RECORD OF DECISION

USDA Forest Service

Designation of Section 368 Energy Corridors on

National Forest System Land in 10 Western States

Decision by

Secretary of Agriculture

To Amend Land Management Plans

Described as the

Environmentally Preferred Alternative

January 14, 2009

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RECORD OF DECISION

INTRODUCTION

On August 8, 2005, the President signed into law the Energy Policy Act of 2005 (Act) [Public Law 109-58]. In Section 368 of the Act, Congress directs the Secretaries of Agriculture, Commerce, Defense, Energy and the Interior to designate, under their respective authorities, corridors for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities on federal land in the 11 contiguous Western States; perform any environmental reviews that may be required to complete the designation of such corridors; incorporate the designated corridors into the applicable agency land use and Land Management Plans (LMPs); ensure that additional corridors for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities on federal land are promptly identified and designated as necessary; and expedite applications to construct or modify oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities within such corridors. Congress further directed the Secretaries to take into account the need for upgraded and new electricity transmission and distribution facilities to improve reliability, relieve congestion, and enhance the capability of the national grid to deliver electricity. Finally, Congress specified that Section 368 energy corridors should have a centerline, a width, and uses that are compatible with the corridor specified.

This Record of Decision (ROD) documents the decision that I (representing the Department of Agriculture (USDA)) have reached to designate Section 368 energy corridors on National Forest System (NFS) lands through amendment of LMPs. The corridors on NFS lands are located in 10 of the 11 contiguous western states. The 10 western states include Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. The USDA decision is based upon the consideration of the effects of corridor designation on the human environment described in the Final Programmatic Environmental Impact Statement, Designation of Energy Corridors on Federal Land in the 11 Western States (DOE/EIS-0386).

The Programmatic Environmental Impact Statement (PEIS) has been prepared by the involved agencies in accordance with the National Environmental Policy Act of 1969 (NEPA). The Department of Energy (DOE) and Bureau of Land Management (BLM) for the Department of the Interior (DOI) were the lead agencies in preparation of this PEIS; and the USDA, Forest Service (FS); Department of Defense (DOD); and DOI, Fish and Wildlife Service (FWS), were the cooperating federal agencies in preparation of the PEIS. These agencies are collectively referred to as “the Agencies”.

Designation of section 368 energy corridors is an important step in addressing critical energy needs in the West. Energy corridors on federal lands provide pathways for future long-distance energy transmission that will help to relieve congestion, improve reliability, and enhance the national electric grid. Future use of corridors should reduce the proliferation of rights-of-way (ROWs) across the landscape and minimize the environmental footprint from development.

Section 368 energy corridors are located to avoid, to the maximum extent possible, significant, known environmental resources. The corridors are located considering potential renewable energy development in the West, which is currently constrained in part by a lack of transmission

capacity. The coordinated, interagency permitting and environmental compliance processes, evaluated in the PEIS and adopted by this ROD, will foster long-term, systematic planning for energy transportation development and offer a consistent and improved interagency permitting process. The amendment of the LMPs is responsive to USDA's responsibilities under Section 368 of the Act and represents a forward-looking proactive response to the nation's energy needs and the sustainable management of NFS lands.

OBJECTION ON THE FINAL PEIS

This ROD sets forth the decision of the USDA Under Secretary, Natural Resources and Environment (USNRE) to approve a number of proposed plan amendments. Approval at the USNRE level in the USDA reflects both the Federal cooperative process that brought together bureaus, services, and offices within the DOI, USDA, DOE, and Department of Commerce (DOC) and the mandate from Congress that the Secretaries of these Departments cooperatively designate energy transport corridors. Approval at the USNRE level in USDA means the plan amendments described in this ROD are not subject to any objection to the FS Chief, who is subordinate to the Under Secretary, as described in FS's planning regulations at Title 36, Section 219.13(a) of the *Code of Federal Regulations* (36 CFR 219.13(a)). Thus, the FS objection process is not applicable to the land use plan amendments approved here. The ROD may be appealed to the Federal courts, and each future ROW application decision would be subject to administrative and judicial appeal.

THE DECISION

Section 368 directs the Secretary of the Agriculture (the Secretary) to designate energy transportation corridors under existing authorities, as provided by The Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (NFMA) and, at a later date and subject to further environmental review, to designate ROW's under Section 503 of the Federal Land Policy and Management Act of 1976 (42 USC 1702) (FLPMA), as well as under the Mineral Leasing Act of 1920 (MLA) and "to minimize adverse environmental impacts and the proliferation of separate rights-of-way," encourage the use of common ROW's. By signing this ROD, the USDA amends the applicable FS Land Management Plans (LMPs) under the authority of the NFMA and in accordance with FS planning regulations at 36 CFR Part 219. A PEIS has been prepared for the consideration of the proposed LMP amendments, in compliance with the applicable requirements of law. Minor clarifications and corrections to the final PEIS are described in APPENDIX C.

As the USDA's Under Secretary for Natural Resource and Environment, I am approving the proposed LMP amendments identified as the environmentally preferred alternative in the PEIS

This decision amends the LMPs to designate corridors at the specified centerline, width and compatible uses. This decision also adopts the IOPs for future inclusion in the FS directive system. The IOPs are applicable upon the implementation of my decision for new applications for ROWs. The IOP's will be updated and revised consistent with FS directive process.

What Amended LMPs Include

The amended LMPs designate the Section 368 energy corridors identified in Appendix A. The amendments are based on the evaluations conducted and published in the PEIS (DOE/EIS-0386). The PEIS identifies potential Section 368 energy corridors; evaluates effects resulting from their designation; identifies mitigation measures of potential effects anticipated from future development; and includes the Interagency Operating Procedures (IOPs) applicable to the planning, construction, operation, and decommissioning of future projects within the corridors. The environmental consequences of future projects will be addressed in project-level NEPA analyses.

The designation of energy transportation corridors in LMPs identifies the preferred location for ROWs for the development of future energy transportation projects on NFS land.[1] As specified in Section 368(a) of the Act, a centerline, width, and compatible uses within the designated energy corridors are identified. Appendix A lists the amended LMPs, the responsible FS offices, corridor identifiers, and the width and compatible uses within the corridors. Where Section 368 energy corridors are now designated upon corridors previously designated in applicable LMPs, the attributes specified in Appendix A supersede the attributes of those previously designated corridors.

These LMP amendments include IOPs for the administration of requests for energy transportation development within the Section 368 energy corridors. The IOPs address the requirements of Section 368 of the Act to expedite or otherwise improve the permitting process. The IOPs are interagency planning and implementation procedures applicable to the development of energy transmission projects and afford an opportunity for the coordinated, consistent interagency management of ROWs within the corridors. The IOPs describe the requirements to ensure that future projects are planned, constructed, operated, and eventually decommissioned in a manner that protects and enhances environmental resources and long-term sustainability. The IOPs are adopted by the decision to amend the LMP and will be implemented through agency directives applicable to future ROW requests (Appendix B).

What Amended LMPs Do Not Include

Section 368 of the Act directs the Secretary of the Agriculture (the Secretary) to designate energy transportation corridors under existing authorities and includes no new authorities. The Secretary has no authority to designate corridors on tribal, state, or private lands or to override other federal, tribal, state, or local authorities for a ROW project crossing nonfederal (including tribal) lands. Section 368 does not provide the Secretary with authority to require energy producers, transporters, and users to be more efficient in their generation, transport, or use of energy or to require utilities to upgrade their systems within Section 368 energy corridors.

[1] Under NFMA "suitable corridors" are identified. Section 368 requires that the corridors are "designated" in land use and resource management plans. To be designated, the corridor must be "suitable" for the designated use.

Designation of Section 368 energy corridors and amendment of applicable LMPs does not authorize any projects, nor does it mandate that future ROWs locate in the corridors, or preclude the FS from denying a project or requiring design revisions. Future ROW proposals must comply with existing laws, policies, and regulations. Future ROW applicants are not precluded from proposing a project outside a designated energy corridor, though consideration and approval of such a request may require an LMP amendment.

OVERVIEW OF THE ALTERNATIVES

The Agencies[2] analyzed two alternatives in the PEIS: 1) the No Action Alternative; and 2) the Proposed Action Alternative. The Proposed Action is the selected alternative and is adopted in this ROD. Additional alternatives were proposed, considered, and eliminated from detailed study based upon potential environmental and managerial concerns of locating future ROWs within alternative corridor locations. The use of the corridors within either of the alternatives identified in the PEIS are required to comply with all applicable Federal laws, rules, regulations, and policies.

Alternative 1 — No Action Alternative, Continuation of Current Management

If the No Action Alternative were selected, the Secretary would not designate Section 368 energy corridors on NFS land in the 11 contiguous western states. The FS would continue to follow current ROW permitting practices in the consideration of proposals to use NFS land for energy transportation. Implementation of the No Action Alternative would not amend LMPs or provide for the improvement in the processing of requests for ROWs on NFS land.

In general, all NFS lands, unless otherwise designated, segregated, or withdrawn, are available for consideration of ROW authorization. In this alternative, the FS would continue to evaluate applications for ROWs and alternative ROW routes following current regulations, policies, and permitting processes and requirements. Where necessary, amendment of LMPs to incorporate project-specific ROWs would be conducted on a project-by-project basis. Although federal agencies including the FS have improved the processing of multi-agency projects in recent years, there are still barriers to efficient processing of ROW applications. At present, some of these barriers include inconsistent agency procedures for granting ROWs; inconsistent agency opinions on whether or not proposed energy infrastructure projects would:

- ✓ address near- or long-term energy needs;
- ✓ provide appropriate coordination among agencies administering contiguous federal land regarding applications ROWs across their respective jurisdictions; and

[2] This ROD pertains only to the USDA Forest Service Land and Resource Management Plans based upon the PEIS completed by the Agencies.

- ✓ provide for necessary coordination within agency offices regarding the appropriate geographic locations of corridors or ROWs.

Rational for rejecting the No Action Alternative
The No Action Alternative does not meet the purpose and need of the federal action described in the PEIS. Under the No Action Alternative, future long-distance energy transportation projects are less likely to cross federal lands within common, shared energy transportation corridors. A proliferation of widely spaced project-specific ROWs could cross federal land administered by one or more federal agencies and reduce the likelihood of co-locating needed energy transportation infrastructure of multiple projects, increasing the likelihood of greater overall environmental impact. Long-term, systematic energy transmission planning, development, and eventual removal would continue to be cumbersome among proponents, federal, state and tribal agencies, and the public.

Alternative 2 — Proposed Action Alternative: Designation of Section 368 Energy Corridors and Amendment of LMPs

Under the Proposed Action Alternative, 38 LMPs would be amended to designate approximately 975 miles of Section 368 energy corridors on FS lands in 10 western states. These corridors represent preferred locations on NFS land for future electric transmission and oil, gas and hydrogen pipelines. In the PEIS, the Section 368 energy corridors are identified in each of the 11 western states and are designated for either pipeline or transmission line use or both (multimodal). Section 368 energy corridors are 3,500 feet wide, unless otherwise specified based on environmental or management concerns or current corridor designations. The Proposed Action Alternative in the PEIS would designate Section 368 energy corridors, some of which include portions of corridors currently identified in land management plans of the Agencies, in each of the 11 western states. On National Forest System land in New Mexico no section 368 energy corridors are designated.

Federal land administered by the BLM accounts for 82 percent or over 5,000 miles of the total Section 368 energy corridors described in the Proposed Action Alternative of the PEIS. Land administered by the FS is 16 percent of the total. Two percent of the corridors are located on land administered by the U.S. Fish and Wildlife Service, National Park Service, Department of Defense, and Bureau of Reclamation. The Agencies which prepared the PEIS coordinated corridor locations across jurisdictional boundaries to ensure continuity of long-distance energy transportation across federal land and to avoid impacts to sensitive resources. To establish consistent management procedures within and among administrative units, the Agencies would adopt the IOPs for the processing future ROW applications within corridors.

Rationale for selection:

Neither the No Action nor the Proposed Action Alternatives effect the environment. On-the-ground consequences await ROW project development. Future project development under either the No Action or the Proposed Action may take place only after completion of necessary NEPA analysis, reviews, permitting, public involvement, and compliance with all applicable laws and regulations. However, the Proposed Action Alternative includes substantial advantages as compared to the No Action Alternative and other alternatives not studied in detail.

The Proposed Action Alternative fulfills the intent of Congress described in Section 368 of the Energy Policy Act of 2005. In this Alternative, the Secretary of Agriculture designates corridors for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities on FS land in 10 of the 11 contiguous western states by incorporating the designated Section 368 energy corridors into the applicable LMPs. The designation of Section 368 energy corridors includes electricity transmission and distribution facilities to improve reliability, relieve congestion, and enhance the capability of the national grid to deliver electricity. In addition, the Proposed Action Alternative includes processes for the prompt consideration of additional corridors for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities on NFS land, when requested by a project proponent. The Proposed Action Alternative includes IOPs that are expected to improve the processing of ROW applications for construction, operation, and removal of oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities within such corridors. The Proposed Action Alternative specifies the centerline, width, and compatible uses within each of the Section 368 energy corridors.

Congress directed the Secretary to perform any environmental analyses that may be required to complete the designation of section 368 energy corridors. The PEIS describes the environmental analysis of corridor designation through LMP amendment. The designation of Section 368 energy corridors is expected to focus future energy transportation developments toward location within the designated corridors.

TABLE 1: Miles of Locally Designated Energy Corridors Incorporated into the Proposed Section 368 Energy Corridors on Federal Land, by State and Federal Agency

State	Number of Proposed Corridors Incorporating Locally Designated Corridors[a]	Miles of Locally Designated Energy Corridors (total miles of proposed Section 368 energy corridors in parentheses)					
		BLM	FS	FWS	BOR[b]	DOD	NPS
Arizona	13 (16)	356 (454)	166 (181)	0 (0)	0 (0)	0 (5)	7 (10)
California	16 (20)	405 (600)	122 (223)	0 (0)	0 (1)	0 (0)	0 (0)
Colorado	9 (19)	178 (308)	36 (112)	1 (3)	0 (0)	0 (2)	0 (1)
Idaho	1 (14)	0 (296)	6 (16)	0 (0)	0 (1)	0 (0)	0 (0)
Montana	4 (8)	9 (56)	13 (180)	0 (0)	0 (0)	0 (0)	0 (0)
Nevada	16 (34)	799 (1,535)	1 (29)	0 (25)	11 (18)	2 (10)	5 (5)
New Mexico	1 (4)	18 (290)	0 (0)	0 (4)	0 (0)	0 (0)	0 (0)
Oregon	8 (12)	333 (431)	0 (134)	0 (0)	0 (0)	0 (0)	0 (0)
Utah	6 (14)	88 (619)	30 (62)	0 (2)	0 (0)	0 (9)	0 (0)
Washington	1 (2)	0 (1)	48 (50)	0 (0)	0 (0)	0 (0)	0 (0)
Wyoming	0 (18)	0 (413)	0 (3)	0 (0)	0 (23)	0 (0)	0 (0)
Total	75 (131)	2,186 (5,002)[c]	422 (990)[c]	1 (34)[c]	11 (44)[c]	2 (26)	12 (16)[c]

[a] Proposed Section 368 energy corridors with portions that are locally designated. Not all portions of these corridors are locally designated. Total number of proposed Section 368 energy corridors is in parentheses.

[b] BOR = Bureau of Reclamation.

[c] Slight difference between indicated total and the sum of the stated entries is due to rounding.

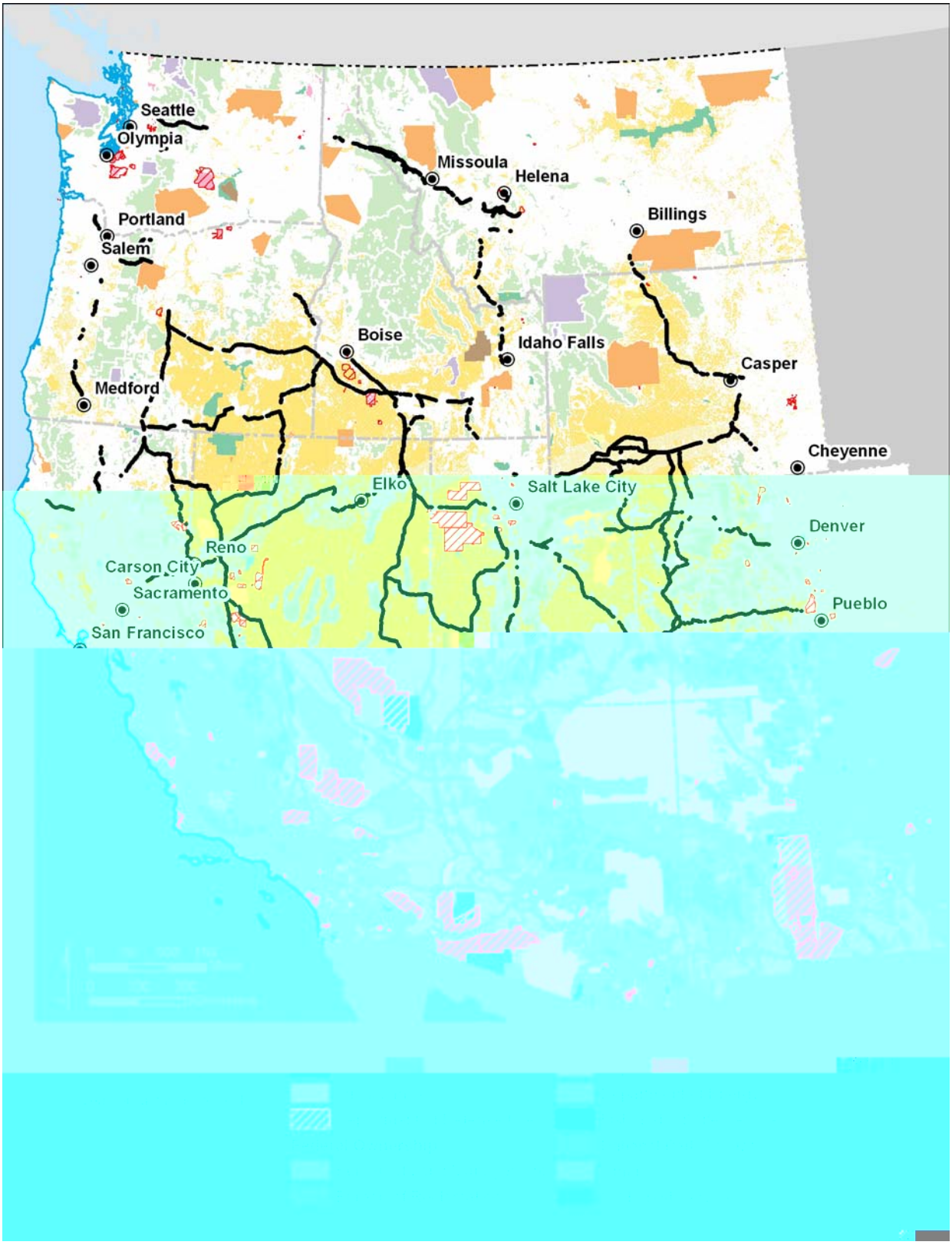

FIGURE 1: Proposed Section 368 Energy Corridors on Federal Lands in the 11 Western States

TABLE 2: Distribution of Proposed Energy Corridors on Federal Land, by Managing Federal Agency

State	Total Miles of Proposed Corridors	Miles of Proposed Corridors on Federal Land, by Managing Federal Agency					
		BLM	FS	FWS	BOR[a]	DOD	NPS[a]
Arizona	650	454	181	0	0	5	10
California	823	600	223	0	1	0	0
Colorado	426	308	112	3	0	2	1
Idaho	314	296	16	0	1	0	0
Montana	236	56	180	0	0	0	0
Nevada	1,622	1,535	29	25	18	10	5
New Mexico	293	290	0	4	0	0	0
Oregon	565	431	134	0	0	0	0
Utah	692	619	63	2	0	9	0
Washington	51	1	50	0	0	0	0
Wyoming	438	413	3	0	23	0	0
Total	6,112[b]	5,002	990[b]	34[b]	44[b]	26	16[b]

[a] BOR = Bureau of Reclamation; NPS = National Park Service.

[b] Slight difference between indicated total and the sum of the stated entries is due to rounding.

Consolidation of ROW development is expected to reduce the proliferation of separate ROWs on federal land. Section 368 energy corridors are sited to avoid known sensitive environmental resources. The use of the IOPs ensures additional environmental protection, such as the consolidation of infrastructure and the use existing ancillary facilities such as roads for multiple projects. The designation of corridors across the jurisdictions of federal agencies and the use of consistent, inter-agency management procedures (IOPs) for ROWs within designated corridors is expected to promote robust energy infrastructure planning and development, and to minimize the environmental effects of project construction.

MANAGEMENT CONSIDERATIONS IN SELECTING THE APPROVED LAND MANAGEMENT PLAN AMENDMENTS

Many considerations contributed to my decision to select the LMP amendments approved by this Record of Decision (ROD). The Agencies must comply with Section 368 of the Act and identify a framework for coordination to do so. Other considerations included:

- assessing transmission needs in the west;
- accomplishing the necessary environmental reviews;
- locating potential energy corridors across the landscape;
- meeting the Section 368 requirements to expedite or otherwise improve the permitting process;
- establishing procedures to identify and designate future Section 368 energy corridors as necessary; and
- ensuring that the environmental considerations identified in the PEIS are addressed when requests for ROWs within corridors are submitted to the Agencies.

Energy Policy Act of 2005

A primary consideration for my decision is to meet the requirements of the Energy Policy Act of 2005, Public Law 109-58 by:

- designating corridors for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities;
- incorporating the designated corridors into the applicable agency land use and resource management plans or equivalent plans; and
- fulfilling the other considerations specified in Section 368 of the Act.

Interagency Cooperation

Section 368 directs five agencies to work together to designate corridors on federal lands in the 11 western states. The Agencies completed a Memorandum of Understanding (MOU) to define their working relationships (2006). The DOE was designated the lead agency with the BLM as

the co-lead. The FS, DOD, and FWS were identified as cooperating federal agencies. The Department of Commerce did not sign the MOU but remained a consulting agency. Only those Agencies that manage federal land (DOD, DOI, and USDA) where Section 368 energy corridors will be designated are issuing RODs for such designation. The Agencies established an interagency Executive Team to coordinate work on the PEIS, and selected Argonne National Laboratory as the contractor for the preparation of the PEIS.

Transmission Needs in the West

The requirements of Section 368 reflect Congress's recognition of the importance of an energy transportation infrastructure capable of fulfilling the nation's energy needs. Section 368 of the Act specifically addresses the need for electricity infrastructure. The Act directs the Agencies to take into account the need for upgraded and new infrastructure, and to take actions that are expected to improve reliability, relieve congestion, and enhance the capability of the national grid to deliver energy. The Agencies took into account various factors in considering the need for energy transportation infrastructure and potential locations for corridor designation.
The West has a critical need for long-distance energy transportation infrastructure due in part to the West's geography and population distribution. Energy sources and generation facilities are often remotely located from dense population centers, resulting in an electricity transmission grid of long-distance, high-voltage transmission lines. While these long-distance lines are necessary to provide consumers with reliable and affordable power, the required length of these lines, and the complex mix of federally administered land among private, tribal, and state-owned land, presents a challenging problem for the planning and siting of energy transport infrastructure. Many responsible organizations recognize the need for energy transmission infrastructure in the West. For example:

- The Western Governors' Association (WGA) recognizes the importance of energy transportation, identifying planning criteria to consider when addressing needed infrastructure.
- The North American Energy Reliability Corporation (NERC) forecasts a continued need for electricity resources and notes an increasing strain on the present transmission system.
- Numerous sources identify the need for transmission infrastructure to promote development of renewable resources such as wind, solar, and geothermal in the West (Black & Veatch 2007, 2008; CDEAC 2006a; DOE 2008; State of Nevada 2007).
- The DOE completed a nationwide analysis of electricity transmission congestion in 2006 and identified critical congestion areas, congestion areas of concern, and conditional congestion areas in the West.

Transmission system congestion can lead to rapid rises in electricity prices and severe congestion may lead to loss of electricity supplies and blackouts in some areas. Although conservation and distributive energy systems may diminish the need for some future long-distance transmission, current studies and estimates point to an expanding infrastructure for decades to come (CDEAC 2006b). These studies and estimates offer a basis for identifying needed energy transmission in the West as well as the substantive data used in the first steps of identifying potential corridor locations.

Section 368 requires the Agencies to conduct any "environmental reviews" necessary to complete the designation of Section 368 energy corridors. NEPA requires federal agencies to prepare a "detailed statement for major federal actions significantly affecting the quality of the human environment."[3] CEQ regulations encourage agencies to "integrate the NEPA process with other planning at the earliest possible time to ensure that planning and decisions reflect environmental values, avoid delays later in the process, and head off potential conflicts."[4] In addition to meeting CEQ regulations, the NEPA process includes an established and familiar vehicle to examine potential environmental concerns and allows for early public participation in the Section 368 energy corridor designation process through a mechanism familiar to interested members of the public. The designation of over six thousand miles of energy transportation corridors on federal land in the west is a demanding task aided by the preparation of a PEIS. The PEIS enabled the Agencies to seek public involvement through the use of open comment periods and public forums where concerns regarding Section 368 energy corridors could be raised. Public review and comment on the draft PEIS resulted in a number of changes incorporated into the final PEIS.

The Agencies elected to prepare a programmatic environmental impact statement as an appropriate way to implement the intent of NEPA. The Council on Environmental Quality (CEQ) regulations at Title 40, Part 1502.4(b), of the Code of Federal Regulations (40 CFR 1502.4(b)) state that "Environmental Impact Statements may be prepared and are sometimes required, for broad federal actions such as the adoption of new agency programs or regulations (Section 1508.8). Agencies shall prepare statements on broad actions so that they are relevant to policy and are timed to coincide with meaningful points in agency planning and decision making."

The USDA decision to designate 990 miles of Section 368 energy corridors in 10 states is a broad-scale action that does not provide specific information with regard to the specific effects expected from development. It is not possible at this time, for example, to identify the effects of building a particular transmission line within a specific landscape; nor is it known if, when, or in which corridor such projects may actually be proposed. It is neither practicable nor possible to evaluate the specific environmental effects associated with future ROW proposals. It is, however, possible and useful to address a programmatic assessment of the types of resources or environmental concerns that are expected to occur within the corridors and the types of effects expected to occur from future development. Based on the PEIS, it is possible to identify management practices or IOP's that are expected to be helpful in reducing potential environmental effects, and establishing consistent practices and likely mitigation measures for proposed projects with Section 368 energy corridors. The PEIS is expected to aid subsequent, site-specific analyses for individual project proposals by allowing the Agencies to incorporate the relevant provisions of the PEIS into later, site-specific analyses.

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3 NEPA § 102(2).

4 40 CFR 1501.2.

Corridor Siting Process

The Agencies followed a systematic, four-step process for the identification of corridor locations on federal lands in the West. Each step built upon the previous one in which alternative corridor locations were examined and eliminated from further detailed study. The final selection of corridor locations included the consideration of numerous alternative locations for various corridor segments. This siting process considered current and likely energy production from electricity, oil, natural gas, and hydrogen and energy transportation in pipelines and electricity transmission lines. Additional emphasis was given to electricity transmission because of the interconnected nature of the electric grid and the congestion and reliability issues currently facing the West. Throughout the corridor siting process, comments received from the public and other stakeholders regarding corridor locations were considered including the need for energy corridors in specific locations and the desire to avoid or minimize effects to sensitive environmental resources.

The Agencies used the siting process summarized below to locate potential corridor locations:

Step 1: The Agencies developed an "unrestricted" conceptual West-wide network of energy transportation paths, addressing the need to connect energy supply areas, regardless of the source, with demand centers via long-distance transportation. The network responds to the requirements and objectives of Section 368 without regard to land ownership or environmental or regulatory requirements. This unrestricted grid was based on studies noted above, as well as on information provided during public scoping meetings in each of the 11 western states.

Step 2: The Agencies refined and revised the locations of individual segments of the conceptual network defined in Step 1 to avoid nonfederal land as well as major known, conflicting environmental, land use, and regulatory requirements. The Agencies analyzed GIS-based data from multiple sources (BLM, USDA FS, FWS, State Historic Preservation Offices, US Geological Service, DOE, and DOD), resulting in a preliminary corridor network that did not cross, state, and tribal lands, many important known natural or cultural resources, and many areas known to be incompatible with an energy transportation infrastructure.

Step 3: Local federal land managers and resources staff evaluated the preliminary corridor locations identified in Step 2. Working with the interagency team, these managers adjusted the corridor locations in their administrative units to further avoid important or sensitive resources, to ensure consistency with resource management objectives described in each unit's land use plans, and to ensure compatibility among adjacent federal lands.

Step 4: The Agencies further evaluated and revised corridor locations, as appropriate, in response to concerns expressed by the public, states and tribes, local governments, non-governmental organizations, and other stakeholders during the public comment period for the draft PEIS and during government-to-government consultations. The Agencies also further refined corridor locations to incorporate new information from federal land and resource managers to ensure consistency with local federal land management responsibilities and to avoid sensitive resources to the fullest extent possible.

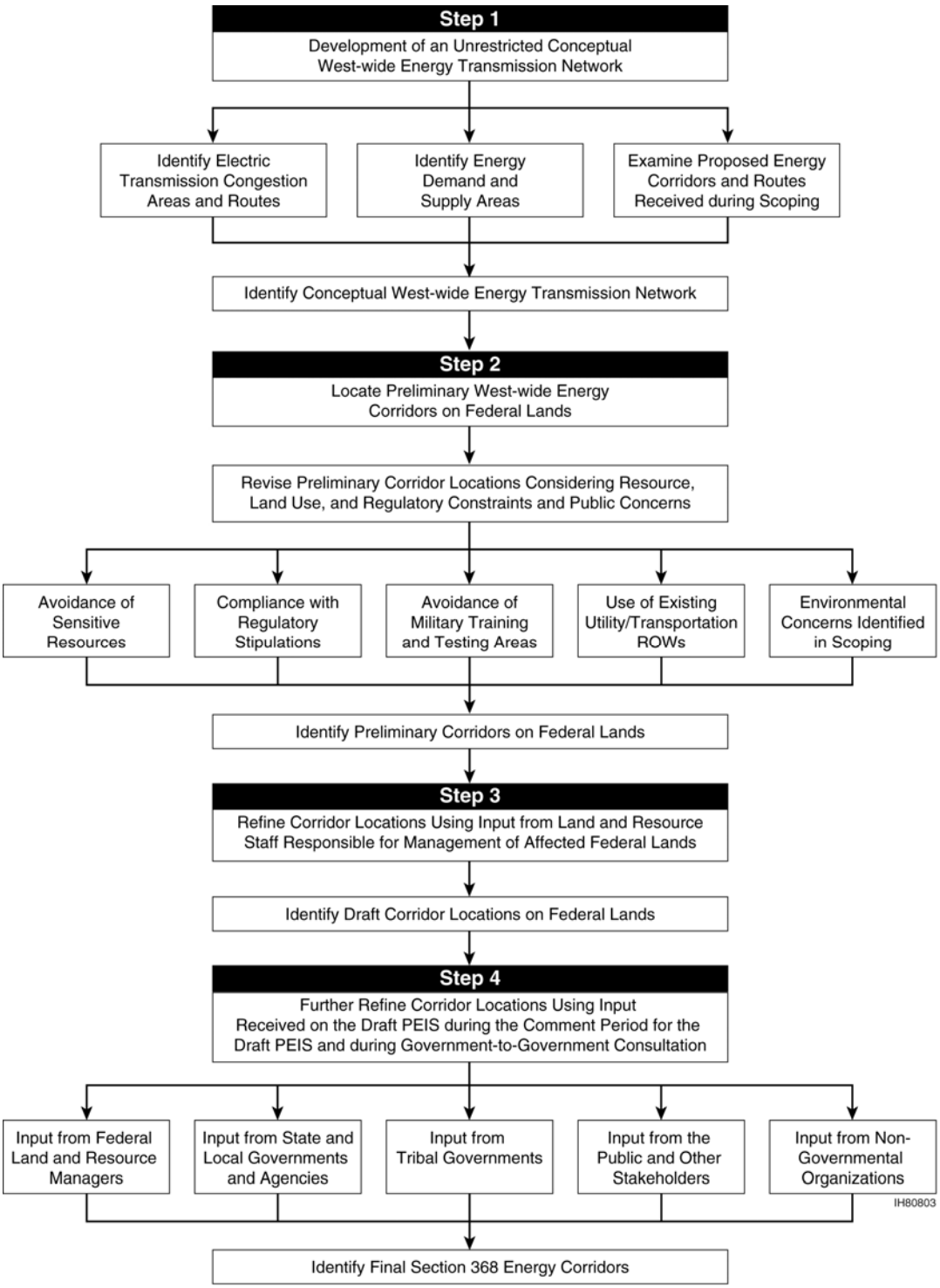

FIGURE 2: Four-Step Corridor Siting Process for Identifying Section 368 Energy Corridor Locations

The Agencies considered the following factors throughout the 4-Step process to locate potential Section 368 energy corridors:

- Section 368 of the Act identifies electricity transmission as a purpose for corridor designation. Enhancing the grid is critical to relieving congestion and improving electricity transmission reliability in the West;
- Corridors which did not support connectivity within the grid were not considered as potential Section 368 energy corridors;
- Corridors could only be located on federal land, thus excluding tribal, state, and private lands from further consideration as potential locations;
- Corridors had to include feasible development opportunities;
- Corridors must comply with legal and regulatory requirements and, to the maximum extent possible, known environmental concerns or incompatible land uses;
- Corridors had to be compatible with local land use plans which address the compatibility of energy transportation development and transportation; and
- To the maximum extent possible, corridor locations were required to follow existing corridor designations or infrastructure to reduce the need for corridor locations on undeveloped land.

The resulting Section 368 energy corridors represent three years of intensive effort among multiple agencies, tribes, state and local governments, individuals, groups and many other entities striving to identify suitable locations for energy transportation corridors on federal land. The Section 368 energy corridors represents the consideration of many different alternative locations for corridor segments and represents those that fulfill the criteria established in Section 368 of the Act as described above.

Improved Permitting Process

Section 368 directs the Agencies to establish procedures under their respective authorities to expedite or otherwise improve the application process for energy-related projects within Section 368 energy corridors. The Agencies will use uniform interagency operating procedures (IOPs, APPENDIX B) for processing applications for energy ROWs within designated Section 368 energy corridors.

Applicants seeking permits to develop long-distance energy transportation infrastructure are expected to benefit from consistent procedures applicable across administrative boundaries and among different federal agencies. The IOPs offer uniform processing and performance criteria for energy transportation ROWs in Section 368 energy corridors for planning, construction, operation, and decommissioning. The IOPs are expected to reduce duplication, increase coordination, and ensure consistency among all participants in the ROW permitting process.

The affected agencies, primarily the BLM and the Forest Service, will establish implementation guidance subsequent to the issuance of their respective RODs. Implementation of the IOPs will include the following:

- The federal agencies involved will select a responsible federal official to oversee the processing of a ROW application;

- The agencies will require a single environmental review for a proposed ROW project; and
- The agencies will develop a single cost-share agreement, fee schedule, and seek a unified billing process for the applicant; and other such measures to improve the application process.

The processing of ROW application within Section 368 energy corridors will utilize the principles of the Service First program implemented by the BLM, FS, National Park Service (NPS), and FWS. A ROW application received by any one of the Agencies will undergo an initial review to determine if the project crosses multiple federal agency jurisdictional boundaries within a state or is an interstate project. If a ROW proposal within a Section 368 energy corridor fulfills review criteria, only one application will be necessary to proceed with the evaluation and authorization process.

The federal project manager assigned to a proposed project is expected to have knowledge, experience, and credentials similar to current BLM national project managers. The BLM national project managers are very familiar with the policies and procedures of multiple agencies and jurisdictions, are experienced working with large, complex projects and sophisticated applicants, and can successfully manage third-party contracts, if necessary. The responsible federal project manager will oversee all processing of applications, including environmental reviews, construction activities, post-construction monitoring, and eventual removal of facilities.

Additional Corridors

Congress directed the Agencies to ensure that additional Section 368 energy corridors for oil, gas, and hydrogen pipelines and electricity transmission and ancillary facilities on federal land are promptly identified and designated, as necessary. The FS will accommodate the need for future energy corridors through its normal land use planning process, which provides a procedure for designating energy corridors as the needs arise. Where proposals for ROWs meet the criteria established for Section 368 energy corridors, the FS may work through the Service First program to amend LMPs, if necessary, and add an energy corridor to previously designated Section 368 energy corridors.

Environmental Impact Considerations

The FS considered the effects of designating energy transportation corridors and amending LMPs. The environmental analysis in the PEIS discloses, with an exception noted in the socio-economic analysis concerning potential effects to land values, that there are no effects expected to the environment from corridor designation itself. Amending the LMPs does not authorize any ground-disturbing activities and there are no irreversible or irretrievable commitments of resources.

The FS also considered the wealth of information on the consequences of energy transportation development within the corridors. The Agencies recognize that future development within the corridors is likely to involve many environmental considerations and analyzed, at a programmatic level, the likely direct, indirect, and cumulative effects expected from future development. Based on this analysis, the Agencies described the recommended mitigation measures regarding various potential environmental effects. Mitigation measures establish consistent procedures that may be adopted, as appropriate, in the authorization of ROWs within Section 368 energy corridors.

In addition to the mitigation measures, the FS will use IOPs that promote:

- Regulatory compliance among appropriate authorities;
- Necessary interagency cooperation;
- Government-to-government consultation; and
- Appropriate consideration of effects to ground and surface water, vegetation, wildlife, watershed, paleontological resources, ecological resources, cultural resources, tribal traditional cultural resources, and scenic resources.

The IOPs include a robust suite of management practices that are expected to ensure the protection of environmental resources throughout the life of any future ROW project within a designated Section 368 energy corridor.

CONSISTENCY AND CONSULTATION REVIEW

Governor's Consistency Review

43 U.S.C. §1712(c)(9) states that the Secretary of the Interior shall "coordinate the land-use inventory, planning , and management activities of or for such lands with the land-use planning and management programs of other federal departments, and agencies and of the states and local governments within which the lands are located." It further states that "the Secretary shall assure that consideration is given to those state, local and tribal plans that are germane in the development of land-use plans for public lands [and] assist in resolving, to the extent practical, inconsistencies between federal and non-federal government plans…." In this multi-agency effort, the FS will incorporate these comments – as appropriate – into the ROD. This does not require the FS to adhere to or adopt the plans of other agencies or jurisdictional entities, but rather requires the FS to give consideration to this plan and make an effort to resolve inconsistencies to the extent practical.

Where State plans conflict with federal law, there will be an inconsistency that cannot be resolved or reconciled. Thus, while state and federal planning processes, under NFMA, are required to be as integrated and consistent as practical, the federal agency planning process is not bound by or subject to state plans, planning processes, or planning stipulations.

Congress directed the Agencies to designate energy transport corridors on federal lands. The decision to designate these corridors and to amend FS LMPs to do so does not authorize any ROW projects and is not an irreversible or irretrievable commitment of resources under NEPA.

On October 31, 2008, the BLM initiated the 60-day Governors' Consistency Review of the Final PEIS. Based on the states replies to the BLM, the FS has no modifications to the PEIS affecting this ROD for NF LMPs.

Cooperating Agencies

The projects lead agencies, the DOE and BLM, issued invitations to stakeholders (including counties) to apply for Cooperating Agency status in the fall of 2005. Three federal agencies participated in the PEIS as cooperating agencies including the USDA FS; the DOD; and the FWS. Two states, three county governments, two conservation districts, and one tribe, requested and received cooperating status.[5] The nonfederal entities entered into cooperating status by directly contacting the Agencies and requesting cooperating status. The role of the cooperating agencies was to provide information to the Agencies addressing environmental, economic, and social issues for consideration during the corridor identification process. The cooperating federal agencies were full partners in the PEIS with specific reference to their particular agency concerns. The California Energy Commission represented the State of California, and in coordination with the BLM and FS established an interagency team of federal and state agencies to ensure that the state's energy and infrastructure needs, renewable energy generation policy goals, and environmental concerns were considered in the PEIS. The other cooperating agencies also provided information on tribal, state, or local issues that assisted the Agencies in siting corridors and developing the PEIS.

Tribal Governments

The federal/tribal government-to-government relationship was reaffirmed by the federal government on May 14, 1998, with E.O. 13084 and strengthened on November 6, 2000, with E.O. 13175 (U.S. President 1998, 2000). The FS affirms this relationship and works directly with tribal governments on a government-to-government basis.

The FS coordinates and consults with tribal governments, Native communities, and individual members of tribes whose interests might be directly and substantially affected by activities on public lands. It strives to provide the tribal entities sufficient opportunities for productive participation in FS planning and resource management decision making. In addition, Section 106 of the NHPA requires federal agencies to consult with tribes for undertakings on tribal lands and for historic properties of significance to the tribes that may be affected by an

[5] The cooperating entities were the State of Wyoming; the Coeur d'Alene Tribe; Lincoln, Sweetwater, and Uinta counties, Wyoming; and Sweetwater and Uinta conservation districts, Wyoming.

undertaking (36 CFR 800.2 (C)(2)). The FS Manual (FSM 1563) and FS Handbook (FSH 1509.13) describe guidance for Native American consultations.

Section 368 does not apply to Indian lands. There is no Section 368 energy corridor designated on tribal lands. Any future project proponent siting a ROW within a Section 368 energy corridor must follow procedures applicable to tribal lands. Designation of Section 368 energy corridors on federal land does not require tribes to accept unwanted energy development on their lands, constrain rates tribes can charge for use of their lands, or negate tribal regulations for energy development on their lands.

The Agencies recognize, however, that designation of energy corridors on federal lands and especially on lands adjacent to tribal land is of interest to the affected tribes, and that future development within corridors could have implications for resources important to tribes. The FS participated in government-to-government consultation for the PEIS as part of the interagency team. The interagency team established a consultation protocol to make sure that the separate agencies coordinated consultation on the PEIS and that tribal interests were heard and considered. A single point-of-contact was established at Argonne National Laboratory to answer tribal requests for information and to track consultation. An Interagency Tribal Working Group coordinated consultation among the agencies and tribes. The Agencies frequently relied on local agency representatives to facilitate contacts and meetings with tribes with whom they had established relationships. Tribes were invited to consult at various times and welcomed to enter the consultation process via any route convenient to them.

All 250 federally recognized tribes with ancestral ties to the 11 western states were contacted via multiple mailings to inform them of the PEIS and to invite government-to-government consultation. All were provided copies of the Draft PEIS for comment with special attention given to those tribes whose reservations would abut or be approached by the proposed corridors. Eighty tribes responded to these invitations. All sought and were provided additional information regarding the PEIS and 40 tribes engaged in face-to-face meetings with Agency representatives. In addition to concerns raised in meetings with the Agencies, 19 tribes submitted oral or written public comments on the draft PEIS.

Tribes contributed substantively to the development of the PEIS, the siting of corridors on FS lands, and the development of the IOPs. These contributions assisted the Agencies to strengthen the analysis in the PEIS and to avoid certain locations of particular tribal concern. The FS continues to consult with interested tribes and to implement government-to-government consultation on a project-specific basis.

NHPA — Section 106 Consultation

The Agencies elected to use the NEPA process documented in the PEIS to comply with Section 106 of the NHPA, as provided for in CFR Section 800.8(c). The Agencies utilized this provision due to the scope and scale designating of over 6,000 miles of energy transportation corridors in 11 western states. Combining NEPA procedures with Section 106 compliance reduces redundancies, offers the broad opportunity and convenience for the public to review and consultation on the Agencies' proposal; and ensures that concerns pertaining to historic properties are fully integrated into the PEIS and the ROD.

The Section 106 regulations clearly state that integrating the Section 106 compliance process with NEPA does not waive Agency obligations under either law. While the regulations do permit the Agencies to take advantage of the NEPA process, the Agencies must still adhere to the fundamental direction for compliance with Section 106. The Agencies have accordingly completed the following steps to comply with Section 106:

- Notification of the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Officers (SHPO) of the intent to use the NEPA process to comply with Section 106;
- Identification of consulting parties through the NEPA scoping process;
- Identification of historic properties and assessment of effects (the PEIS includes a programmatic evaluation of the types of historic properties likely to occur within the corridors and the types of impacts which could occur during project development);
- Consultation with tribes, SHPOs, the ACHP, and other interested parties as identified through the NEPA scoping and consultation process;
- Identification of measures to avoid, minimize, or mitigate adverse effects; and
- Review of Draft PEIS by tribes, SHPOs, Tribal Historic Preservation Officers (THPOs), the ACHP, and other interested parties and resolution of issues rose through consultation and coordination with affected parties.

The amendment of LMPs to designate Section 368 energy corridors does not itself affect historic properties. Future projects within the designated corridors may have the potential to affect historic properties; these projects will be fully subject to compliance with the NHPA. In addition, the Agencies have identified a number of IOPs relevant to cultural resource and related tribal resource concerns that apply to future development projects. The IOPs aid coordination of historic preservation reviews among the various federal land managing agencies during future project development, and constitute a program of action to avoid, minimize or mitigate the impacts from project development within these corridors. These measures have been developed in consultation with the SHPOs, ACHP, federally recognized tribes, and the public through ongoing consultation and through the review and comment process for the draft PEIS. The

signing of the ROD is a commitment to implement the IOPs and fulfill the agency's Section 106 responsibilities regarding Section 368 energy corridor designation.

ESA — Section 7 Compliance

ESA Section 7 Requirements

Section 7(a)(2) of the ESA requires federal agencies to ensure, in consultation with either the Secretary of Interior or the Secretary of Commerce and based on the "best scientific and commercial data available," that their proposed actions are not "likely to jeopardize the continued existence of any [listed] species or result in the destruction or adverse modification of the [critical] habitat of such species." 16 U.S.C. § 1536(a)(2). However, not all proposed actions of Federal agencies are subject to the consultation requirement. The Section 7 regulations state that consultation is required only when a Federal agency determines that its proposed action "…may affect listed species or critical habitat." 50 CFR § 401.14(a).

Agency Status under ESA Section 7

The DOI, USDA, and DOD have concluded that they are action agencies for ESA purposes because each manages federal land where the proposed energy corridors may be designated under Section 368. Each action agency is tasked with designating energy corridors on federal land and incorporating these corridors into appropriate land use plans by amending them. The DOE has determined that it is not an action agency because it does not manage any federal lands where the proposed energy corridors would be designated under Section 368. As such, the Proposed Action does not involve any action by this agency to incorporate the proposed corridors into any land use plans that it may have issued.

Basis for the Action Agencies' "No Effect" Determination under Section 7 of ESA

In determining whether a proposed action "may affect" a listed species, or conversely, whether there will be "no effect," a Federal agency must determine: what activities are encompassed by its proposed action, what the effects of those activities are likely to be on the environment, and whether those effects will "pose any effect" on a listed species or critical habitat. Only those proposed actions that "may affect" a listed species or critical habitat are subject to the ESA's Section 7 consultation requirements.

Consistent with Section 7 of the ESA, when an action agency determines that a Federal action will have no effect on listed species or critical habitat, the agency will make a "no effect" determination. In that case, the ESA regulations do not require concurrence from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (Services), and the agency's obligations under Section 7(a)(2) for that action are complete.

As described in the PEIS, the FS examined whether its adoption of land use plan amendments to designate Section 368 corridors "may affect" a listed species or critical habitat, or conversely, whether its action would have "no effect." The FS determined that designating Federal land under section 368 through land use plan amendments would have no effect on listed species or

on critical habitat. First, designating energy corridors through amendments of land use plans has no direct effects on listed species or critical habitats. The land use plan amendments designate an area, identified by centerline, corridor width, and compatible use, that will be the preferred area to be used for Section 368 purposes. Corridor designation does not establish a precedent or create any legal right that would allow ground-disturbing activities within a designated corridor. Any individual application for a ROW, permit or other authorization for Section 368 purposes at a particular location within a designated energy corridor could only be granted, in the future, after it is subject to a full policy and legal review, including a review under ESA and other applicable statutes. Moreover, there is no guarantee that any particular authorization will be granted. The action agencies have discretion not only to grant or deny an application for a ROW, permit or other authorization for Section 368 purposes within a designated corridor, but also to grant an application for an authorization outside of a designated energy corridor.

Second, the designation of corridors will have no indirect effects on listed species or critical habitat. While it is reasonable to expect that some future actions that may affect listed species or critical habitat will be taken within the designated corridors, under the ESA regulations, the effects of any such future action do not constitute "indirect effects" unless the FS finds that such effects will be "caused by" the designation of the Section 368 corridors and "reasonably certain to occur."

The action agencies considered preparing a biological assessment and initiating consultation with the Services under Section 7(a)(2). After considering various approaches, however, the action agencies determined that preparing a biological assessment before a site-specific project had been proposed would be based largely on conjecture and speculation. The corridor designations do not identify the timing, place, or design of any future site-specific projects that would occur on these lands. Nor do the corridor designations create any legal right that would allow or authorize ground-disturbing activities without further agency decision-making and compliance with applicable statutes, including the ESA. There is therefore simply no way to know before such a site-specific proposal is made whether the impacts to be assessed would be those of an overhead electricity transmission line or buried oil or gas pipeline or some combination of uses. Further, without knowing the specifics of when and where a project would occur within a corridor, it would be impossible to know what species, if any, would be affected by these future projects. When a specific project is proposed in the future, sufficiently detailed information will be available for analyzing the effect of the project on listed species or critical habitat under Section 7(a)(2) before the FS issues a right of way, or any other form of authorizations or otherwise approves any ground-disturbing activity.

Therefore, based on our understanding of the ESA regulations, the FS determined that the effects of future projects taken in accordance with the corridor designations are not direct or indirect effects of the corridor designation. The FS does not have sufficient information at this stage about future projects to conclude that the effects of future projects meet the regulatory definition of "indirect effects." I also note that, because no actual projects can be identified at this time, the FS's decision to amend land use plans to designate Section 368 corridors does not alter the environmental baseline or provide a basis for a determination of "incidental take," which is typically part of the consultation process.

MITIGATION MEASURES

The PEIS includes a programmatic evaluation of the direct, indirect, and cumulative effects that are expected to occur if development takes place within the corridors. For each category of project construction and operation impacts, the PEIS lists measures that could be used to minimize, avoid, or compensate for potential effects of a proposed project. Federal land managers may require use of these measures (as well as others not identified in the PEIS) as appropriate and applicable for specific project designs and corridor conditions. Avoidance of environmental impact is recommended wherever practicable, with an emphasis on designing and siting projects appropriately. These mitigation measures are available to FS managers to use when appropriate, based on project-specific evaluation of environmental effects. Additional measures to mitigate environmental effects may also be developed during subsequent NEPA analyses at the planning and project development stages.

PUBLIC INVOLVEMENT

The Agencies engaged in numerous efforts to reach all stakeholders and constituents that might have an interest in this project. These included formal notices, scoping and public meetings, a 90-day comment period on the Draft PEIS, notification and outreach letters, press releases, newspaper ads, email contacts and an active and comprehensive website accessible throughout the project. In addition, agency staffs engaged in extensive outreach to many groups for meetings, conferences, updates, and briefings. The project has benefited significantly from the high level of public engagement.

Scoping

The Agencies published a Notice of Intent (NOI) to prepare the PEIS, amend applicable agency land use plans, and conduct public scoping meetings, as well as a notice of floodplain and wetlands involvement, in Volume 70 of the Federal Register (70 FR 187, 56647) on September 28, 2005. The NOI advertised the opportunity for the public to become involved through the NEPA scoping process, in which interested parties may comment on the scope and content of the PEIS.

The Agencies held two scoping meetings at the same location in each of the 11 states from September 28 to November 28, 2005[6]. A total of 538 people from government, industry, environmental organizations, and others attended the meetings. The public was also invited to submit comments via mail, fax, telephone, and through the Web. Three hundred comments were received from the scoping process. Comments and a summary of scoping issues were posted on

[6] Denver, CO (Oct. 25), Albuquerque, NM (Oct. 26), Salt Lake City, UT (Oct. 26), Cheyenne, WY (Oct. 27), Helena, MT (Oct. 27), Boise, ID (Nov. 1), Sacramento, CA (Nov. 1), Las Vegas, NV (Nov. 2), Portland, OR (Nov. 2), Phoenix, AZ (Nov. 3), Seattle, WA (Nov. 3).

the Web for public access. All comments received equal consideration in the preparation of the draft PEIS. The majority of the comments were associated with electricity and natural gas issues.

The Agencies also provided the public with maps of the preliminary corridor routes and alternatives in June 2006 and invited comment on the preliminary routes identified at that time. The Agencies received 200 comments and used the information provided by the public to assist in developing the Proposed Action presented in the draft PEIS. The maps and the comments are also posted on the project website (http://corridoreis.anl.gov).

State and Local Governments

In a letter sent by DOE on February 2, 2006, the Agencies invited each of the 11 western governors and their respective staff members to meet with Agency project managers. The meetings provided the project team with the opportunity to brief the governors and their staff members on the status of the PEIS. Discussion centered on the issues brought up during the public scoping period, data that each state could offer related to corridor location constraints and opportunities, and state-specific items related to energy planning environmental concerns and stakeholder involvement. Several states and state agencies commented on the Draft PEIS. Where there were issues or the states requested, the Agencies met with state representatives to discuss and, if possible, resolve issues.

The Agencies also worked through the National Association of Counties (NaCO) to alert western counties to project milestones, such as scoping and the release of the draft PEIS, and provide updates or briefings when requested. Six counties responded to the invitation be a cooperating agency and a number of counties provided comments on the draft PEIS. Where counties noted conflicts with the corridor locations and local issues, the Agencies worked closely with the affected county to modify corridors and to resolve the issues.

Public Comments on the Draft PEIS

The Agencies published a Notice of Availability (NOA) for the public release of the draft PEIS in the Federal Register on November 16, 2007 and broadcast a press release throughout the 11 western states that highlighted the release of the draft PEIS. They also notified the governors and all federally recognized tribes in the 11 western states of the upcoming release of the draft PEIS. An e-mail news release on the availability of the draft PEIS was sent to over 2,200 individuals and organizations that had signed up for e-mail project updates at the project's public Web site located at http://corridoreis.anl.gov and the National Association of Counties (NACO) was also notified that the draft PEIS was available for public comment. In addition, all individuals and organizations who had participated in the public scoping process were notified about the availability of the draft PEIS.

The Agencies invited the public to comment on the draft PEIS from November 16, 2007, until February 14, 2008 and described four methods to deliver public comments on the draft PEIS: via

fax, regular mail, at public meetings, and over the Web. The Agencies conducted public meetings at the same locations as the scoping meetings, with additional meetings in Window Rock, Arizona and Grand Junction, Colorado, and Washington D.C. The draft PEIS was available in several formats, including via the Web. Importantly, all of the spatial data used in the PEIS and maps produced for the draft PEIS were available for access and use (in several data formats) to any member of the public via the project's public Web site, so that any person could view the spatial data used in preparation of the draft PEIS (including digital maps and data files of the proposed corridor locations).

Approximately, 14,000 individuals and/or organizations submitted comments on the draft PEIS with a total number of substantive comments exceeding 3,500. Substantive comments came primarily from the utility and energy sector, environmental and nongovernmental organizations, and individuals in the western states. The Agencies prepared responses to the comments received on the draft PEIS (see Volume IV) and substantially adjusted the final PEIS to incorporate some of the changes suggested by the public. Where changes to corridors affected various constituents, such as counties, tribes, or states, the Agencies consulted with those entities concerned to ensure that changes would be acceptable to all parties.

In addition to the public comment period, project managers from the Agencies held a number of informational meetings on the draft PEIS with interested members of the public, industry and environmental organizations, and state and local governments. Many of the meetings helped the public better frame the formal comments. None of the meetings resulted in formal comments received from the public on the draft PEIS. Formal comments were provided through the four methods described above.

On-going Project Communication with the Public

Agency personnel at all levels engaged in outreach activities among stakeholders, including governors' and state offices, local governments, industry and numerous public interest organizations and advocacy groups in many diverse forums including meetings, conferences, workshops, training classes and other gatherings. Agency staff provided information and updates on the project, answered questions and discussed concerns with participants, and offered contact information for follow-up questions or discussions.

In addition to these outreach efforts, the Agencies maintained a public involvement Web site since the beginning of the project. The public Web site provided on-going information and updates on the PEIS, posted public comments from scoping and on the Draft PEIS, and now contains the Final PEIS. In addition, the Web site contains technical documents, maps of the corridor locations, a spatial database of land ownership and land resources that is available for download to local computers, project background information, and overall project status and schedule. Members of the public may request electronic e-mail updates and news, which are automatically sent to them.

Release of the Final PEIS

The BLM published the NOA of the Final PEIS in the Federal Register on Nov. 28, 2008 (73 FR 72521).

The regulations promulgated to implement NEPA (40 CFR 1506.3), provide that a cooperating agency may adopt without recirculating the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied. Based on my independent review of the statement, I have concluded that the Forest Service comments, suggestions and requirements have been satisfied and I am adopting the Final PEIS and associated record to support my decision.

The FS continues to coordinate, both formally and informally, with the numerous federal, tribal, state and local agencies and officials interested and involved in the management of energy transport projects in the 11 western states.

AVAILABILITY OF THE PLAN

Paper and electronic copies of the ROD and the Approved Plan Amendments are available by request from the Regional Offices and Forest Supervisors Offices for the National Forests where the LMPs are amended by this ROD. The ROD, and all supporting information for the Final PEIS, is available at the project website at http://corridoreis.anl.gov/.

UNDER SECRETARY APPROVAL

In consideration of the foregoing, I approve the Amendments to the FS Land Management Plans as described as the Environmentally Preferred Alternative in the Final Programmatic Environmental Impact Statement, Designation of Energy Corridors on Federal Land in the 11 Western States (DOE/EIS-0386).

1/14/09

MARK E. REY
Under Secretary – Natural Resources and Environment
US Department of Agriculture

Date

APPROVED RESOURCE MANAGEMENT PLAN AMENDMENTS

INTRODUCTION

Designation of Section 368 energy corridors under the Proposed Action requires the FS to amend specific land plans, listed below, to incorporate the designated corridors. There are no changes to corridor locations or attributes from those identified in the PEIS for NFS lands.

The plan amendments for the Proposed Action include (1) the identification of specific Section 368 energy corridors by centerline, width, and compatible energy uses and restrictions (such as pipeline only or electricity transmission with a restricted tower height); and (2) the adoption of mandatory interagency operating procedures that would be implemented on a corridor- and project-specific basis (Appendix B). The Section 368 energy corridor specifications are identified in Appendix A and in a Geographic Information System (GIS) database that accompanies the PEIS and is available online at http://corridoreis.anl.gov.

Only those plans where Section 368 energy corridors are located are amended by this ROD. Corridor-related amendments are applied to existing land plans upon signature of this ROD. Plans that are currently undergoing revision for other reasons (not related to Section 368), but not scheduled for completion until after the ROD is signed, will incorporate the corridor designations by amending the existing plan and incorporate the designation into their ongoing plan revisions upon signature of this ROD. Plans that have recently been revised for other reasons and have been completed before the ROD is signed will be amended upon signature of this ROD.

Title 36, Code of Federal Regulations, Part 219–Planning, Subpart A–National Forest System Land Management Planning (36 CFR part 219, subpart A), section 219.14(b)(3) provides that LMP amendments that had been underway before April 21, 2008 using the provisions of the planning regulations in effect before November 9, 2000 (See 36 CFR parts 200 to 299, Revised as of July 1, 2000) may complete the LMP amendments in conformance to the provisions of those regulations or may conform to the planning rule promulgated on April 21, 2008 (77 FR 21468). Therefore, these LMP amendments are being completed using the provisions of the planning regulations in effect before November 9, 2000 (36 CFR parts 200 to 299, Revised as of July 1, 2000).

TABLE 3: Land Management Plans Amended by Designating EPAct Section 368 energy corridors on National Forest System Lands in the 11 Western States

State	Forest or Grassland Land Use Plan	Agency Office(s)
Arizona	Apache-Sitgreaves NF LMP	Apache-Sitgreaves NF
	Coronado NF LMP	Coronado NF
	Kaibab NF LMP	Kaibab NF
	Prescott NF LMP	Prescott NF
	Tonto NF LMP	Tonto NF
California	Angeles NF LMP	Angeles NF
	Cleveland NF LMP	Cleveland NF
	Inyo NF LMP	Inyo NF
	Klamath NF LMP	Klamath NF
	Lassen NF LMP	Lassen NF
	Modoc NF LMP	Modoc NF
	San Bernadino NF LMP	San Bernadino NF
	Shasta- Trinity NF LMP	Shasta- Trinity NF
	Six Rivers NF LMP	Six Rivers NF
	Tahoe NF LMP	Tahoe NF
	Toiyabe NF LMP	Humboldt-Toiyabe NF
Colorado	Arapaho-Roosevelt NF and Pawnee NG LMP	Arapaho-Roosevelt NF and Pawnee NG
	Grand Mesa-Uncompahgre-Gunnison NF LMP	Grand Mesa-Uncompahgre-Gunnison NF
	Routt NF LMP	Routt-Medicine Bow NF, Thunder Basin NG
	Pike- San Isabel NF LMP	Pike- San Isabel NF
	San Juan NF LMP	San Juan NF
Idaho	Targhee NF LMP	Caribou-Targhee NF
	Idaho Panhandle NF LMP	Idaho Panhandle NF
Montana	Deerlodge NF LMP	Beaverhead-Deerlodge NF
	Lolo NF LMP	Lolo NF
Nevada	Humboldt NF LMP	Humboldt-Toiyabe NF
	Toiyabe NF LMP	Humboldt-Toiyabe NF
New Mexico	There are no designated Section 368 energy corridors on National Forest System lands established by this ROD	
Oregon	Deschutes NF LMP	Deschutes NF
	Fremont NF LMP	Fremont-Winema NFs
	Mt. Hood NF LMP	Mt. Hood NF
	Winema NF LMP	Fremont-Winema NF
Utah	Dixie NF LMP	Dixie NF
	Fishlake NF LMP	Fishlake NF
	Uinta NF LMP	Uinta-Wasatch-Cache NF
	Wasatch-Cache NF LMP	Uinta-Wasatch-Cache NF
Washington	Mount Baker-Snoqualmie NF LMP	Mount Baker-Snoqualmie NF
	Wenatchee NF LMP	Wenatchee NF
Wyoming	Ashley NF LMP	Ashley NF
	Medicine Bow NF LMP	Routt-Medicine Bow NF, Thunder Basin NG

[a] NF = National Forest; NG = National Grassland; LMP = Land Management Plan.

CONSIDERATION OF OTHER FS PLANS AND POLICIES

In the event there are inconsistencies or discrepancies between previously approved plans and the plan amendments affected by this ROD, the decisions contained in this ROD will be followed. Where energy transport corridors previously designated in local plans have been incorporated into this action, Section 368 criteria shall apply. In some cases, for example, the corridor width and/or compatible uses have been changed; these changes are effective with the signature of this ROD. IOPs are also effective for all corridors, including those previously designated, with signature of this ROD. Appendix A and the accompanying GIS database provide the geographical specifications (centerline and width) and compatible uses as specified by EPAct Section 368. Appendix B provides the IOPs that are applicable to development within these corridors.

All future resource authorizations and actions will conform to, or be consistent with, the decisions contained in this ROD. All existing operations and activities authorized under permits, contracts, cooperative agreements, or other authorizations will be modified, as necessary, to conform to these plan amendments within a reasonable timeframe. However, these amendments do not repeal valid existing rights on public lands. A valid existing right is a claim or authorization that takes precedence over the decisions developed in this ROD. If such authorizations come up for review and can be modified, they will also be brought into conformance with the plan.

While the PEIS constitutes compliance with NEPA for the decision to designate Section 368 energy corridors on NFS lands in 10 western states, it does not authorize specific ROW projects. Future development within the corridors will need to meet appropriate NEPA requirements, as well as comply with other applicable laws, regulations, and policies.

The Agencies identified in Section 368 have cooperatively identified and, as appropriate, designated Section 368 corridors within their respective jurisdictions. These corridors provide important connectivity across jurisdictional boundaries for long-distance energy transport projects which will enhance the western electricity grid. Corridors represent the preferred locations for future long-distance energy transport projects on NFS lands and other future uses of the corridors shall be compatible with this preferred use. Compatible uses are those that do not diminish the potential of the corridors to provide connectivity across agency boundaries.

PLAN IMPLEMENTATION

The decisions of the plan amendments go into effect 30 days after signature of the ROD.

Section 368 directs the Agencies to establish procedures under their respective authorities to expedite the application process for energy-related projects within Section 368 designated corridors. It is expected that within 6 months from the approval of this ROD, a MOU will be developed by the Agencies that will clearly delineate how applications will be processed for Section 368 energy corridors. At a minimum, the Agencies would include uniform IOPs for reviewing applications for energy ROWs within designated Section 368 energy corridors. Additional measures that would also be addressed include:

- Implementation procedures to create a virtual “one-stop shop” application processing process that will become the foundation of the Section 368 expedited application procedures. The process will be based on the principles of the Service First program implemented by the BLM, FS, NPS, and FWS. Service First was initially a joint BLM and FS initiative designed to improve customer service by providing streamlined, one-stop shopping across agency jurisdictional boundaries for public land users. Authority for Service First was provided by legislation in 1997 covering only BLM and FS. That legislation was recently amended to include the NPS and FWS. Agencies that are not a part of Service First may join the Service First agencies through necessary agreements in order to process applications.
- Guidance will be prepared on the types of further environmental and regulatory reviews that will be required for projects seeking to use Section 368 energy corridors.
- The affected agency officials will select a project manager who will serve as the point of contact (POC) for the proposed project. The POC will have knowledge, experience, and credentials similar to current BLM national project managers. The POC will oversee all processing of the applications, including environmental reviews, construction activities, post-construction monitoring, and close-out issues, if needed.
- Procedures to identify and designate future Section 368 energy corridors.

General Implementation Schedule

The decision to designate Section 368 corridors by amending LMPs goes into effect upon signature of this ROD.

The plan amendments are effective 30 days after this decision.

An MOU between the FS and BLM establishing comparable implementation procedures will go into effect subsequent to the signing of the ROD, estimated as June 2009.

Directives providing guidance for the FS will go into effect subsequent to signing the MOU, estimated as December 2009.

Maintaining the Plan

Land use plan decisions and supporting information associated with the 34 National Forest Offices can be maintained to reflect minor changes in data, but maintenance is limited to refining, documenting, and/or clarifying previously approved decisions (administrative corrections).

Plan maintenance will be documented in supporting records. Plan maintenance does not require formal public involvement, interagency coordination, or the NEPA analysis required for making new land use plan decisions.

Changing the Plan

The LMP amendments approved by this decision may be changed, should conditions warrant, through a plan amendment process. A plan amendment may become necessary if major changes are needed, additional information is available or to consider a proposal or action that is not in conformance with the plan. The results of monitoring, evaluation of new data, or policy changes and changing public needs might also provide the impetus for an amendment. Generally, an amendment is issue-specific. If the plan amendments become outdated or otherwise obsolete, a further plan amendment may become necessary. Plan amendments are accomplished with public input and the appropriate level of environmental analysis.

Data used in development of the Approved Plan Amendments are dynamic. The data and maps used throughout the Approved Plan Amendments are for land use planning purposes and will be refined as site-specific planning and on-the-ground implementation occurs. Updating data is considered plan maintenance which will occur over time as the LMP is implemented (see the section on Plan Implementation). Please note that all acreages presented in the Approved Plan Amendment are estimations, even when presented to the nearest acre.

APPENDIX A:
FS LAND USE PLAN AMENDMENTS

APPROVED LAND USE PLAN AMENDMENTS
FOR
SECTION 368 ENERGY CORRIDORS

The U.S. Department of Agriculture , Forest Service (FS), develops Land Management Plans (LMPs) to guide activities, establish management goals and approaches and identify land use within a planning area. Analyses conducted in the programmatic environmental impact statement (PEIS) identify specific LMPs and those National Forest lands where Section 368 energy corridors are located.

TABLE A: FS Land Use Plan Amendments for Designating EPAct Section 368 Energy Corridors on Federal Lands in the 11 Western States[a]

State	Land Use Plan to Be Amended[b]	Responsible Office	Corridor	Nondefault Width (ft)[c]	Nondefault Energy Transport Mode	Rationale[d]
Arizona	Apache-Sitgreaves NF LMP	Apache-Sitgreaves NF	62-211			
	Coronado NF LMP	Coronado NF	234-235			
	Kaibab NF LMP	Kaibab NF	47-68			
	Kaibab NF LMP	Kaibab NF	61-207			
	Prescott NF LMP	Prescott NF	61-207			
	Tonto NF LMP	Tonto NF	62-211			
California	Angeles NF LMP	Angeles NF	107-268	1,000	Electric only	Reduced width and mode are consistent with existing plan and fragile soils limitations.
	Angeles NF LMP	Angeles NF	264-265	1,000	Electric only	Reduced width and mode are consistent with existing plan and fragile soils limitations.
	Cleveland NF LMP	Cleveland NF	115-238	1,000	Electric only	Reduced width and mode are consistent with existing plan and fragile soils limitations.
	Cleveland NF LMP	Cleveland NF	236-237	2,000	Electric only	Reduced width and mode are consistent with existing plan and fragile soils limitations.
	Toiyabe NF LMP	Humboldt-Toiyabe NF	6-15			
	Inyo NF LMP	Inyo NF	18-23	1,320	Multimodal	Reduced width and mode are consistent with adjacent BLM Bishop F.O.
	Klamath NF LMP	Klamath NF	261-262			
	Lassen NF LMP	Lassen NF	3-8	1,000		Width reduced because of protected areas on both sides of existing corridor
	Modoc NF LMP	Modoc NF	3-8			
	Modoc NF LMP	Modoc NF	8-104			
	San Bernadino NF LMP	San Bernadino NF	108-267	7,800–28,000		Increased width is consistent with existing plan.

TABLE A (Cont.)

State	Land Use Plan to Be Amended[b]	Responsible Office	Corridor	Nondefault Width (ft)[c]	Nondefault Energy Transport Moded	Rationale[d]
California (Cont.)	Shasta-Trinity NF LMP	Shasta-Trinity NF	261-262	2,000	Electric only	Reduced width and mode are consistent with existing plan and fragile soils limitations.
	Shasta-Trinity NF LMP	Shasta-Trinity NF	3-8			
	Shasta-Trinity NF LMP	Shasta-Trinity NF	101-263			
	Six Rivers NF LMP	Six Rivers NF	101-263			
	Tahoe NF LMP	Tahoe NF	6-15			
Colorado	Arapaho and Roosevelt NF and Pawnee NG LMP	Arapaho-Roosevelt NF and Pawnee NG	144-275	200–3,500	Electric only	Reduced widths apply where the corridor is confined by protected lands on each side. The increased width on the balance of the corridor is consistent with the existing plan. The electric-only limitation is to protect fragile soils and vegetation and is consistent with the existing plan.
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	87-277			
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	130-131 (N)		Electric only	Limited to electric-only because no underground use is anticipated.
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	130-131 (S)			
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	130-274			
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	130-274 (E)		Underground only	The underground-only limitation is to reduce potential visual impacts.
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	131-134			

TABLE A (Cont.)

State	Land Use Plan to Be Amended[b]	Responsible Office	Corridor	Nondefault Width (ft)[c]	Nondefault Energy Transport Moded	Rationale[d]
Colorado (Cont.)	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	134-136			
	Grand Mesa, Uncompahgre, and Gunnison NF LMP	Grand Mesa, Uncompahgre, and Gunnison NF	134-139		Electric only	Limitation to electric-only is to protect fragile soils.
	Routt NF LMP	Medicine Bow-Routt NF, Thunder Basin NG	144-275			
	Pike-San Isabel NF LMP	Pike-San Isabel NF	87-277			
	San Juan NF LMP	San Juan NF	130-274			
Idaho	Targhee NF LMP	Caribou-Targhee NF	50-203			
	Idaho Panhandle NF LMP	Idaho Panhandle NF	229-254	2,000		Reduced width is consistent with the existing plan.
	Idaho Panhandle NF LMP	Idaho Panhandle NF	229-254 (N)	1,000	Electric only	Transition to split corridor in adjacent Montana.
	Idaho Panhandle NF LMP	Idaho Panhandle NF	229-254 (S)	2,000	Underground only	Transition to split corridor in adjacent Montana.
Montana	Deerlodge NF LRMP	Beaverhead-Deerlodge NF	51-204			
	Deerlodge NF LRMP	Beaverhead-Deerlodge NF	51-205			
	Deerlodge NF LMP	Beaverhead-Deerlodge NF	229-254	1,000	Electric only	Reduced width and mode limitations to shift potential visual impacts away from transportation routes and follow existing infrastructure.
	Lolo NF LMP	Lolo NF	229-254	1,000	Electric only	Reduced width and mode limitations to shift potential visual impacts away from transportation routes and follow existing infrastructure.
	Lolo NF LMP	Lolo NF	229-254 (N)	1,000	Electric only	Reduced width and mode limitations to shift potential visual impacts away from transportation routes and follow existing infrastructure.

TABLE A (Cont.)

State	Land Use Plan to Be Amended[b]	Responsible Office	Corridor	Nondefault Width (ft)[c]	Nondefault Energy Transport Moded	Rationale[d]
Montana (Cont.)	Lolo NF LMP	Lolo NF	229-254 (S)	2,000	Underground only	Reduced width and mode limitation are to limit potential visual impacts.
Nevada	Humboldt NF LMP	Humboldt-Toiyabe NF	110-114			
	Humboldt NF LMP	Humboldt-Toiyabe NF	17-35	10,560		Increased width is less than the 3-mile width designated on adjacent BLM-administered land to avoid roadless-designated land on the forest.
	Toiyabe NF LMP	Humboldt-Toiyabe NF	6-15			
	Toiyabe NF LMP	Humboldt-Toiyabe NF	15-104			
	Toiyabe NF LMP	Humboldt-Toiyabe NF	18-23			
Oregon	Deschutes NF LMP	Deschutes NF	7-11			
	Fremont NF LMP	Fremont-Winema NF	7-11			
	Winema NF LMP	Fremont-Winema NF	7-24			
	Mt. Hood NF LMP	Mt. Hood NF	10-246	1,320	Electric only	Reduced width and electric-only restrictions are to protect fragile soils and are consistent with existing plan.
	Mt. Hood NF LMP	Mt. Hood NF	230-248	145–3,500		Reduced widths apply where the corridor is confined by protected lands on each side.
Utah	Dixie NF LMP	Dixie NF	113-114	4,250–10,800		Widths above the default 3,500 feet are consistent with the existing plan and vary to avoid roadless areas.
	Fishlake NF LMP	Fishlake NF	116-206			
	Uinta NF LMP	Unita-Wasatch-Cache NF	66-209		Electric only	Limitation to electric-only because of unstable soils.
	Uinta NF LMP	Unita-Wasatch-Cache NF	66-212			
	Uinta NF LMP	Unita-Wasatch-Cache NF	66-259			

TABLE A (Cont.)

State	Land Use Plan to Be Amended[b]	Responsible Office	Corridor	Nondefault Width (ft)[c]	Nondefault Energy Transport Moded	Rationale[d]
Utah (Cont.)	Wasatch-Cache NF LMP	Unita-Wasatch-Cache NF	256-257	2,640		Reduced width is to avoid roadless areas and is consistent with the existing plan.
Washington	Mount Baker-Snoqualmie NF LMP	Mount Baker-Snoqualmie NF	102-105	500–3,450	Electric upgrade only	Reduced width and limitation to electric upgrade-only are to protect endangered marbled murrelet and bull trout.
	Mount Baker-Snoqualmie NF LMP	Mount Baker-Snoqualmie NF	244-245			
	Wenatchee NF LMP	Okanogan-Wenatchee NF	102-105	500	Electric upgrade only	Reduced width and limitation to electric upgrade-only are to protect endangered marbled murrelet and bull trout.
	Wenatchee NF LMP	Okanogan-Wenatchee NF	244-245			
Wyoming	Ashley NF LMP	Ashley NF	218-240	1,500	Underground only	Reduced width and limitation to underground-only are to reduce visual and recreational value impacts.
	Medicine Bow NF LMP	Medicine Bow-Routt NF and Thunder Basin NG	78-255			

Footnotes

a E= East; FS = Forest Service; LMP = Land Management Plan; N=North; NF= National Forest; NG = National Grassland; NRA = National Recreation Area; S=South; W=West.

b Land use plans will be amended to designate the energy corridors under EPAct Section 368. The names for some FS plans depicted in this Appendix may not be current. During the development of this PEIS, a number of FS land use plans were undergoing revisions for reasons unrelated to corridor designation, and those revisions may have resulted in changes in plan boundaries and names. Some of those plan revisions were only recently completed, but not in time to be incorporated into the final PEIS.

c Unless otherwise shown, corridor designations will be for the default width of 3,500 feet and for compatible multimodal uses.

s Designation and use of energy transport corridors under EPAct Section 368 and in accordance with the IOPs and mitigating measures in the PEIS are consistent with other resource values and uses in the planning area. Where appropriate, the rationale for designation of specific corridors is presented.

APPENDIX B:
INTERAGENCY OPERATING PROCEDURES

These Interagency Operating Procedures (IOPs) are adopted as part of the plan amendments and are mandatory, as appropriate, for projects proposed within the Section 368 corridors. Not all IOPs will be appropriate for all projects; those that apply to pipelines, for instance, are not appropriate to transmission lines. IOPs will apply to appropriate projects. These IOPs are practicable means to avoid or minimize environmental harm from future project development that may occur within the designated corridors.

The IOPs set forth below are not intended, and should not be construed, to alter applicable provisions of law or regulation or to reduce the protections afforded thereby to the resources addressed in the IOPs.

These IOPs are adopted as proposed in the Final PEIS with minor technical edits and clarifications (identified by this shading).

B.1 PROJECT PLANNING

Regulatory Compliance

1. The appropriate agency, assisted by the applicant, must conduct project-specific NEPA analyses in compliance with Section 102 of NEPA. The scope, content, and type of analysis shall be determined on a project-by-project basis by the Agencies and the applicants.

2. The appropriate agency, assisted by the project applicant, must comply with Section 106 of the NHPA on a project-by-project basis. Consultation with SHPOs, any federally recognized Tribes, and other appropriate parties as per regulations (36 CFR 800) must begin early in the planning process and continue throughout project development and execution. The ACHP retains the option to comment on all undertakings (36 CFR 800.9).

3. The appropriate agency, assisted by the project applicant, must consult with the USFWS and the NMFS as required by Section 7 of ESA. The specific consultation requirements, as set forth in regulations at 50 CFR Part 402, would be applied on a project-by-project basis. Applicants shall identify known occupied sites, such as nest sites, for threatened and endangered species and special status species.

4. The appropriate agency, assisted by the project applicant, must coordinate and consult with NMFS regarding potential impacts to essential fish habitat (EFH) as required by the 1996 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act.

Agency Coordination

1. Applicants seeking to develop energy transport projects within corridors located on or near DOD facilities or flight training areas (see Appendix L for applicable corridors) must, early in the planning process and in conjunction with the appropriate agency staff, inform and coordinate with the DOD regarding the characteristics and locations of the anticipated project infrastructure.

2. Early in the planning process, applicants seeking a ROW authorization within a Section 368 energy corridor that is located within five miles of a unit of the NPS should contact the appropriate Agency staff and work with the NPS regarding the characteristics and locations of anticipated project infrastructure. In those instances where corridors cross lands within the boundaries of a unit of the NPS, the National Park Service Organic Act and other relevant laws and policies shall apply.

3. In those instances where projects using energy corridors are proposed to also cross National Wildlife Refuge System lands, the National Wildlife System Administration Act and other relevant laws and policies pertinent to national wildlife refuges shall apply.

4. For electricity transmission projects, the applicant shall notify the Federal Aviation Administration (FAA) as early as practicable in the planning process in order to identify appropriate aircraft safety requirements.

5. All project applications must reflect applicable findings, mitigation, and/or standards contained in regional land management plans, such as the Northwest Forest Plan, when such regional plans have been incorporated into agency planning guidelines and requirements. Modification of some standards may be needed to reasonably allow for energy transport within a corridor.

Government-to-Government Consultation

1. The appropriate agency, assisted by the project applicant, must initiate government-to-government consultation with affected Tribes at the outset of project planning and shall continue consultation throughout all phases of the project, as necessary. Agencies should determine how to consult in a manner that reflects the cultural values, socioeconomic factors, and administrative structures of the interested Tribes.

2. The agency POC may require the project proponent to prepare an ethnographic study when Tribal consultation indicates the need. The study shall be conducted by a qualified professional selected in consultation with the affected Tribe.

General

1. Applicants seeking to develop an electricity transmission or pipeline project will develop a project-specific plan of development (POD). The POD should display the location of the project infrastructure (i.e., towers, power lines) and identify areas of short- and long-term land and resource impacts and the mitigation measures for site-specific and resource-specific environmental impacts. The POD should also include notification of project termination and decommissioning to the agencies at a time period specified by the agencies.
2. Applicants, working with the appropriate agencies, shall design projects to comply with all appropriate and applicable Agency policies and guidance.
3. Project planning shall be based on the current state of knowledge. Where corridors are subject to sequential projects, project-related planning (such as the development of spill-response plans, cultural resource management plans, and visual resource management plans) and project-specific mitigation and monitoring should incorporate information and lessons learned from previous projects.
4. Applicants shall follow the best management practices for energy transport project siting, construction, and operations of the states in which the proposed project would be located, as well as federal agency practices.
5. Corridors are to be efficiently used. The applicant, assisted by the appropriate agency, shall consolidate the proposed infrastructure, such as access roads, wherever possible and utilize existing roads to the maximum extent feasible, minimizing the number, lengths, and widths of roads, construction support areas, and borrow areas.
6. When concurrent development projects are proposed and implemented within a corridor, the agency POCs shall coordinate the projects to ensure consistency with regard to all regulatory compliance and consultation requirements, and to avoid duplication of effort.
7. Applicants, assisted by the appropriate agency, shall prepare a monitoring plan for all project-specific mitigation activities.
8. Potential cumulative impacts to resources should be considered during the early stages of the project. Agency POCs must coordinate various development projects to consider and minimize cumulative impacts. A review of resource impacts resulting from other projects in the region should be conducted and any pertinent information be considered during project planning.

Project Design

1. Applicants shall locate desired projects within energy corridors to promote effective use of the corridors by subsequent applicants and to avoid the elimination of use or encumbrance of use of the corridors by ROW holders. Proposed projects should be compatible with identified energy transport modes and avoid conflicts with other land uses within a corridor.
2. Applicant shall identify and delineate existing underground metallic pipelines in the vicinity of a proposed electricity transmission line project and design the project to avoid accelerating the corrosion of the pipelines and/or pumping wells.

Transportation

1. The applicant shall prepare an access road siting and management plan that incorporates relevant agency standards regarding road design, construction, maintenance, and decommissioning. Corridors will be closed to public vehicular access unless determined by the appropriate federal land manager to be managed as part of an existing travel and transportation network in a land use plan or subsequent travel management plan(s).
2. The applicant shall prepare a comprehensive transportation plan for the transport of transmission tower or pipeline components, main assembly cranes, and other large equipment. The plan should address specific sizes, weights, origin, destination, and unique equipment handling requirements. The plan should evaluate alternative transportation routes and should comply with state regulations and all necessary permitting requirements. The plan should address site access roads and eliminate hazards from truck traffic or adverse impacts to normal traffic flow. The plan should include measures such as informational signage and traffic controls that may be necessary during construction or maintenance of facilities.
3. Applicants shall consult with local planning authorities regarding increased traffic during the construction phase, including an assessment of the number of vehicles per day, their size, and type. Specific issues of concern (e.g., location of school bus routes and stops) should be identified and addressed in the traffic management plan.

Groundwater

1. Applicants must identify and delineate all sole source aquifers in the vicinity of a proposed project and design the project to avoid disturbing these aquifers or to minimize potential risks that the aquifers could be contaminated by spills or leaks of chemicals used in the projects.
2. In instances where a project within an energy corridor crosses sole source aquifers, the applicant must notify the U.S. Environmental Protection Agency (EPA) and the agencies that administer the land as early as practicable in the planning process. Section 1424(e) of the Safe Drinking Water Act (42 USC Chapter 6A) and other relevant laws and policies pertinent to the corridors that cross sole source aquifers shall apply.

Surface Water

1. Applicants must identify all wild and scenic rivers (designated by act of Congress or by the Secretary of the Interior under Section 3(a) or 2(a)(ii) of the Wild and Scenic Rivers Act (16 USC 1271-1287), respectively), congressionally authorized wild and scenic study rivers, and agency identified (eligible or suitable) wild and scenic study rivers in the vicinity of a proposed project and design the project to avoid the rivers or mitigate the disturbance to the rivers and their vicinity.
2. In instances where a project within an energy corridor crosses a wild and scenic river or a wild and scenic study river, the appropriate federal permitting agency, assisted by the project applicant, must coordinate and consult with the river-administrating agency regarding the protection and enhancement of the free-flowing condition, water quality, and outstandingly remarkable natural, cultural, and recreational values.
3. Applicants shall identify all streams in the vicinity of proposed project sites that are listed as impaired under Section 303(d) of the Clean Water Act (33 USC Chapter 26) and provide a management plan to avoid or mitigate adverse impacts on those streams.

Paleontological Resources

1. The applicant shall conduct an initial scoping assessment to determine whether construction activities would disturb formations that may contain important paleontological resources. Potential impacts to significant paleontological resources should be avoided by moving or rerouting the site of construction or removing or reducing the need for surface disturbance. When avoidance is not possible, a mitigation plan should be prepared to identify physical and administrative protective measures and

protocols such as halting work, to be implemented in the event of fossil discoveries. The scoping assessment and mitigation plan should be conducted in accordance with the managing agency's fossil management practices and policies.

2. If significant paleontological resources are known to be present in the project area, or if areas with a high potential to contain paleontological material have been identified, the applicant shall prepare a paleontological resources management and mitigation plan. If adverse impacts to paleontological resources cannot be avoided or mitigated within the designated corridors, the agency may consider alternative development routes to avoid, minimize, or mitigate adverse effects.

3. A protocol for unexpected paleontological discoveries should be developed. Unexpected discovery during construction should be brought to the immediate attention of the responsible federal agency's authorized officer. Work should be halted in the vicinity of the discovery to avoid further disturbance of the resource while the resource is being evaluated and appropriate mitigation measures are being developed.

Ecological Resources

1. Applicants shall identify important, sensitive, or unique habitats and BLM-special status species (BLM 2008), FS-sensitive, and state-listed species in the vicinity of proposed projects and design the project to avoid or mitigate impacts to these habitats and species.

2. To restore disturbed habitats, the applicant will prepare a habitat restoration plan that identifies the approach and methods to be used to restore habitats disturbed during project construction activities. The plan will be designed to expedite the recovery to natural habitats supporting native vegetation, and require restoration to be completed as soon as practicable after completion of construction, minimizing the habitat converted at any one time. To ensure rapid and successful restoration efforts, the plan will include restoration success criteria, including time frames, which will be developed in coordination with the appropriate agency and which must be met by the applicant. Bonding to cover the full cost of restoration will be required.

3. In consultation with the U.S. Army Corps of Engineers, the appropriate agency, assisted by the project applicant, will identify wetlands (including ephemeral, intermittent, and isolated wetlands), riparian habitats, streams, and other aquatic habitats in the project area and design the project to avoid or mitigate impacts to these habitats.

Vegetation Management

1. Applicants shall develop an integrated vegetation management plan consistent with applicable regulations and agency policies for the control of unwanted vegetation, noxious weeds, and invasive species (E.O. 13112). The plan should address monitoring; ROW vegetation management; the use of certified weed-seed-free hay, straw, and/or mulch; the cleaning of vehicles to avoid the introduction of invasive weeds; education of personnel on weed identification; the manner in which weeds spread; and the methods for treating infestations (BLM 2006, 2007a,b, 2008).

Cultural Resources

1. Cultural resources management services and individuals providing those services shall meet the Secretary of the Interior's Standards for Archeology and Historic Preservation, 48 FR 44716 (Sept. 29, 1983).
2. The project applicant may, with the approval of the agency POC, assign a Cultural Resource Coordinator to ensure an integrated compliance process across administrated and jurisdictional boundaries. The Cultural Resource Coordinator will facilitate and coordinate compliance with multiple laws, policies, regulations, and existing pertinent agreements (PAs, MOAs, or MOUs) among multiple agencies and other entities, jurisdictions, and federally recognized Tribes. The coordinator may assist with development of pertinent agreements among concerned parties during the course of the project. The coordinator shall be a qualified professional with experience in cultural resource compliance. Where appropriate, the Cultural Resource Coordinator may also serve as the Tribal Coordinator. Alternatively, the agency POC may assign such coordinators, to be paid for through project cost-recovery funds. The agencies, through the POC, remain responsible for consultation.
3. The project applicant may, with the approval of the agency POC, assign a Tribal Coordinator to facilitate and coordinate consultation and compliance with multiple laws, agencies, and Tribes in order to ensure effective government-to-government consultation throughout the life of the project. Alternatively, the agency POC may assign such coordinators, to be paid for through project cost-recovery funds. The agencies, through the POC, remain responsible for consultation.
4. All historic properties in the Area of Potential Effect (APE) will be identified and evaluated. The APE shall include that area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties and shall include a reasonable construction buffer zone and laydown areas, access roads, and borrow areas, as well as a reasonable assessment of areas subject to effects from visual, auditory, or atmospheric impacts, or impacts from increased access.

5. Project proponents must develop a cultural resources management plan (CRMP) to outline the process for compliance with applicable cultural resource laws during pre-project planning, management of resources during operation, and consideration of the effect of decommissioning. CRMPs should meet the specifications of the appropriate agency and address compliance with all appropriate laws. CRMPs should include the following, as appropriate: identification of the federally recognized Tribes, State Historic Preservation Offices (SHPOs), and consulting parties for the project; identification of long- and short-term management goals for cultural resources within the APE of the project; the definition of the APE; appropriate procedures for inventory, evaluation, and identification of effects to historic properties; evaluation of eligibility for the National Register of Historic Places (NRHP) for all resources in the APE; description of the measures to avoid, minimize, or mitigate adverse effects to historic properties; procedures for inadvertent discovery; procedures for considering Native American Graves Protection and Repatriation Act (NAGPRA) issues, monitoring needs, and plans to be employed during construction; curation procedures; anticipated personnel requirements and qualifications; public outreach and interpretation plans; and discussion of other concerns. The draft CRMP should be reviewed and approved by the agency POC in consultation with historic preservation partners, including appropriate SHPOs, Tribes, and consulting parties. CRMPs must specify procedures that would be followed for compliance with cultural resource laws, should the project change during the course of implementation.

6. Project applicants will provide cultural resources training for project personnel regarding the laws protecting cultural resources, appropriate conduct in the field (such as procedures for the inadvertent discovery of human remains), and other project-specific issues identified in the CRMP. Training plans should be part of the CRMP and should be subject to the approval of the POC. When government-to-government consultation identifies the need and the possibility, Tribes may be invited to participate in or contribute to relevant sessions.

7. If adverse effects to historic properties will result from a project, a Historic Property Treatment Plan will be developed in consultation with the SHPO, the appropriate federally recognized Tribes, and any consulting parties. The plan will outline how the impacts to the historic properties would be mitigated, minimized, or avoided. Agency officials will give full consideration to the applicable mitigation measures found in Section 3.10.5.2 of the final PEIS when consulting during the project pre-planning stages to resolve adverse effects on historic properties.

8. As directed by the agency POC, project proponents will prepare a public education and outreach component regarding project-related cultural resource issues (e.g. discoveries, impacts) such as a public presentation, a news article, a publication, or a display. Public education and outreach components will be subject to Agency approval and Tribal review and consultation when the content or format is of interest to affected Tribes.

9. Cultural resources inventory, evaluation, and mitigation practices should incorporate modeling and sampling strategies to the extent practicable, in concurrence with SHPOs and other relevant parties, and as approved by the agency POC.

10. Project applicants shall provide all cultural resources reports and data in an electronic format that is approved by the Agency POC and integrated across jurisdictional boundaries, that meets current standards, and that is compatible with SHPO systems. The Agency will submit this data to the SHPO in a timely fashion. Project proponents should submit cultural resources data on a regular basis to ensure that SHPO systems are kept up to date for reference as the different phases of the project proceed. Paper records may also be required by the agency.

11. Cultural resources inventory procedures, specified in the CRMP, will include development of historic contexts based on the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716) sufficient to support the evaluation of cultural resources encountered in the APE.

Tribal Traditional Cultural Resources

1. The appropriate agency, assisted by the applicant, must comply with all laws, policies, and regulations pertaining to government-to-government consultation with federally recognized Tribes. Agencies shall initiate consultation with affected Tribes at the outset of project planning and shall continue consultation throughout project planning, construction, operation, and decommissioning. Consultation shall include, but not be limited to, the following: (a) identification of potentially affected Tribes; (b) identification of appropriate Tribal contacts and the preferred means of communication with these Tribes; (c) provision to the Tribes of project-specific information (e.g., project proponents, maps, design features, proposed ROW routes, construction methods, etc.) at the outset of project planning and throughout the life of the project; (d) identification of issues of concern specific to affected Tribes (e.g., potential impacts to culturally sensitive areas or resources, hazard and safety management plans, treaty reserved rights and trust responsibilities); (e) identification of areas and resources of concern to Tribes; and (e) resolution of concerns (e.g., actions to avoid, minimize, or mitigate impacts to important resources; Memoranda of Agreement stating what actions would be taken to mitigate project effects; or agreements for Tribal participation in monitoring efforts or operator training programs).

2. The appropriate agency, assisted by the applicant, must comply with all pertinent laws, policies, and regulations addressing cultural and other resources important to Tribes, including the NHPA, the Archaeological Resources Protection Act (ARPA), the Native American Graves Protection Act (NAGPRA), and other laws and regulations as listed in Table 3.11-2 in Volume I of the PEIS.

3. The agencies shall recognize the significance to many Tribes of traditional cultural places, such as sacred sites, sacred landscapes, gathering grounds, and burial areas, and shall seek to identify such areas through consultation with affected Tribes early in the project planning process. Agencies shall seek to avoid, minimize, or mitigate impacts to such places in consultation with the Tribes, project proponents, and other relevant parties.

Where confidentiality concerning these areas is important to an affected Tribe, agencies shall honor such confidentiality unless the Tribe agrees to release the information.

4. A protocol must be developed for inadvertent discovery of Native American human remains and funerary items to comply with the NAGPRA in consultation with appropriate federally recognized Tribes. Unexpected discovery of such items during construction must be brought to the immediate attention of the responsible federal agency's authorized officer. Work must be halted in the vicinity of the find of Native American graves and funerary items to avoid further disturbance to the resources while they are being evaluated and appropriate mitigation measures are being developed. The procedures for reporting items covered under NAGPRA must be identified in the CRMP.

Visual Resources

1. Applicants shall identify and consider visual resource management (VRM) and scenery management (SMS) issues early in the design process to facilitate integration of VRM and scenery treatments into the overall site development program and construction documents. Visual/scenery management considerations, environmental analyses, mitigation planning, and design shall reference and be in accordance with the land management agency visual/scenery management policies and procedures applicable to the jurisdiction the project lies within. Applicants shall coordinate between multiple agencies on visual/scenery sensitive issues when projects transition from one jurisdiction to another, especially when transitions occur within a shared viewshed.

2. Applicants shall prepare a VRM or scenery management plan. The applicant's planning team shall include an appropriately trained specialist, such as a landscape architect with demonstrated VRM and/or SMS experience. The VRM/SMS specialist shall coordinate with the BLM/FS on the availability of the appropriate visual or scenic inventory data, VRM management class delineations, Scenic Integrity Objectives (SIOs), and federal agency expectations for preparing project plans and mitigation strategies to comply with RMP or LRMP direction related to scenery and/or visual resources. Applicants shall confirm that a current Visual Resource Inventory and/or Scenic Class inventory is available and that the resource management plan (RMP) or land resource and management plan (LRMP) VRM classifications or SIOs have been designated in the current land management plan. Project plans shall abide by the VRM class designations and SIOs and consider sensitivities defined within the visual or scenic resource inventory. If visual or scenic management objectives are absent, then the proper inventory and classification process shall be followed to develop them in accordance with the BLM VRM manual and handbooks or FS SMS process, depending on the agency. When the VRM management classes or SIOs are absent, then the project alternatives must reflect a range of management options related to scenery and visual resources that reflect the values identified in the visual/scenic inventory. Responsibility for developing an inventory or VRM management classes (or in the case of the FS, Scenic Classes and SIOs) will remain with the respective agency, but how to accomplish these tasks will be

determined by the Field Office Manager or Forest Supervisor, who will consider the applicant's role and financial participation in completing the work.

3. Visual and scenic mitigation planning/design and analysis shall be performed through integrated field assessment, applied global positioning system (GPS) technology, field photo documentation, use of computer-aided design and development software, 3-D modeling GIS software, and visual simulation software, as appropriate. Proposed activities, projects, and site development plans shall be analyzed and further developed using these technologies to meet visual and scenic objectives for the project area and surrounding areas sufficient to provide the full context of the viewshed. Visual simulations shall be prepared according to BLM Handbook H-8432-1, or other agency requirements, to create spatially accurate depictions of the appearance of proposed facilities, as reflected in the 3-D design models. Simulations shall depict proposed project appearance from sensitive/scenic locations as well as more typical viewing locations. Transmission towers, roads, compressor stations, valves, and other aboveground infrastructure should be integrated esthetically with the surrounding landscape in order to minimize contrast with the natural environment.

4. Applicants shall develop adequate terrain mapping on a landscape/viewshed scale for site planning/design, visual impact analysis, visual impact mitigation planning/design, and for full assessment and mitigation of cumulative visual impacts through applied, state-of-the-art design practices using the cited software systems. The landscape/viewshed scale mapping shall be geo-referenced and at the same Digital Elevation Model (DEM) resolution and contour interval within the margin of error suitable for engineered site design. This level of mapping shall enable proper placement of proposed developments into the digital viewshed context. Final plans shall be field verified for compliance.

5. The full range of visual and scenic best management practices shall be considered, and plans shall incorporate all pertinent best management practices (BMPs). Visual and scenic resource monitoring and compliance strategies shall be included as a part of the project mitigation plans.

6. Compliance with VRM/SMS objectives shall be determined through the use of the BLM Contrast Rating procedures defined in BLM Handbook H-8431-1 Visual Contrast Rating, or the FS SMS Handbook 701. Mitigation of visual impacts shall abide by the requirements of these handbooks.

Public Health and Safety

1. An electricity transmission project shall be planned by the applicant to comply with FAA regulations, including lighting regulations, and to avoid potential safety issues associated with proximity to airports, military bases or training areas, or landing strips.

2. A health and safety program shall be developed by the applicant to protect both workers and the general public during construction, operation, and decommissioning of an energy transport project. The program should identify all applicable federal and state

occupational safety standards, establish safe work practices for each task (e.g., requirements for personal protective equipment and safety harnesses, Occupational Safety and Health Administration [OSHA] standard practices for safe use of explosives and blasting agents, measures for reducing occupational electromagnetic field [EMF] exposures), and define safety performance standards (e.g., electrical system standards). The program should include a training program to identify hazard training requirements for workers for each task and establish procedures for providing required training to all workers. Documentation of training and a mechanism for reporting serious accidents to appropriate agencies should be established.

3. The health and safety program shall establish a safety zone or setback from roads and other public access areas that is sufficient to prevent accidents resulting from various hazards. It should identify requirements for temporary fencing around staging areas, storage yards, and excavations during construction or decommissioning activities. It should also identify measures to be taken during the operations phase to limit public access to those components of energy facilities that present health or safety risks.

4. Applicants will develop a comprehensive emergency plan that considers the vulnerabilities of their energy system to all credible events initiated by natural causes (earthquakes, avalanches, floods, high winds, violent storms, etc.), human error, mechanical failure, cyber attack, sabotage, or deliberate destructive acts of both domestic and international origin and the potential for and possible consequences of those events. Vulnerability, threat, and consequence assessment methodologies and criteria in the sector-specific plan (SSP) for energy[7] will be used and appropriate preemptive and mitigative response actions will be identified. The applicant must coordinate emergency planning with state, local, and Tribal emergency and public safety authorities and with owners and operators of other energy systems collocated in the corridor or in adjacent corridors that could also be impacted.

5. In addition to directives contained in other IOPs herein, the applicant must identify all federal, state, and local regulations pertaining to environmental protection, worker health and safety, public safety, and system reliability that are applicable throughout the construction, operation, and decommissioning phases of their facility's life cycle and must develop appropriate compliance strategies, including securing all necessary permits and approvals.

Hazardous Materials Management

1. Applicants for petroleum pipelines and projects involving oil-filled electrical devices shall develop a spill prevention and response plan identifying spill prevention measures

[7] The SSP for energy, developed by the Department of Energy's Office of Electricity Delivery and Energy Reliability, is one of seventeen such SSPs that comprise the National Infrastructure Protection Plan (NIPP). The energy SSP (redacted) is available at http://www.oe.energy.gov/DocumentsandMedia/Energy_SSP_Public.pdf. The NIPP is available at http://www.dhs.gov/xlibrary/assets/NIPP_Plan.pdf.

to be implemented, training requirements, appropriate spill response actions, and procedures for making timely notifications to authorities. The spill prevention and response plan should include identification of any sensitive biotic resources and locations (such as habitats) that require special measures to provide protection, as well as the measures needed to provide that protection.

Fire Management

1. Applicants shall develop a fire management strategy to implement measures to minimize the potential for a human-caused fire during project construction, operation, and decommissioning. The strategy should consider the need to reduce hazardous fuels (e.g., native and non-native annual grasses and shrubs) and to prevent the spread of fires started outside or inside a corridor, and clarify who has responsibility for fire suppression and hazardous fuels reduction for the corridor.
2. Applicants must work with the local land management agency to identify project areas that may incur heavy fuel buildups, and develop a long-term strategy on vegetation management of these areas. The strategy may include land treatment during project construction, which may extend outside the planned ROW clearing limits.

B.2 PROJECT CONSTRUCTION

General

1. To avoid conflict with federal and nonfederal operations, the applicant shall be aware of liabilities pertaining to environmental hazards, safety standards, and military flying areas.
2. The applicant shall locate all stationary construction equipment (i.e., compressors and generators) as far as practicable from nearby residences.
3. Applicants will pay fair market value to the land management agency for any merchantable forest products that will be cut during ROW clearing. The local land management agency will determine the fair market value, which will be paid prior to clearing. The applicant will either remove the forest products from the area or will stack the material at locations determined by the local land management agency. Treatment of unmerchantable products will be determined by the local land management agency.

Soils, Excavation, and Blasting

1. Applicants shall salvage, safeguard, and reapply topsoil from all excavations and construction activities during restoration.
2. All areas of disturbed soil shall be restored by the applicant using weed-free native grasses, forbs, shrubs, and trees as directed by the agency. Restoration should not be unnecessarily delayed. If native species are not available, noninvasive vegetation recommended by agency specialists may be used.
3. The applicant must not create excessive slopes during excavation. Areas of steep slopes, biological soil crusts, erodible soil, and stream channel crossings will often require site-specific and specialized construction techniques by the applicant. These specialized construction techniques should be implemented by adequately trained and experienced employees.
4. Blasting activities will be avoided or minimized in the vicinity of sole source aquifer areas to reduce the risk of releasing sediments or particles into the groundwater and inadvertently plugging water supply wells.
5. The applicant must backfill foundations and trenches with originally excavated material as much as possible. Excess excavation materials should be disposed of by the applicant only in approved areas.
6. The applicant shall obtain borrow (fill) material only from authorized sites. Existing sites should be used in preference to new sites.
7. The applicant shall prepare an explosives use plan that specifies the times and meteorological conditions when explosives will be used and specifies minimum distances from sensitive vegetation and wildlife or streams and lakes.
8. If blasting or other noisy activities are required during the construction period, the applicant must notify nearby residents in advance.

Mitigation and Monitoring

1. All control and mitigation measures established for the project in the POD and other required plans must be maintained and implemented by the applicant throughout construction. Necessary adjustments may be made with the concurrence of the appropriate agency.

Surface and Groundwater Resources

1. The applicant must safeguard against the possibility of dewatering shallow groundwater and/or wetlands in the vicinity of project sites during foundation excavations or excavations for buried pipelines.
2. The applicant must implement erosion controls complying with county, state, and federal standards, such as jute netting, silt fences, and check dams, and secure all necessary storm water pollution prevention plan (SWPPP) permits.
3. The applicant shall minimize stream crossings by access roads to the extent practicable. All structures crossing intermittent and perennial streams should be located and constructed so that they do not decrease channel stability, increase water velocity, or impede fish passage.
4. Applicants shall not alter existing drainage systems and should give particular care to sensitive areas such as erodible soils or steep slopes. Soil erosion should be reduced at culvert outlets by appropriate structures. Catch basins, roadway ditches, and culverts should be cleaned and maintained.
5. Applicants must not create hydrologic conduits between aquifers.

Paleontological Resources

1. Project construction activities will follow the protective measures and protocols identified in the paleontological resources mitigation plan.
2. All paleontological specimens found on federal lands remain the property of the U.S. government. Specimens, therefore, may only be collected by a qualified paleontologist under a permit issued by the managing agency and must be curated in an approved repository.

Ecological Resources

1. Areas that are known to support ESA-listed species, BLM-sensitive, FS-sensitive, and state-listed species or their habitats must be identified and marked with flagging or other appropriate means to avoid direct impacts during construction activities. Construction activities upslope of these areas should be avoided to prevent indirect impacts of surface water and sediment runoff.

2. All construction activities that could affect wetlands or waters of the United States must be conducted in accordance with the requirements identified in permits issued by the U.S. Army Corps of Engineers.

Visual Resources

1. A pre-construction meeting with BLM/FS landscape architects or other designated visual/scenic resource specialist shall be held before construction begins to coordinate on the VRM/SMS mitigation strategy and confirm the compliance-checking schedule and procedures. Applicants shall integrate interim/final reclamation VRM/SMS mitigation elements early in the construction, which may include treatments such as thinning and feathering vegetation along project edges, enhanced contour grading, salvaging landscape materials from within construction areas, special revegetation requirements, etc. Applicants shall coordinate with BLM/FS in advance to have BLM/FS landscape architects or other designated visual/scenic resource specialists onsite during construction to work with implementing BMPs.

Cultural Resources

1. Project applicants shall provide all cultural resources reports and data in an approved electronic format that is integrated across jurisdictional boundaries, that meets current standards, and that is compatible with SHPO systems. Project proponents shall submit cultural resources data on a regular basis to ensure that SHPO systems are kept up to date for reference as the different phases of the project proceed.
2. When an area is identified as having a high potential for cultural resources but none are found during a pre-construction field survey, a professionally qualified cultural resources specialist will be required to monitor ground-disturbing activities during project construction, and to complete a report when the activities are finished. The protocol for monitoring should be identified in the CRMP.
3. When human remains, funerary objects, sacred objects, or objects of cultural patrimony are inadvertently discovered, the provisions of NAGPRA shall apply and the process identified in the CRMP must be followed.

Hazardous Materials and Wastewater Management

1. Any wastewater generated by the applicant in association with temporary, portable sanitary facilities must be periodically removed on a schedule approved by the agency, by a licensed hauler and introduced into an existing municipal sewage treatment facility.

Temporary, portable sanitary facilities provided for construction crews should be adequate to support expected on-site personnel and should be removed at completion of construction activities.

2. All hazardous materials (including vehicle and equipment fuels) brought to the project site will be in appropriate containers and will be stored in designated and properly designed storage areas with appropriate secondary containment features. Excess hazardous materials will be removed from the project site after completion of the activities in which they are used.

Air Emissions

1. The applicant shall cover construction materials and stockpiled soils if these are sources of fugitive dust.
2. To minimize fugitive dust generation, the applicant shall water land before and during surface clearing or excavation activities. Areas where blasting would occur should be covered with mats.

Noise

1. The applicant shall limit noisy construction activities (including blasting) to the least noise-sensitive times of day (i.e., daytime only between 7 a.m. and 10 p.m.) and weekdays.

Fire Safety

1. The applicant must ensure that all construction equipment used is adequately muffled and maintained and that spark arrestors are used with construction equipment in areas with, and during periods of, high fire danger.
2. Flammable materials (including fuels) will be stored in appropriate containers.

B.3 PROJECT OPERATION

Mitigation and Monitoring

1. All control and mitigation measures established for the project shall be maintained and implemented by the applicant throughout the operation of the project. Necessary adjustments may be made with the concurrence of the appropriate agency.

Ecological Resources

1. Applicants shall review existing information regarding plant and animal species and their habitats in the vicinity of the project area and identify potential impacts to the applicable agencies.
2. Project staff shall avoid harassment or disturbance of wildlife, especially during reproductive courtship, migratory, and nesting seasons.
3. Observations by project staff of potential wildlife problems, including wildlife mortality, will be immediately reported to the applicable agency authorized officer.

Pesticide and Herbicide Use

1. If pesticides are used, the applicant shall ensure that pesticide applications as specified in the integrated vegetation management plan are conducted within the framework of agency policies and entail only the use of EPA-registered pesticides that are applied in a manner consistent with label directions and state pesticide regulations. Pesticide use should be limited to nonpersistent immobile pesticides and may be applied only in accordance with label and application permit directions and stipulations for terrestrial and aquatic applications (BLM 2007a).
2. Pesticide and herbicide uses must be avoided in the vicinity of sole source aquifer areas (BLM 2007a).

Visual Resources

1. Terms and conditions for VRM/SMS mitigation compliance shall be maintained and monitored for compliance with visual objectives, with adaptive management adjustments and modifications as necessary and approved by the BLM/FS landscape architect or other designated visual/scenic resource specialist.

Hazardous Materials, Wastes, and Wastewater Management

1. The applicant shall provide secondary containment for all on-site hazardous materials and waste storage areas.
2. The applicant shall ensure that wastes are properly containerized and removed periodically for disposal at appropriate off-site permitted disposal facilities.
3. In the event of an accidental release to the environment, the applicant must initiate spill cleanup procedures and document the event, including a cause analysis; appropriate corrective actions taken; and a characterization of the resulting environmental or health and safety impacts. Documentation of the event should be provided to the land management agency's authorized officer and other federal and state agencies, as required.

Air Quality

1. Dust abatement techniques (e.g., water spraying) shall be used by the applicant on unpaved, unvegetated surfaces to minimize airborne dust. Water for dust abatement should be obtained and used by the applicant under the appropriate state water use permitting system. Used oil will not be used for dust abatement.

Noise

1. The applicant shall ensure that all equipment has sound-control devices no less effective than those provided on the original equipment.

B.4 PROJECT DECOMMISSIONING

General

1. Where applicable, decommissioning activities will conform to agency standards and guidance for mitigation and reclamation (e.g., BLM's Gold Book[8]).
2. Applicants must receive approval for changes to the ROW authorization prior to any modifications to the ROW required for decommissioning.
3. Gravel work pads will be removed; gravel and other borrow material brought to the ROW during construction will be disposed of as approved by the agency.
4. Any wells constructed on the ROW to support operations will be removed and properly closed in accordance with applicable local or state regulations.
5. All equipment, components, and above-ground structures must be cleaned and removed from the site for reclamation, salvage, or disposal; all below-ground components will be removed to a minimum depth of three feet to establish a root zone free of obstacles; pipeline segments and other components located at greater depths may be abandoned in place provided they are cleaned (of all residue) and filled with inert material to prevent possible future subsidence.
6. Dismantled and cleaned components will be promptly removed; interim storage of removed components or salvaged materials that is required before final disposition is completed will not occur on federal land.
7. At the close of decommissioning, applicants will provide the federal land manager with survey data precisely locating all below-grade components that were abandoned in place.

Mitigation and Monitoring

1. All control and mitigation measures established for the project in the POD and other required plans will be incorporated into a decommissioning plan that will be approved by the federal land manager(s); the decommissioning plan will include a site reclamation plan and a monitoring program and will be coordinated with owners and operators of other systems on the corridor to ensure no disruption to the operation of those systems.

8 Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development, 4th Edition, revised 2007. Available electronically at http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/best_management_practices/gold_book.html.

Surface Water

1. A SWPPP permit will be obtained and its provisions implemented for all affected areas before any ground-disturbance activities commence.

Transportation

1. Additional access roads needed for decommissioning will follow the paths of access roads established during construction to the greatest extent possible; all access roads not required for the continued operation and maintenance of other energy systems present in the corridor shall be removed and their footprints reclaimed and restored.

Restoration

1. Topsoil removed during decommissioning activities shall be salvaged and reapplied during final reclamation; all areas of disturbed soil shall be reclaimed using weed-free native shrubs, grasses, and forbs or other plant species approved by the land management agency; grades will be returned to pre-development contours to the greatest extent feasible.
2. The vegetation cover, composition, and diversity shall be restored to values commensurate with the ecological setting, as approved by the authorizing officer.

Hazardous Materials and Waste Management

1. All fuels, hazardous materials, and other chemicals will be removed from the site and properly disposed of or reused.
2. Incidental spills of petroleum products and other chemicals will be removed and the affected area cleaned to meet applicable standards.
3. Solid wastes generated during decommissioning will be accumulated, transported, and disposed in permitted off-site facilities in accordance with state and local requirements; no solid wastes will be disposed of within the footprint of the ROW or the corridor.
4. Hazardous wastes generated as a result of component cleaning will be containerized and disposed of in permitted facilities.

References

BLM, 2006, BLM Manual 9011-Chemical Pest Control. Available at http://www.blm.gov/ca/st/en/prog/weeds/9011.print.html. Accessed October 30, 2008.

BLM, 2007a, *Record of Decision for the Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States*, U.S. Department of the Interior, September.

BLM, 2007b, *Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Final Programmatic Environmental Report*, U.S. Department of the Interior, June.

BLM, 2008, *Integrated Vegetation Management Handbook 1740-2, Programmatic Biological Assessment for Vegetation Management*, U.S. Department of the Interior.

APPENDIX C:
MODIFICATIONS AND CORRECTIONS TO THE FINAL PEIS

Modifications

The BLMs Governors Consistency Review, provided by the Governors of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming had no comments affecting the Forest Service corridors.

The continued internal review, within the FS, and with the DOE and BLM determined that there were no required modifications to the Final PEIS.

Corrections

The following clarifications and minor corrections have been made to the information included in the Final PEIS and are reflected in the approved land management plan amendments presented in this ROD:

1. The Colorado map in Appendix D of this ROD corrects several corridor labels for Colorado that are incorrect in Part 5 of the Map Atlas, Volume III of the Final PEIS. The corrected corridors shown in Figure A-3 are Corridor 132-133 (incorrectly labeled as 132-222), Corridor 126-133 (incorrectly labeled as 126-217), and Corridor 87-277 (incorrectly labeled as 87-139).
2. Because of its relatively small size and the scale of the maps presented in the Final PEIS, Corridor 136-139 in Colorado was not shown in the Colorado maps presented in Parts 2 and 5 of the Map Atlas, Volume III of the Final PEIS. This corridor is shown on the Colorado map in Appendix D of this ROD.
3. A number of the IOPs have been edited for clarity (see Appendix B).
4. Table 3 and Table A of this ROD displays the correct names of the LMPs in effect at the time of this ROD. Corrected LMP names are:
    - Targhee NF LMP will be amended, not the Caribou-Targhee NF MLP.
    - The Deerlodge NF LMP will be amended, not the Beaverhead-Deerlodge NF LPM.

INSERT OTHER CHANGES WHEN KNOWN

APPENDIX D:
STATE MAPS

ARIZONA MAP

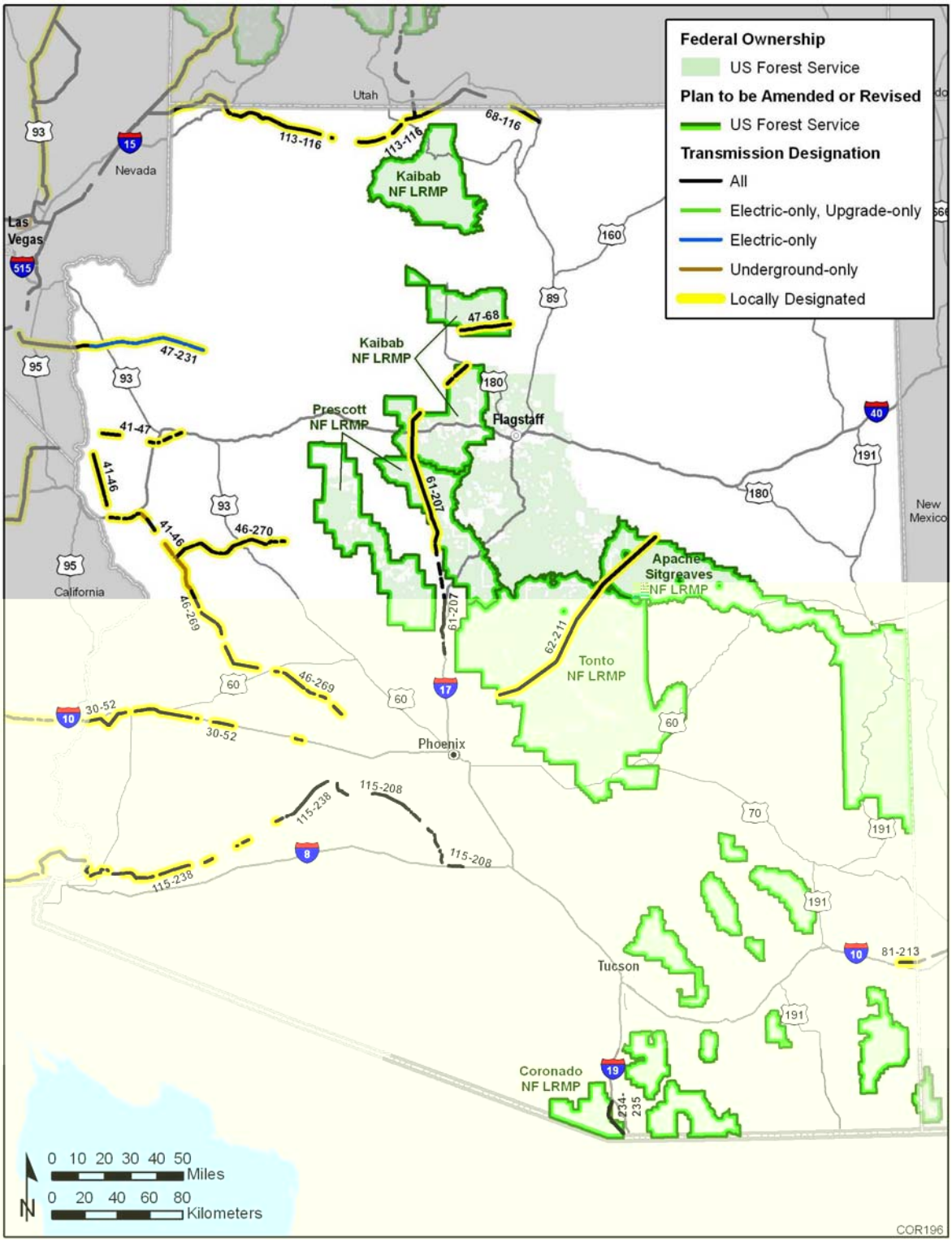

FIGURE D-1: FS Resource Management Plans in Arizona to Be Amended by This ROD

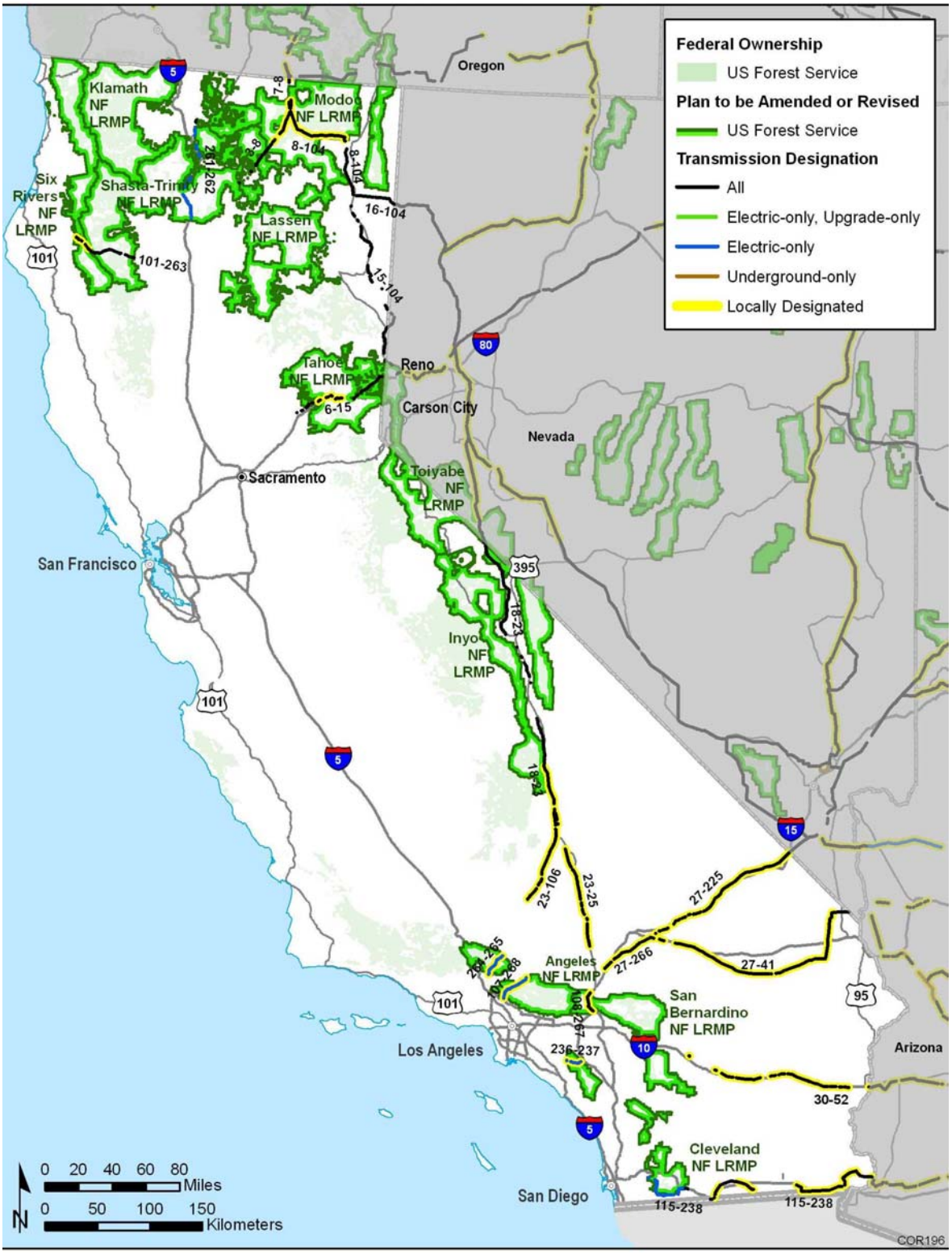

FIGURE D-2: FS Land Management Plans in California to Be Amended by This ROD

COLORADO MAP

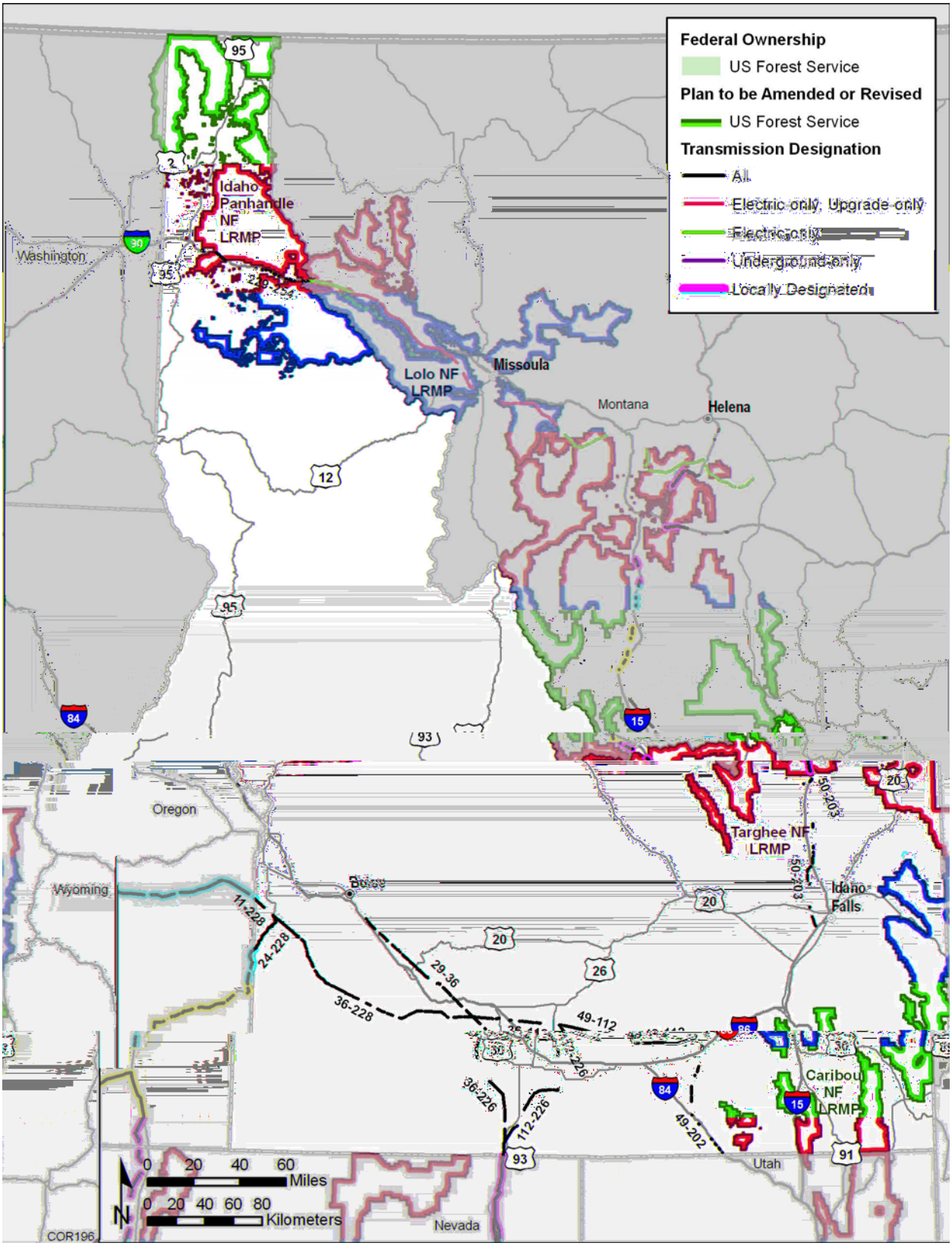

FIGURE D-4: FS Land Management Plans in Idaho to Be Amended by This ROD

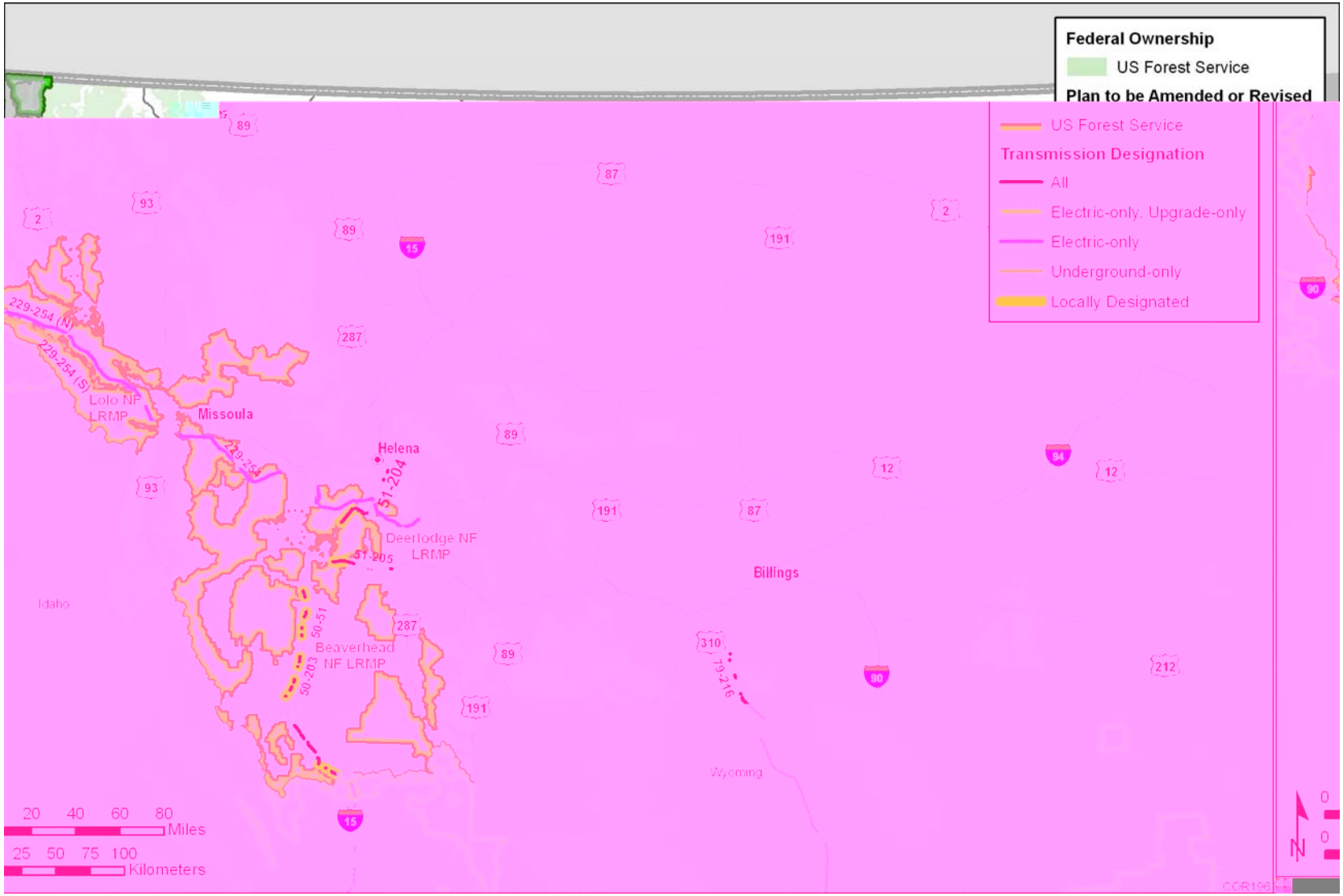

FIGURE D-5: FS Land Management Plans in Montana to Be Amended by This ROD

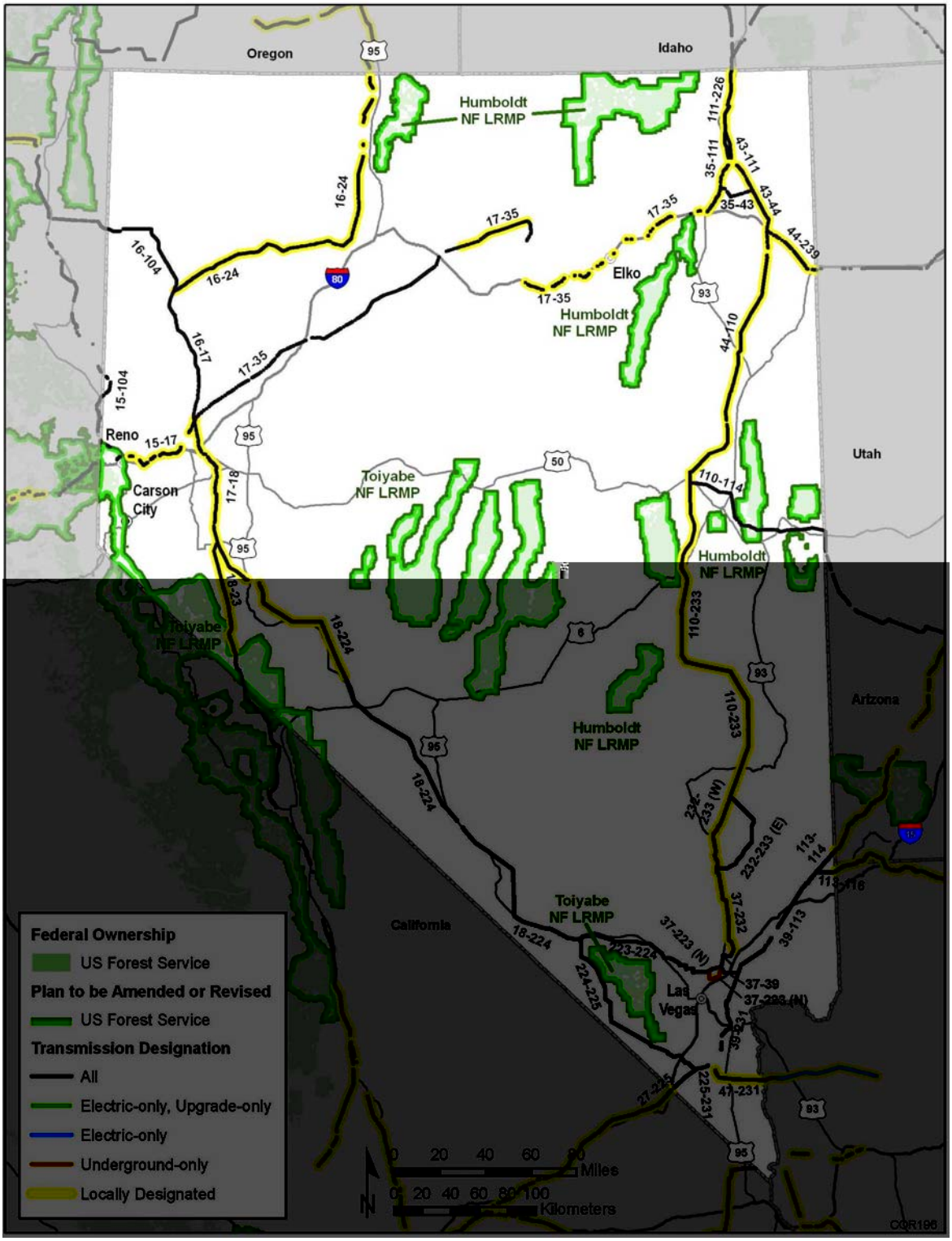

FIGURE D-6: FS Land Management Plans in Nevada to Be Amended by This ROD

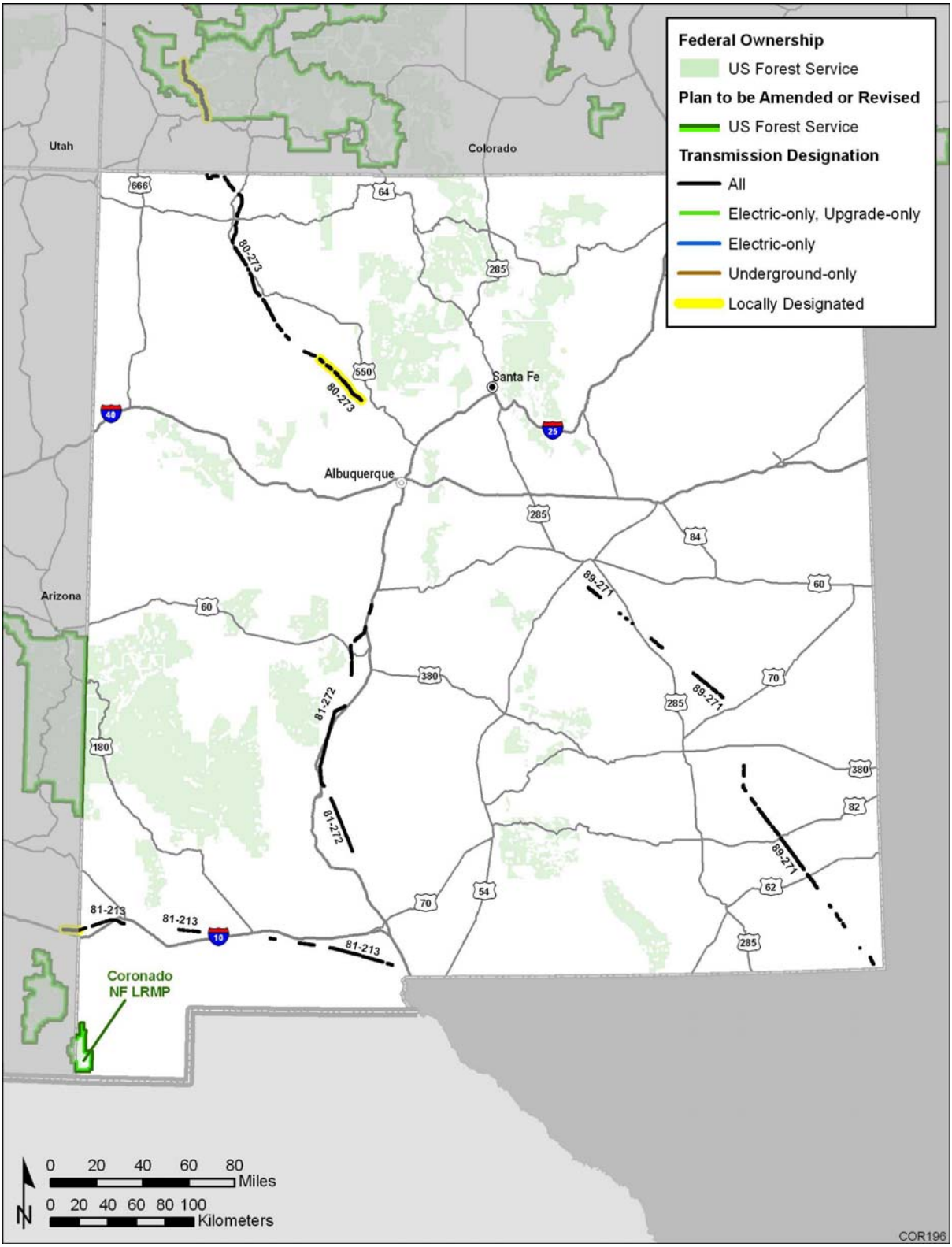

FIGURE D-7: FS Land Management Plans in New Mexico to Be Amended by This ROD

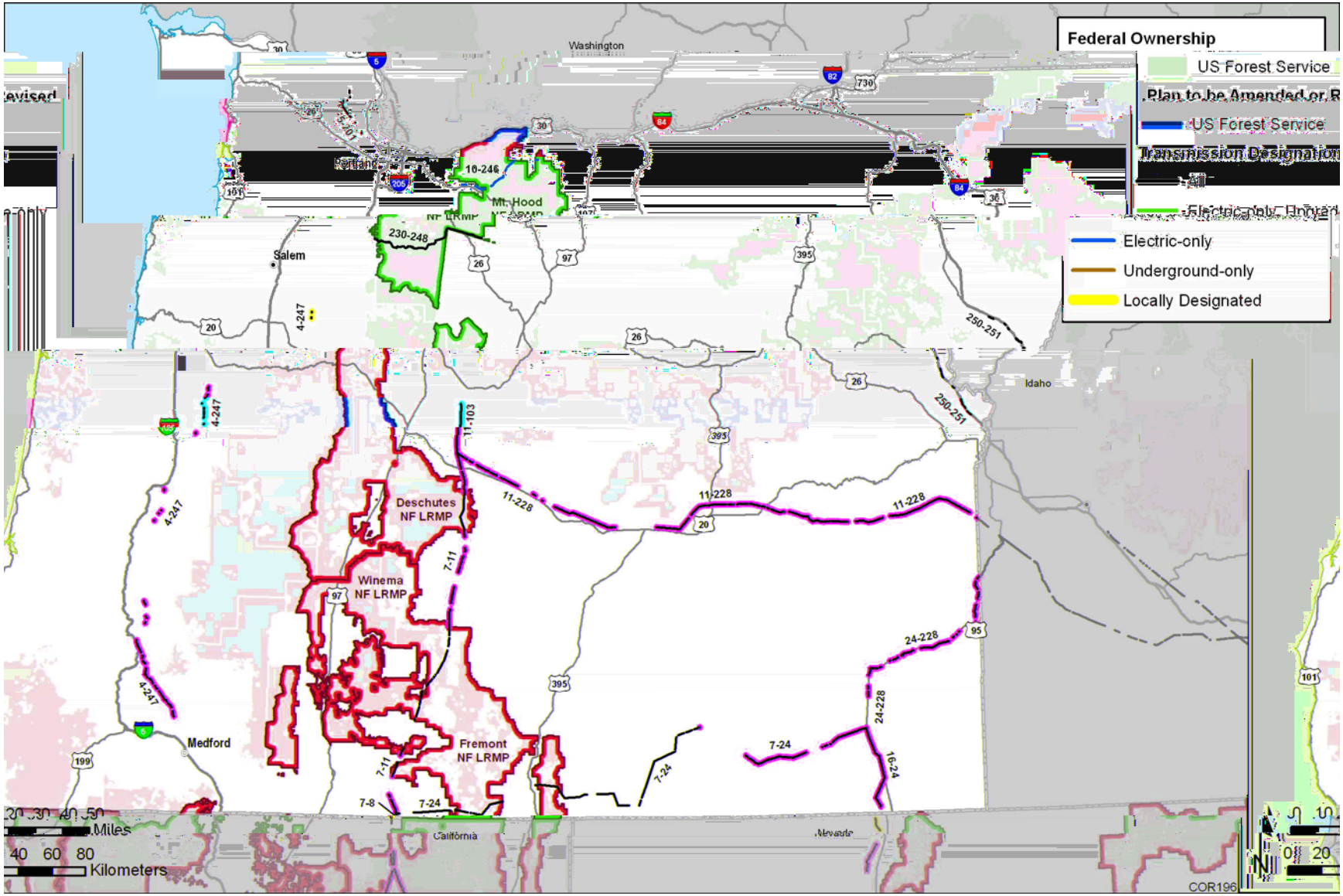

FIGURE D-8: FS Land Management Plans in Oregon to Be Amended by This ROD

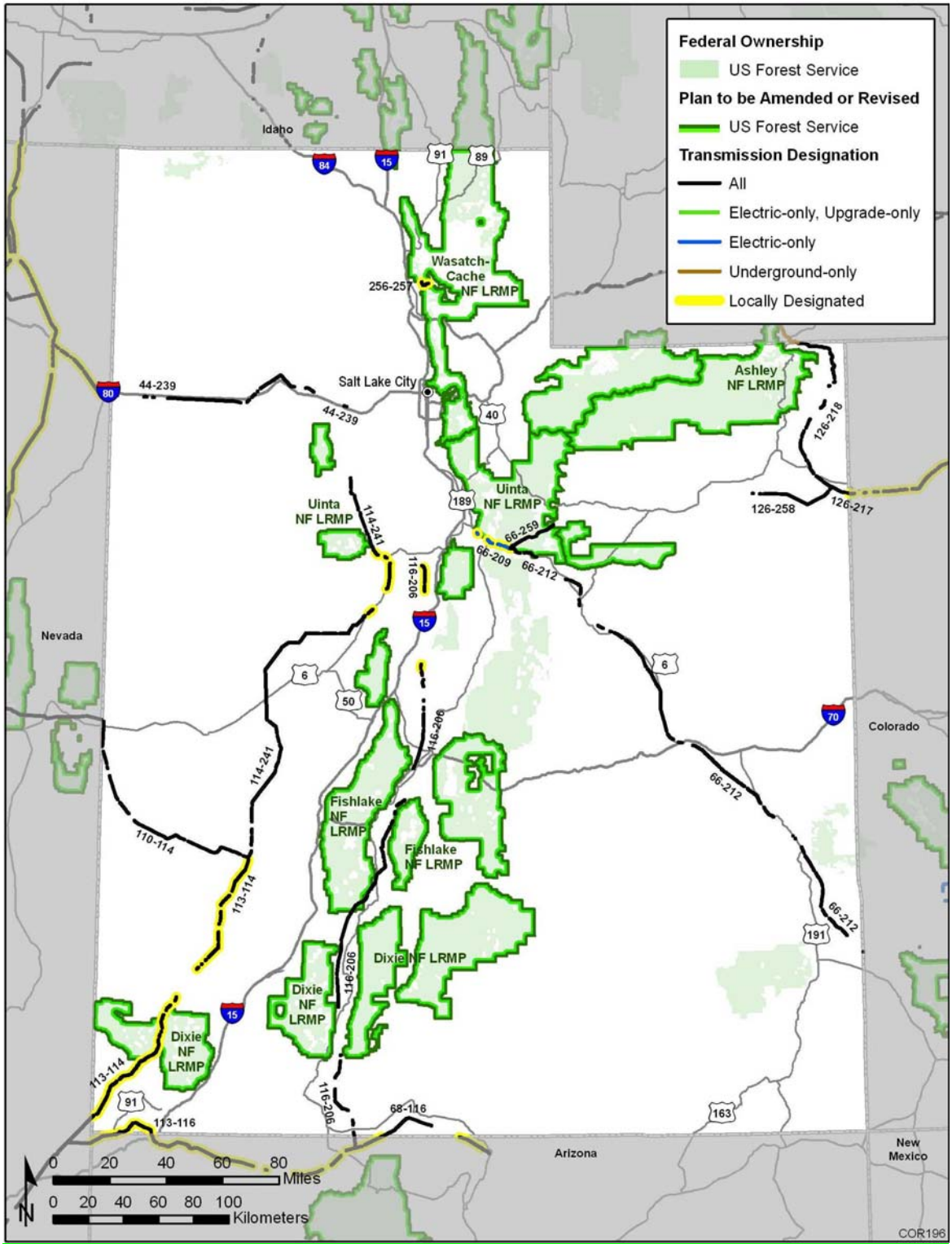

FIGURE D-9: FS Land Management Plans in Utah to Be Amended by This ROD

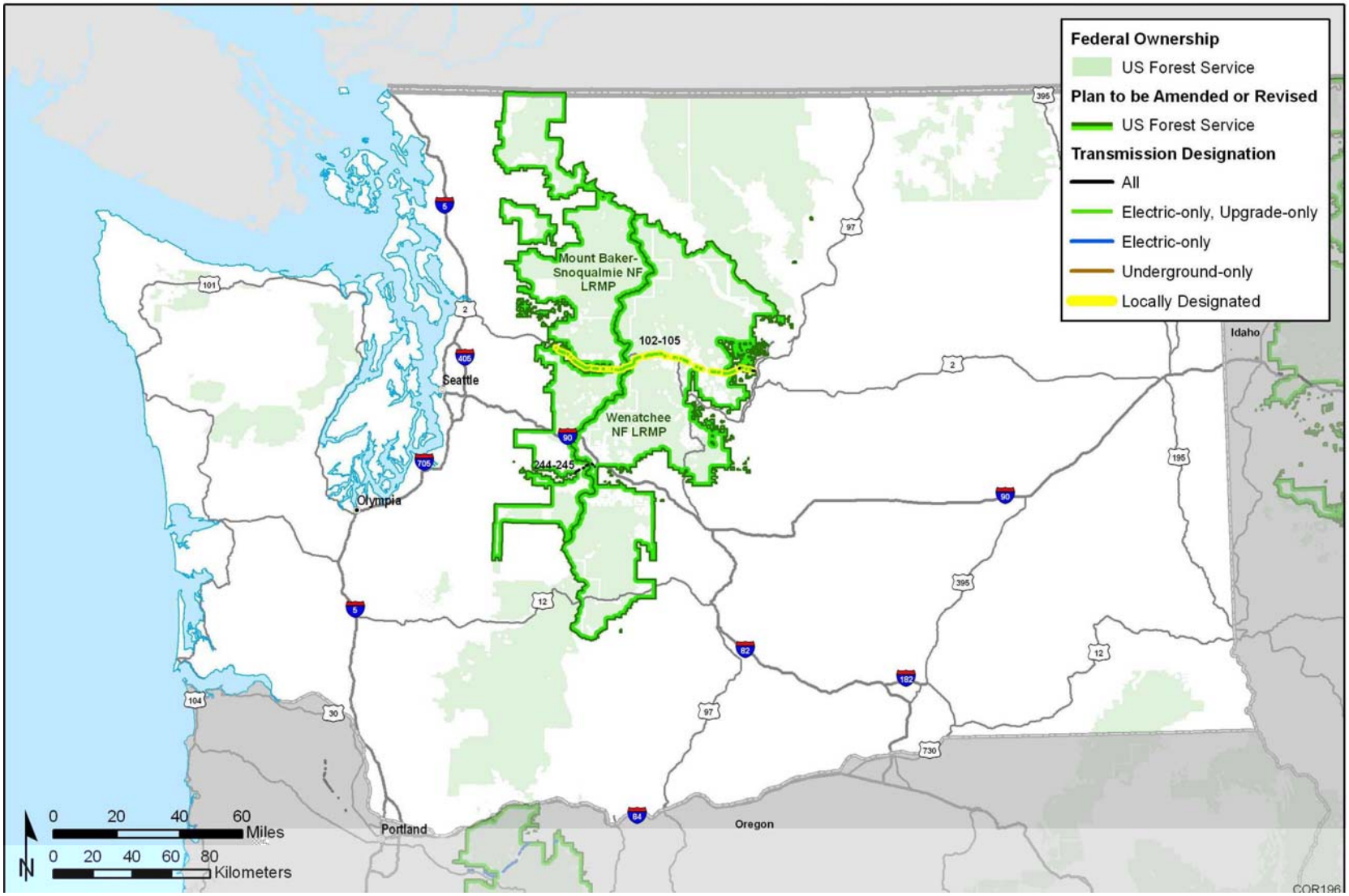

FIGURE D-10: FS Land Management Plans in Washington to Be Amended by This ROD

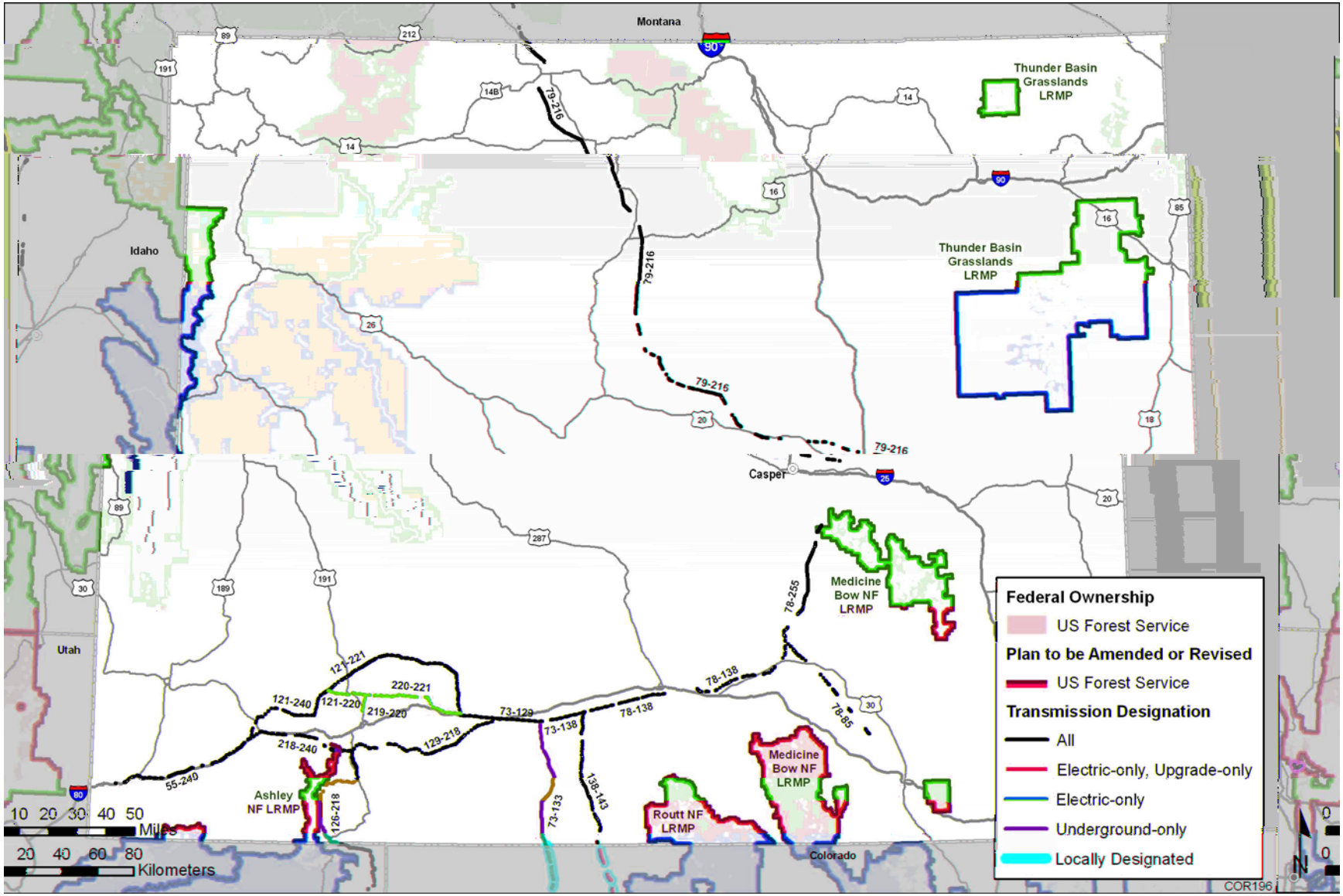

FIGURE D-11: FS Land Management Plans in Wyoming to Be Amended by This ROD