



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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NOV 19 2012

Ref: EPR-N

Mr. Mark Wieringa
NEPA Document Manager
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Re: Hermosa West Wind Energy Project Draft
Environmental Impact Statement,
CEQ#20120314

Dear Mr. Wieringa:

The U.S. Environmental Protection Agency Region 8 has reviewed the Draft Environmental Impact Statement (EIS) prepared by the Western Area Power Administration (Western) for the Hermosa West Wind Energy Project. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act (CAA), 42 U.S.C. Section 7609.

Project Background

Shell Wind Energy proposes to construct a wind generation facility near Tie Siding, Wyoming. The proposed project would include approximately 200 wind turbines with a combined generating capacity of up to 300 megawatts. The 11,125-acre project site includes private and state owned lands. Ancillary facilities include access roads, underground power collection lines, a substation and switchyard site with back-up generator, and operation and maintenance facilities. The proposed project would interconnect with an existing 345 kilovolt transmission line owned by Western.

In addition to describing Shell Wind Energy's proposed project, the Draft EIS discusses a "Proposed Federal Action" and a "Federal No Action" alternative. The Proposed Federal Action includes a 10-acre site for the switchyard and substation required for interconnection, as well as upgrades to the existing transmission line, funded by the project proponent. Although the proposed project could be constructed if Western denied the interconnection request and the proponent could find an alternate transmission line to tie into, for the purposes of analysis the Draft EIS assumes that the no action alternative would result in the proposed project not being constructed.

EPA's Comments and Recommendations

Consideration of Reasonable Alternatives to the Proposed Action

The EPA is concerned that the Draft EIS does not evaluate all reasonable alternatives associated with the project purpose and need. The purpose of the proposed project is described as, "to respond to increasing market demand for sources of renewable energy, including wind-generated electricity." The Draft EIS does not explain why the Hermosa West site is the only location considered for the proposed project. In fact, the Draft EIS explains that the power generated by the proposed project is more likely to be used in the neighboring states of Montana and Colorado than in Wyoming.

According to the Draft EIS, because Western's federal action associated with the proposed project is limited to consideration of the interconnection request and the associated system upgrades that would be required, the NEPA analysis evaluates only the proposed action and a no action alternative. However, identification of a range of alternatives, including "reasonable alternatives not within jurisdiction of the lead agency" is an important part of conducting a thorough NEPA analysis (40 CFR 1502.14 (c)). Reasonable alternatives in this case might include alternate interconnections that Shell Wind Energy could seek for Hermosa West if Western denied the interconnection request or alternate project locations.

Prevention of Air Quality Impacts from Fugitive Dust During Operations

The EPA recommends including an explanation of why the fugitive dust emissions (both PM₁₀ and PM_{2.5}) associated with this project are greater during operations than during construction. Because construction includes more sources of fugitive dust, including earth moving and increased vehicle traffic, we would expect fugitive dust emissions to be greater during that time period. We recommend that Western confirm that the emissions information provided in tables 4.8-1 and 4.8-2 are correct.

We note that Western commits to requiring the development and implementation of a Fugitive Dust Control Plan and far more substantial dust mitigation measures during the construction period than during the operations period. In fact, it appears that the only dust mitigation measure considered during the operation period is implementation of a vehicle speed limit within the project area. Because there are residences within close proximity to the proposed project, it will be important to ensure that fugitive dust emissions are adequately controlled during operations to prevent dust levels that are a nuisance to residents. We recommend that Shell Wind Energy and Western consider additional dust control measures during operations, including road surface treatments on primary access roads or contingency plans such as avoiding non-critical routine operation activities that require driving on project-area roads when wind speeds are greater than 30 mph.

Surface Water Quality

According to the Draft EIS, the proposed project has been redesigned to reduce the number of water body crossings to two thirds of their original number. This redesign will greatly reduce the potential impacts to water quality. Nonetheless, because there are numerous perennial, intermittent and ephemeral streams present in the project area, with 30 remaining crossings, the potential for water quality impacts remains high. Implementation of best management practices (BMPs) will be critical to controlling erosion and sedimentation in the project area.

The Draft EIS relies heavily upon future preparation of a Stormwater Pollution Prevention Plan (SWPPP) to prevent adverse impacts to surface water quality. We recommend that this plan be included as an appendix to the Final EIS. The Draft EIS also indicates that a Wyoming Pollutant Discharge Elimination System (WYPDES) permit will be obtained from the Wyoming Department of Environmental Quality. It is important to clarify that the WYPDES permit and SWPPP are applicable only to the construction phase of the proposed project. Because project roads will remain open for the life of the project, the potential for erosion and sedimentation to impact water quality exists during the operations phase as well. We recommend that stormwater BMPs continue throughout project operation. We also support development of an operational plan for identifying and resolving runoff problems such as erosion from an access road or turbine pad.

Conclusion and EPA's Rating

Based upon our review of the Draft EIS for the Hermosa West Project, we are rating this document as "Environmental Concerns – Insufficient Information" (EC-2). The "EC" rating indicates that our review has identified environmental impacts to air quality and water quality that should be avoided in order to fully protect the environment. The "2" rating indicates the EPA's belief that the Draft EIS does not contain sufficient information, including a reasonable range of alternatives, to fully assess environmental impacts that should be avoided in order to fully protect the environment. A full description of the EPA's EIS rating system is enclosed.

If you have any questions or would like to discuss our comments, please contact me at (303) 312-6925. You may also contact Molly Vaughan, lead reviewer for this project, at (303) 312-6577 or by email at vaughan.molly@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Bohan', with a long horizontal flourish extending to the right.

Suzanne J. Bohan
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosure

