM and Western held 23 public scoping meetings with a total attendance of 678 individuals. Dates and locations of the public meetings are provided in **Table 1-5**. All of the public scoping meetings were held from 4:00 p.m. to 7:00 p.m.

Table 1-5 Scoping Meetings

Vernal, Utah	January 25, 2011	St. George, Utah	February 17, 2011
Craig, Colorado	January 26, 2011	Pine Valley, Utah	February 22, 2011
Rangely, Colorado	January 27, 2011	Central, Utah	February 23, 2011
Grand Junction, Colorado	January 31, 2011	Enterprise, Utah	February 24, 2011
Moab, Utah	February 1, 2011	Caliente, Nevada	February 28, 2011
Castle Dale, Utah	February 2, 2011	Overton, Nevada	February 29, 2011
Duchesne, Utah	February 7, 2011	Henderson, Nevada	March 1, 2011
Nephi, Utah	February 8, 2011	Las Vegas, Nevada	March 2, 2011
Delta, Utah	February 9, 2011	Rawlins, Wyoming	March 8, 2011
Richfield, Utah	February 14, 2011	Rock Springs, Wyoming	March 9, 2011
Milford, Utah	February 15, 2011	Baggs, Wyoming	March 10, 2011
Cedar City, Utah	February 16, 2011		

The public meetings were conducted as open houses with seven information stations: Project Scope and Applicant's Interests and Objectives, NEPA and Agencies' Purpose and Need, Engineering/ Construction/Maintenance, Lands Acquisition, Map Book Table, GoogleEarth™ Demonstration, and Geographic Information System (GIS) Comment Station. Public scoping comments were electronically submitted at the GIS comment station at the meetings, through the BLM Project website, or by U.S. Mail.

During the scoping period, the BLM and Western met with representatives of several county commissions. The meetings were scheduled to coincide with the scoping meeting in their respective county. The meetings provided Project information and explained the EIS process. Packets containing the materials available to the public at the scoping meetings were distributed to the commissioners. In addition to the county commissioners, the BLM and Western met with the Clark County, Nevada, Conservation Program on March 1, 2011.

The BLM and Western received a total of 622 comment submittals (e.g., letter, comment form, email) containing 2,319 individual comments during the public scoping period. The public scoping comments were compiled in a database and analyzed for content. Reports were generated, categorizing the issues first by the Project region and then by resource and/or topic. The individual comments were keyed to a Project map for easy identification.

1.7.2 Consultation and Coordination with Federal, State, and Local Governments, and Federally Recognized Indian Tribes

The BLM and Western continue to participate in the coordination and consultation with federal, state, and local agencies, and tribal representatives about the potential for the proposed Project and alternatives to affect sensitive resources (40 CFR 1508.5; 1608.6; Forty Questions No. 14[a], 14[b], 14[c], and the CEQ Advisory Memorandum, *Designation of Non-Federal Agencies to be Cooperating Agencies in Implementing the Procedural Requirements of NEPA, July 1999*).

1.8 Issues to be Analyzed

After evaluating the comments received during the scoping, several key issues emerged. The issues were synthesized into topical areas that represent the most frequent public concerns about the proposed Project. These issues and topical areas defined the focus of the NEPA analyses disclosed in this EIS. A detailed summary of the scoping issues is contained in the Project Scoping Summary Report, which is posted on the BLM Wyoming State Office website: http://www.blm.gov/wy/st/en/info/NEPA/documents/hdd/transwest.html.

1.8.1 Corridor Alternatives

Most corridor-related comments were related to alternative locations. Concerns regarding particular corridor alternatives were related to avoidance of sensitive resources, including special status species habitat, impacts to visual resources, areas with special designations or management, and/or historic or cultural sites. Many of the commenters were landowners concerned about public health and safety issues and impacts to property values. A description of the pre-scoping corridor screening process is presented in **Appendix B**, TransWest Express Transmission Project Corridor Screening Report.

1.8.2 Potential Private and Public Land Use Conflicts

Conflicts with existing or potential future land uses were a common concern for many of the Project alternatives.

- Corridor alternatives located in Colorado potentially would conflict with private landowner properties, a new airport location, state land uses, and federal lands with special management designations.
- Corridor alternative concerns within Wyoming primarily were associated with impacts to agricultural lands, special status species, historic and cultural resources, and visual resources.
- In Utah, landowners in the Fruitland and Duchesne areas were concerned that the Project would conflict with agricultural activities and limit economic growth. Concerns about corridor alternatives were related to impacts to reservoirs in northern Utah, agriculture lands, Uinta/Ashley national forests, wilderness study areas (WSAs), and the Mountain Meadows National Historic Landmark (NHL) and Site.
- Numerous comments about conflicts with existing or potential future land uses came from the Las Vegas area, specifically north of Las Vegas (Apex) and the Henderson area.

1.8.3 Impacts to Fish, Wildlife, Vegetation, Special Status Species, and Habitat

Comments about potential impacts to greater sage-grouse were of high concern in Wyoming, Colorado, and Utah. Wildlife concerns in Wyoming and Colorado included impacts to big game migration and winter/spring range habitat for elk, mule deer, and pronghorn. There were numerous concerns regarding impacts to desert tortoise habitat in southern Utah and Nevada, as well as impacts to bighorn sheep where the proposed Project would traverse desert mountain ranges. Habitat loss for raptors and migratory bird species, as well as potential for increased bird collisions with transmission lines, were a concern throughout the analysis area.

1.8.4 Concerns about Wildlife Mitigation

Wildlife mitigation measures were important concerns, particularly in areas where the proposed corridor and alternative corridors potentially would affect special status species and wildlife. Many of the comments provided recommendations such as construction timing, buffer zones, perching deterrents, and mitigation plans. Compensatory mitigation for wildlife habitat loss also was recommended, particularly for impacts to migratory birds.

1.8.5 Noxious Weed Control and Reclamation

In nearly all scoping meeting locations, concerns were expressed about the potential for the spread of noxious and invasive weeds along new ROWs, and the need for appropriate control measures. Concerns and suggestions were expressed regarding the choice of appropriate seed mixtures for surface disturbance reclamation, especially as related to benefits to wildlife and livestock grazing.

1.8.6 Public Health and Safety

Numerous comments about public health and safety were received from areas where the proposed Project would cross or be adjacent to private property. Residents in the community of Central, Utah, were concerned

about fire risk related to co-locating the transmission line with gas pipelines as well as concerns about firefighter safety in an area with a high risk of wildland fires. Several residents in Henderson, Nevada, voiced concerns about the effects of electromagnetic fields on humans, potential sabotage activities, and structure/conductor failure near homes. Increased construction traffic on roadways was a concern throughout the analysis area.

1.8.7 Impacts to Areas with Special Management Designations

Throughout the Project area, comments were received about potential impacts to BLM Areas of Critical Environmental Concern (ACECs), BLM WSAs, USFS IRAs, national monuments/landmarks, national historic trails (NHTs), and state and federal parks. Primary concerns were visual changes that could be viewed from managed or protected areas.

1.8.8 Cumulative Impacts

Attendees expressed concern regarding the cumulative effects of numerous transmission lines being proposed within already overcrowded corridors throughout various geographies within the analysis area. Specific areas of concern were along Interstate 80 (I-80) in Wyoming; through the Dixie National Forest and Central, Utah; and in the Las Vegas area on the east side of the Las Vegas Valley.

1.8.9 Socioeconomic Impacts (Property Values and Tax Base)

Many landowners were concerned about how the Project would affect property values, particularly where the Project would cross private lands or would be located near urban areas. Throughout the analysis area, there were comments that the Project could provide economic benefit to their rural communities through expansion of the tax base and temporary employment during construction.

1.9 Organization of this EIS

The Project Draft EIS was organized to facilitate comparison of corridor alternatives and to enable the agencies to efficiently determine the agency preferred alternative. The Draft EIS addresses the direct, indirect, and cumulative environmental impacts resulting from developing the Project. The content and scope of each chapter is described below.

Chapter 1.0 – Introduction

Chapter 1.0 provides an introduction to the Project and includes a description of the proposed Project, the agencies' purpose and need, and the applicant's interests and objectives. This chapter discusses the federal approval process, decisions to be made, and authorizing federal laws. Relevant state and local regulations are summarized in **Appendix A**. The pre-scoping corridor screening process is presented in **Appendix B**. A summary of the scoping process and issues identified during the scoping period are presented.

Chapter 2.0 – Project Description and Alternatives

Chapter 2.0 provides a description of the alternatives to be analyzed, including the No Action Alternative. Each transmission line alternative is described in terms of its land requirements and the ancillary facilities required for implementing the alternative. The process for identifying the corridor alternatives to be analyzed (or not analyzed) in the EIS is outlined in this chapter. Detailed descriptions of BMPs, design features, and agency stipulations are presented in **Appendix C**. TransWest's detailed description of the technical components of the project are contained in **Appendix D**.

Chapter 3.0 – Affected Environment and Environmental Consequences

For each resource that could be impacted by the Project, Chapter 3.0 describes the analysis area, existing conditions, and environmental consequences of each Project alternative (including the No Action Alternative). Additionally, Chapter 3.0 provides the regulatory background, sources for baseline data, and a description of the impact indicators and methodology used to determine Project impacts. Proposed mitigation measures to

avoid or minimize these impacts and residual impacts after implementation of this mitigation also are disclosed. Resource-specific details not contained in the EIS sections can be found in **Appendix E** through **Appendix I**.

Chapter 4.0 – Federal Agency Land Use Plan Amendments

Chapter 4.0 addresses the federal land use plan amendments required for the Project. Plan amendments are related to the specific land management plan and alternative corridor. Environmental impacts and planning implications associated with each plan amendment are described.

Chapter 5.0 – Cumulative Impacts

Chapter 5.0 discloses the cumulative impacts of the proposed Project when considered with other non-connected past, present, and reasonably foreseeable future actions (RFFAs). As per CEQ's *Considering Cumulative Effects Under the National Environmental Policy Act* (CEQ 1997), the cumulative effects of past and present actions are summarized in Chapter 3.0 under the current affected environment sections for each resource. The cumulative impacts section then considers RFFAs and their additional impacts for all Project alternatives.