Comment Submission 27

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

April 30, 2002

Reply To
Attn Of: ECO-088

Ref: 01-021-BPA

Donald Rose
Bonneville Power Administration (KEC-4)
P.O. Box 3621
Portland, OR 97208

Dear Mr. Rose:

The Environmental Protection Agency (EPA) has completed its review of the draft Environmental Impact Statement (EIS) for the proposed **Wallula Power Project and Wallula-McNary Transmission Line Project** (CEQ No. 020071) in accordance with our authorities and responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS has been prepared in response to a proposal to construct and operate a natural gas-fired power plant in Walla Walla County, Washington and to distribute the generated power over the Federal Columbia River Transmission System. The EIS evaluates the applicant's proposed power plant and a single transmission line alignment as well as the No Action alternative. An agency-preferred alternative is not identified.

Based on our review and evaluation, we have assigned a rating of EC-2 (Environmental Concerns - Insufficient Information) to the draft EIS. This rating, and a summary of our comments, will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference.

Our concerns are related to the following topics which are discussed in greater detail in the enclosure to this letter:

- *Lack of coordination of NEPA review with the Federal Energy Regulatory Commission;*
- *Purpose and Need for the project;*
- *Range of alternatives evaluated in the EIS;*
- *Disparity in treatment of the power plant and transmission line;*
- *Project-related impacts and needed mitigation measures;*
- *Air quality impact assessment;*
- *Cumulative effects;*
- *Monitoring and evaluation plan;*

- *Noise effects on wildlife; and*
- *Vegetation management*.

Thank you for the opportunity to provide comments on the draft EIS. I urge you to contact Bill Ryan of my staff at (206) 553-8561 at your earliest opportunity to discuss our comments and how they might best be addressed in the EIS.

Sincerely,

/s/

Judith Leckrone Lee, Manager
Geographic Implementation Unit

Enclosures

cc: Allen Fiksdal, EFSEC
Federal Energy Regulatory Commission

EPA comments on the
Draft Environmental Impact Statement
for the
Proposed Wallula Power Project and Wallula-McNary Transmission Line Project

Coordination of Environmental Review with FERC

While we are pleased to see that the Bonneville Power Administration (BPA) and the Washington State Energy Facility Site Evaluation Council (EFSEC) have jointly developed the draft Environmental Impact Statement (EIS), we are concerned that meaningful and required evaluation of an interconnecting natural gas pipeline (a fundamental project component) has not been undertaken as part of this EIS. Page 2-18 of the draft EIS states that siting of the natural gas pipeline is the responsibility of the Federal Energy Regulatory Commission (FERC) and that "environmental impacts associated with the proposed natural gas pipeline would be assessed under a separate NEPA document" (to be prepared at some unspecified future date by the FERC). BPA and the FERC have complementary Federal roles and decisions to render with respect to the proposed project. BPA must decide whether and how to provide transmission service to the project while the FERC must decide whether to approve the siting and construction of a natural gas pipeline that would serve the proposed Wallula Power Project. The project cannot become operational without a source of natural gas to fire the turbine generators or a means of transmitting generated power. 27-1

Because more than one federal agency is involved in what must be considered either the "same action" or "a group of actions directly related to each other because of their functional interdependence" (see 40 CFR 1501.5), we believe that the FERC should be an active, formal participant in the further development of this EIS. If not the same action, BPA and the FERC actions are, at the very least, functionally interdependent because the power plant under consideration would be useless if its power cannot be transmitted via BPA lines or if it cannot obtain natural gas via a FERC-licensed pipeline. Having each agency conduct separate and independent environmental reviews will result in improperly segmented consideration of environmental impacts and failure to explore viable alternatives that could mitigate impacts. To ensure a full and fair environmental review of the project in its entirety, EPA recommends that BPA work with the FERC to include an expanded evaluation of pipeline alternatives and associated effects in any further evaluation and document development . We recommend that BPA invite the FERC to become a cooperating agency on this EIS to ensure that spirit and intent of the National Environmental Policy Act (NEPA) and its implementing regulations to evaluate potential Federal decisions in an integrated and interdisciplinary manner are met (see Section 102 of NEPA and 40 CFR 1500.2(c), 1501.2(d)(3), 1502.14, 1502.15, 1502.16). 27-2

Purpose and Need

We find the presentation of the purpose and need for the project to be very unclear and confusing in that:

11. The EIS presents two separate statements of project purpose; one related to the need for the proposed power plant and a second related to the need for the transmission line.
12. The need statement for the proposed power plant suggests that all the power generated by the power plant would serve to meet the power demands of the Pacific Northwest without information indicating who would ultimately purchase or use the power.
13. The need for the transmission line is extremely vague and general with no apparent connection

27-3

to the proposed power plant.

The implementing regulations for NEPA promulgated by the Council on Environmental Quality (CEQ), henceforth referred to as the CEQ regulations, state that an EIS developed to satisfy the requirements of NEPA must "specify the underlying purpose to which the agency is responding in proposing the alternatives and the proposed action" (see 40 CFR 1502.13). Because this statement of purpose and need has a direct bearing on alternatives to consider and evaluate in the EIS, it is extremely important that this statement be clear and truly reflect the underlying need (including the broader public-interest need). 27-3 contd

It appears that purpose and need is presented separately for the power plant and the transmission line in an attempt to distinguish the needs related to different decisions to be rendered by EFSEC (for the power plant) and BPA (for the transmission line). While we understand that EFSEC and BPA have distinctly different decisions to render (as does the FERC), we believe that there is a single underlying purpose and need for the project necessitating those decisions, namely to meet a portion of existing and future energy loads within the Western Systems Coordinating Council (WSCC) and to efficiently transmit the energy that is generated. 27-4

We recommend that the EIS be revised to present a single, concise purpose and need statement for the entire project (power plant, transmission line, natural gas pipeline) that presents the underlying purpose and need to which BPA, EFSEC, and FERC are responding.

The discussion on pages 2-3 and 2-4 of the draft EIS suggests that the power that would be produced by the proposed generating facility is needed to help offset projected shortfalls of 3,000 to 6,000 megawatts (MW) in projected energy demand for the Northwest. We believe that this discussion should be expanded to explain the manner in which generated power would ultimately be distributed and used. It is our understanding that in the current deregulated energy environment, energy generated and distributed on the Western Systems Coordinating Council (WSCC) grid could be purchased by any entity connected to the grid in the western United States and Canada. As a consequence, energy generated by the proposed project could potentially be purchased and used outside of the Pacific Northwest. The nature of how the power would be bought, sold and used should be presented to provide the public and decision maker with an understanding of how or if Pacific Northwest energy needs would be met with the proposed project. 27-5

In addition, information presented in a draft EIS recently issued by the FERC for the proposed Martin Creek Hydroelectric Project (FERC Project No. 10942) in western Washington states that reserve energy capacity for the Western Systems Coordinating Council (WSCC) region is projected to increase by 36.8 percent by 2010 with an increase of 66,840 megawatts of new generation. We believe that this information should be included in the purpose and need section of the EIS for the proposed project, along with a discussion of the need for the proposed project relative to the forecasted reserve capacity for the WSCC region. This will provide the public and the decision maker an important context for the evaluation of the proposed projects and alternatives to them, particularly in terms of the tradeoffs between resource protection and power generation. 27-6

The purpose and need for the transmission line describes, in very general terms, BPA's operation of the Federal Columbia River Transmission System (FCRTS) and how the system is nearing the limit of how much electricity it can carry. The statement makes no mention of the proposed Wallula Power Project nor its desire to integrate power from its operation into the FCRTS. In addition, the 27-7

discussion on page 2-4 of the EIS seems to suggest that the proposed transmission line is needed, independent of the fact that the Wallula Power Project has been proposed. The EIS should be revised to clearly and specifically describe why the proposed transmission line (from the power plant to the McNary Substation) is needed. A general discussion of the FCRTS is not sufficient for defining the need for the specific project being proposed and analyzed in the EIS. 27-7 contd

In addition, the discussion of *Decisions to be Made* on page 2-5 states that BPA must decide whether and how to provide transmission service to the Wallula Power Project in response to their request 1) to integrate power from the facility into the FCRTS and 2) for firm point-to-point transmission service from the power plant to the John Day and Big Eddy substations. In order to meet the "need" to provide transmission service from the power plant to the John Day and Big Eddy substations (well beyond the currently proposed terminus at the McNary substation), it appears that the scope of the EIS should be expanded to include an assessment of effects to the desired termini at John Day and Big Eddy. That is, the scope of the EIS should also include the proposed McNary to John Day Transmission Line Project since firm transmission service to John Day would appear to include the proposes improvement/expansion of the McNary-John Day line. We recommend that BPA ensure that decisions to be rendered are consistent with the underlying purpose and need for the project, the range of alternatives evaluated, and that the analyses needed to support those decisions are conducted and disclosed in the EIS. 27-8

Range of Alternatives

We are greatly concerned with the extremely narrow range of alternatives being evaluated in the draft EIS. With the elimination of all alternatives to the applicant's proposed power plant from detailed review and the evaluation of effectively a single transmission line alignment (with some variations on approaches to the McNary substation), the EIS essentially evaluates a single action alternative and a no action alternative. The other "alternatives" being evaluated represent a variety of project components that should be evaluated in the EIS, but do not represent alternatives to the proposed action as none of them would individually meet the purpose and need to generate and transmit power if selected. The evaluation of a single alternative seems to be inconsistent with the direction of the CEQ regulations to "present the environmental impacts of the proposal and the alternatives in comparative form, this sharply defining the issues and providing a clear basis for choice among options to the decision maker and the public" (see 40 CFR 1502.14). It also suggests that proposed project (in its entirety) has not undergone the hard look by the Federal government required by NEPA. While we understand that formal approvals related to the siting, construction and operation of the proposed power plant are to be made by EFSEC, the decision by BPA to allow the power plant to connect to the FCRTS and utilize it to transmit the generated power is integral to project operation, "enabling" the project to be functional. BPA's decision will ultimately result in the expenditure of Federal resources for the design, construction, operation and maintenance of the transmission line, the associated environmental impacts, and any costs for mitigating effects from the construction and operation of the line. Impacts from the power plant will also result with BPA's decision to allow interconnection to the FCRTS. The location and size of the power plant would ultimately dictate the location (and length) as well as the transmission capacity of the line. Consequently, we believe that it is incumbent on BPA to ensure that the NEPA process is used to rigorously explore and objectively evaluate all reasonable alternatives to meet the underlying purpose and need (per 40 CFR 1502.13 and 1502.14), before Federal decisions are made and resources are committed. 27-9

Section 2.4 of the draft EIS is prefaced by stating that it presents the decisions made by the applicant to accept or reject alternatives to evaluate in the EIS. The CEQ states in their *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations* (46 Federal Register 18026, March 23, 1981) that "in determining the scope of alternatives to be considered, the emphasis is on what is 'reasonable' rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant." The CEQ also states that "an alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable." 27-10

The EIS provides no evidence that BPA, on behalf of the Federal government, has ensured that the proposed power plant has undergone an independent, hard look to ensure that reasonable alternatives (particularly related to plant location and size) have been rigorously explored and objectively evaluated in the EIS, per the CEQ regulations. Alternative plant locations and sizes would directly influence BPA's decision on whether and how to provide transmission service to the project (as well as associated effects and costs). As a result, we recommend that they receive the necessary objective consideration and evaluation required under NEPA. 27-11

The EIS presents little evidence that serious evaluation of alternatives to the proposed transmission line has been undertaken. All alternatives considered are based on a single alignment which follows an existing transmission corridor and would require expanding that corridor. While EPA supports limiting environmental impacts by using areas that are already impacted, BPA must ensure that its responsibilities to explore a full range of alternatives are met in the EIS. We do not believe that the EIS provides sufficient information to determine that all reasonable alternatives to the proposed transmission line have been considered. Noticeably lacking are options that go beyond changes in alignment such as demand management, distributed generation, interruptible/curtailable rates and transmission pricing solutions. Consideration of such options are particularly important if BPA's objective is to construct and operate a transmission line that serves more users than the Wallula Power Project. We recommend that the EIS include an assessment of these options, as well as other feasible alignments or configurations (e.g., single tower for the existing and new lines), to demonstrate that the proposed transmission line represents the only reasonable alternative. 27-12

Disparity in Treatment of the Power Plant and Transmission Line

We are concerned with the disparity in treatment/evaluation of the proposed power plant and the proposed transmission line. While the EIS does a reasonably good job describing the affected environment and potential effects related to the construction and operation of the proposed power plant, we find that the EIS provides only a very general and superficial characterization of the affected environment and expected effects for the transmission line portion of the project. As this EIS is intended to evaluate and disclose the project-specific effects of the proposed transmission line as well as the proposed power plant, it must contain sufficient detail to provide the public and decision maker with a clear understanding of the consequences of building the transmission line and the mitigation measures needed to avoid, reduce or compensate for adverse effects. In contrast to the evaluation of the power plant, it is difficult to determine the resources that would be affected by the transmission line as information is presented primarily as text and a few tables; no figures or maps are presented to allow the 27-13

reader to determine the locations of resources along the proposed right-of-way. We recommend that the EIS be revised to ensure that the public and the decision maker are provided with a clear understanding of the effects of the proposed transmission line. This should include maps depicting resources that would be affected, locations where project-related effects are expected to occur and the identification of the locations where mitigation measures would be applied. 27-13 contd

Project-Related Impacts and Needed Mitigation Measures

We are concerned that a number of plans, procedures and surveys identified in the EIS would generate information that appears to be necessary to define the affected environment and effects from the proposed project and/or identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for the National Environmental Policy Act (NEPA) to "insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken" (40 CFR 1500.1(b)) and to "include appropriate mitigation measures not already included in the proposed action or alternatives" (40 CFR 1502.14(f)). For example, the draft EIS indicates or suggests that the following have not yet been developed, but would be after issuance of the Record of Decision (ROD) for the project: 27-14

- Stormwater pollution prevention plan - needed to define mitigation; 27-15
- Spill Prevention and Control Plan - needed to define mitigation; 27-16
- Define buffers where herbicide application would be prohibited - needed to define effects and mitigation; 27-17
- Develop groundwater monitoring plans and mitigation measures needed in the event that groundwater withdrawals adversely affect existing water supply wells - need to define (potential) mitigation; 27-18
- Develop a response plan to address the potential for a significant leak in the liner of the evaporation pond - needed to define (potential) mitigation; 27-19
- Noxious weed surveys to determine the current extent of noxious weeds along proposed transmission lone right-of-way - needed to define, affected environment, effects, and mitigation; 27-20
- Preparation of an erosion control, revegetation, and landscaping plan - needed to define mitigation; 27-21
- Surveys to confirm locations of burrows of Western burrowing owls - needed to define affected environment, effects and mitigation; 27-22
- Determine transmission construction methodology - needed to define effects and mitigation; 27-23
- Develop helicopter noise control plan should helicopters be used in constructing the transmission line - needed to define mitigation; 27-24
- Development of transportation management plan - needed to define mitigation; 27-25
- Development of plans and procedures pursuant the EPA's Accidental Release Prevention Program - needed to define mitigation. 27-26

These efforts appear to be necessary to define project-specific effects and identify measures needed to mitigate identified impacts. Consequently, it appears that they should be completed and reflected in the EIS. We recommend that the BPA and EFSEC ensure that all necessary analyses/studies are included in the EIS so that effects and appropriate mitigation approaches are defined and disclosed to the public (in the EIS) before decisions are made, as directed by the CEQ regulations. 27-27

The clear identification of mitigation measures that would be employed with project implementation, the identification of locations where they would be applied, and a discussion (citing

applicable reports, papers, etc) of their effectiveness in avoiding or reducing effects, are needed to establish the project-related impacts that are to be reported in the EIS. 27-27 contd

A large portion of the proposed transmission line would be placed in a corridor currently being managed by Bonneville Power Administration (BPA) and housing an existing transmission line. The affected environment sections of the EIS, however, lack the site specificity expected for a corridor that has been utilized for decades. The EIS should incorporate information obtained from past BPA monitoring for resources affected or potentially affected by its use of the corridor. 27-28

Air Quality Impact Assessment

Tables 3.2-7 and 3.2-8 of the draft EIS present the results of air quality modeling conducted for the proposed power plant and contrasts these results with Significant Impact Levels (SILs) applicable to the Prevention of Significant Deterioration (PSD) permitting process and National Ambient Air Quality Standards (NAAQS). The EIS incorrectly concludes that modeled impacts below the PSD Significant Impact Levels equate to insignificant effects on ambient air quality in the area affected by the proposed project. While the SILs do provide an indication of the general level of air quality degradation that would be expected from the proposed plant itself, they do not reflect the total effects that can be contrasted with applicable NAAQS (developed to protect human health and welfare). Total air quality effects that would result from the operation of the proposed plant should also reflect the contributions from existing sources in the area. This is typically accomplished by using appropriate background concentrations (intended to reflect the contributions of existing sources) and adding predicted project-specific concentrations to them. The CEQ regulations (see 40 CFR 1502.16) require the assessment of direct and indirect (including cumulative) effects. 27-29

We recommend that the air quality assessment presented in the EIS be expanded to ensure that total air quality effects are disclosed to the public and the decision maker (40 CFR 1500.1). This assessment is particularly important for PM_{10} since the proposed power plant would operate in an area currently designated as a serious non-attainment area for PM_{10}. In such areas, even small incremental contributions to ambient PM_{10} levels can exacerbate conditions that are currently not meeting the PM_{10} NAAQS. This analysis should include, if appropriate, a characterization of any reasonably foreseeable new air sources (including non-power generation sources) that would contribute to air quality impacts in the project area to ensure that cumulative effects are assessed in accordance with the CEQ regulations (40 CFR 1502.16 and 1508.7). 27-30

Cumulative Effects

The CEQ regulations require Federal agencies to evaluate direct and indirect effects (including cumulative effects). The CEQ regulations define cumulative effects as those that result from the incremental impact of the action (in this case, the Wallula Power Project and associated transmissions lines and pipelines) when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes this action. With the exclusive focus of the present studies on proposed power generating sources, important elements of a cumulative effects analysis are not contained in the evaluation and are therefore incomplete. First, we recommend that the evaluation presented in Section 3.17 of the draft EIS be retitled to more accurately reflect the analyses that it presents. We believe a title such as <u>Impacts of Proposed New Power Projects in the Pacific Northwest</u> provides a more accurate description of the analyses conducted. More importantly, we 27-31 27-32

recommend that the EIS include a comprehensive cumulative effects analysis of resources expected to be impacted by the proposed project and other activities, consistent with the CEQ regulations. We recommend consulting *Considering Cumulative Effects Under the National Environmental Policy Act* issued by the CEQ in 1997 in the further development of the cumulative effects analysis for this EIS. 27-33

The CEQ regulations (40 CFR 1502.16) direct Federal agencies to include an assessment of direct and indirect (including cumulative) effects and their significance (emphasis added). The effects analyses presented in Section 3.17 of the draft EIS presents no conclusions related to the significance (or lack thereof) of the expected effects. A conclusion as to the significance of expected effects should be included in the EIS to meet the direction of the CEQ regulations. 27-34

We agree with the discussion on page 3.17-1 that indicates the spatial scope of a cumulative effects analysis is a function of the environmental resources being considered. Interestingly, we find the scope and content of the cumulative effects analyses presented in the EIS appear to be reliant almost entirely on the location of proposed power plants and do not seem to be related to environmental resources at risk. 27-35

Air Quality

We commend BPA for undertaking the air quality modeling studies that evaluate the expected effects of anticipated increased power generation in Washington, Oregon and northern Idaho on regional haze and acid deposition. The results of these studies, summarized in Section 3.17 of the draft EIS, represent an important first step in evaluating cumulative effects at Class I areas (typically national parks and wilderness areas) from air pollution at a regional scale. While these studies provide valuable insights into potential effects from new power generation sources, they do not represent a comprehensive cumulative effects analysis as they do not account for contributions from existing sources or reasonably foreseeable non-power generation sources. In the context of NEPA, the CEQ regulations define cumulative effects as those that result from the incremental impact of the action (in this case, the Wallula Power Project) when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes this action. With the exclusive focus of the present studies on proposed power generating sources, important elements of a cumulative effects analysis are not contained in the evaluation. We recommend that the evaluation presented in Section 3.17.2.2 of the draft EIS be retitled to more accurately reflect the analyses that it presents. We suggest that a title such as Impacts of Proposed Power Projects on Regional Class I Areas (Acid Deposition and Regional Haze) provides a more accurate description of the analyses conducted. 27-36

Additionally, the studies focus on only two air quality related effects (regional haze and acid deposition). The studies do not assess the cumulative effects to air quality as they relate to compliance with established NAAQS. As a consequence, the public and the decision maker are provided with no information to determine whether the air quality impacts from the proposed Wallula Power Project, when considered in combination with impacts from past, present, and reasonably foreseeable air emission sources (not restricted to power generating sources), would ultimately comply with or violate the NAAQS. The cumulative effects analysis should include such a demonstration. 27-37

Finally, we agree with the discussion on page 3.17-1 that indicates the spatial scope of a cumulative effects analysis is a function of the environmental resources being considered. We agree that

the regional scope of the current analyses is appropriate for evaluating regional haze and acid deposition effects of Class I areas. However, as stated above, we believe that the EIS also needs to address the cumulative effects with respect to compliance with the NAAQS. To do this, we believe that the assessment should be conducted at a spatial scale that is much smaller and focused on the area that would be affected by emissions from the proposed Wallula Power Project. Modeling to evaluate NAAQS compliance would need to utilize a much smaller grid spacing than the 12 kilometer spacing utilized in the assessment of regional haze and acid deposition effects. 27-38

Water Resources

We believe that the EIS presents an incomplete assessment of cumulative effects to water resources, in that it focuses exclusively on the effects of power plants. Like the air analyses, the assessment presented in the EIS fails to evaluate the total cumulative effects to water resources from all activities (not just from power generation facilities), as required by the CEQ regulations (see 1502.16 and 1508.7). For example, the discussion of "cumulative" effects to the Columbia River presents, in very general terms, an accounting of anticipated water consumption from ten (10) proposed or existing power plants with water supplies that are hydrologically linked to the Columbia River above Bonneville Dam. There are many more projects and activities than the 10 projects identified that impact the Columbia River in one way or another and characterizing the total cumulative effects to the Columbia is a complex undertaking. Clearly, the information presented related to water consumption from these 10 facilities in no way characterizes overall cumulative effects to the Columbia (or even the portion of the Columbia above the Bonneville Dam). We recommend that the EIS ensure that this is clearly understood. More importantly, we recommend that the EIS include a comprehensive cumulative effects analysis of water resources expected to be impacted by the proposed project and other activities, consistent with the CEQ regulations. We recommend consulting *Considering Cumulative Effects Under the National Environmental Policy Act* issued by the CEQ in 1997 in the further development of the cumulative effects analysis for this EIS. 27-39

Monitoring and Evaluation Plan

We believe that it is extremely important that project-level monitoring be designed and conducted to determine whether mitigation measures are achieving their desired/expected resource protection outcomes. To ensure that such efforts would be undertaken for the proposed project and that they would be conducted in a systematic and predictable fashion, we recommend the development of a monitoring and evaluation plan for the proposed project (to be included in the EIS). This plan would include the design of appropriate monitoring methods, establishment of evaluation and reporting mechanisms, and include a framework for making appropriate changes based on the results of the monitoring. Such a plan would ensure the evaluation of whether mitigation measures committed to in the ROD for the project have actually been implemented (implementation monitoring) and the effectiveness of those measures in offsetting or reducing impacts (effectiveness monitoring). We ultimately see that the development and implementation of a monitoring and evaluation plan will provide the Bonneville Power Administration with useful information related to project implementation that will also aid in future planning efforts. 27-40

Noise Effects on Wildlife

We recommend that the assessment of noise effects presented Section 3.9 of the draft EIS be expanded to included an analysis of noise effects on wildlife that would be potentially affected by the 27-41

project. We were unable to identify mitigation measures in Appendix A that would mitigate noise effects to wildlife. 27-41 contd

Vegetation Management

The EIS states that vegetation would be maintained along the transmission line for safe operation and to allow access to the line. The EIS should summarize direction provided by the earlier BPA Vegetation Management EIS and apply that direction to the proposed transmission line. Specifically, the EIS should include a weed control management plan that utilizes Integrated Pest Management (IPM). EPA supports using manual, cultural, and biological alternatives to pesticides when possible because of the potential problems from the fate and transport of pesticides in the environment. 27-42

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

Responses to Comment Submission 27,
Letter from Judith Leckrone Lee, Geographic Implementation Unit,
U.S. Environmental Protection Agency Region 10

27-1. FERC has its own process for siting natural gas pipelines and its own set of rules, which may not necessarily follow procedures and timelines associated with Bonneville projects. FERC has been invited during this and other Bonneville projects to participate in combined EISs. FERC chose to use their established process which provides NEPA compliance through programmatic EISs rather than through each project.

27-2. Please see response to comment 27-1.

27-3. Please see responses to comments 27-4 and 27-7. The need statement for the power generation plant does not state that all the power produced would serve Pacific Northwest needs. The third paragraph of the need statement describes the WSCC forecasted increase in peak power demand for the Northwest Power Pool, which includes eight states in the U.S. and two provinces of Canada. As a merchant power plant, the power produced could be sold to private or public utilities anywhere in the West but most likely will serve a portion of the needs of the Northwest Power Pool.

27-4. The purpose and need statements are presented separately to highlight the separate decisions that the State of Washington and Bonneville must make. The underlying purpose and need for both projects is to meet a portion of existing and future energy loads in an economic and efficient manner.

27-5. The generation and ownership of power is currently operating in a deregulated environment. This means that private developers can develop and sell power resources, in addition to utilities and PUDs that have been doing so in the past. Along with this deregulation comes the risks and benefits that deregulation creates—including the loss of the ability to pass on power development costs for resources that are not brought online. Although power can be purchased and sold by geographically distant parties, the power generated is local to the plant, and the practical distance to which it can be sent is limited by transmission capacity and wheeling costs (charges for using a line). The most effective use of power, and the most profitable, is to sell the power closer to the plant. The Northwest has a recognized shortage and this facility and others are proposed for the Northwest. Power may go to California, just as Northwest power currently does, and may be sold locally, as most is.

27-6. Your statement that 66,840 MW is needed for the region is noted. This facility and others may generate it. Market forces will actually decide whether this plant is operated and whether this facility will be part of the 66,840 MW.

27-7. Due to the size and complexity of the project, the McNary-John Day transmission line proposal is being evaluated in a separate EIS. This was done because that line would be needed at some point in the future, regardless of the status of the Wallula proposal. Approval of the Starbuck and Wallula proposals together would support an immediate need for the line. There are other projects that would have an effect on its need. Since this process started, the Starbuck project has been suspended, the Mercer Ranch project has been cancelled, and a new project has been proposed in Benton County. Other permitted projects remain unbuilt. Tying any one line to one plant is all but impossible under such variable circumstances. For that reason, the McNary-John Day line is evaluated separately. The types of impacts that both projects may cause are addressed in Bonneville's Business Plan EIS.

The first paragraph of Section 2.1.2.2 on page 2-4 of the Draft EIS stated the purpose and need of interconnecting new power generation. The 5.1-mile segment of transmission line from the power plant to the Smiths Harbor switchyard and the switchyard itself would be required to deliver the generated power to the FCRTS and allow transmission to the desired location at John Day

and Big Eddy substations. The need for the Smiths Harbor-McNary segment of line is dependent upon whether demands for transmission on the existing Lower Monumental-McNary line would exceed its capacity. Proposals for interconnection from the Starbuck project and from the wind generation farms in the area would also play a role in the need for the 28-mile segment of line. See also the response to comment 27-8.

27-8. A separate EIS is being prepared concurrently with this EIS on a new segment of transmission line between McNary Substation and John Day Substation. The environmental evaluation and project design have been funded by the proponent of the Wallula Power Project, Wallula Generation, LLC. Coordination has been ongoing between the two projects.

27-9. NEPA requires that agencies "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources…" 42 USC 4332(E). Accordingly, the alternatives developed for this project responded to concerns raised about impacts of a new transmission line on the junction of Highways 395 and 730 in Umatilla and concerns raised about the Walla Walla River crossing through the McNary Wildlife Area. These were the only significant issues raised about the location of the transmission line. Siting the new line adjacent to the existing line reduces impacts to many resources, including migrating and resident birds, impacts on soils due to access road construction, scenic quality, and economic costs. Alternative strategies for mitigation of impacts are also considered forms of alternatives under NEPA.

27-10. The alternatives offered by the applicant were examined as part of the EFSEC application review process and were evaluated during scoping. The application review report required responses from the applicant. The scoping process did not uncover any reasonable alternatives that would meet the purpose and need. The lead agencies have not conducted their own energy siting process as part of this EIS to seek out and evaluate a reasonable alternative to the proposal, beyond the alternatives already considered. EFSEC reviews and approves or denies projects based on compliance with siting guidelines. Bonneville has a separate purpose and need as stated to carry the power from the plant, should it be approved and built. Although Bonneville as lead NEPA agency is not limited in its scope or authority to examine alternatives, Bonneville examined alternatives to transmitting the power. The only application for the power plant itself is submitted to EFSEC. Alternative sites are not required under EFSEC rules and are not required of private applicants under SEPA.

27-11. The applicant proposed the project. There has been substantial opportunity to review the project, evaluate potential impacts, and mitigate the impacts. Scoping was completed under NEPA and SEPA; a Potential Site Study was conducted; several public meetings were held in two states; and a detailed review of the Application for Site Certification was completed by EFSEC prior to release of the Draft EIS. The alternatives that arose from that process are evaluated in the EIS. In addition to transmission line corridors evaluated herein, Bonneville has evaluated alternative transmission line impacts and BMPs in its Business Plan EIS.

27-12. Please see response to comment 27-9 regarding range of alternatives. The purpose of the proposed transmission line was described on page 2-4 of the Draft EIS. Specifically, the generation plant applicant has requested to connect to the Federal Columbia River Transmission System and utilize that system to transmit power to Big Eddy and John Day Substations. Bonneville is required under Federal Energy Regulatory Commission (FERC) rules, as described in Bonneville's Open Access Transmission Tariff, to provide transmission service and interconnection to all eligible customers on a first come-first served basis. None of the options suggested in your comment can meet the purpose of connecting the power plant to the transmission grid. The 5.1-mile Wallula-Smiths Harbor transmission line and Smiths Harbor Switchyard are needed to make that connection.

As possible non-transmission alternatives to the proposed action, Bonneville considered both the implementation of energy conservation and demand reduction measures to reduce demand on the transmission system, as well as load and generation curtailment

during outage conditions. Included in this consideration were the results of a report entitled *Expansion of BPA Transmission Planning Capabilities* (Energy and Environmental Economics 2001). This report was prepared by outside consultants to provide recommendations concerning how Bonneville can more effectively use its planning processes in considering projects such as the proposed action. For the proposed action, the report found that generation interconnection and transmission service for the generator generally cannot be avoided by load reduction or distributed generation. Bonneville has no authority to require the generator or purchaser of the energy produced to implement these measures as alternatives to building the generator and consuming the output.

The need for the 28-mile Smiths Harbor-McNary segment of line has been analyzed from a systems planning perspective. The power plant developer has requested firm transmission service from Bonneville. Interruptible/curtailable rates are not applicable to this type of service. Efforts at conservation have been successful at reducing loads; however, overall demand for electrical power is expected to rise at a steady rate. The location of power generation sources probably has the most effect on the location and need for transmission line service. In the open market conditions under which power generation is operating, the location of power generation is an economic as well as environmental decision. Project proponents who are providing the capital for construction of these facilities investigate the most likely locations for the power generation facilities.

Automatically disconnecting generation using Remedial Action Schemes (RAS) would be used during transmission outages to address transmission limitations. The risk that two lines could be affected by an outage increases with a double circuit line. The risk of dropping generators would be very high during summer due to lightning and fires, and the amount of generation that would be dropped would be unacceptably large if a double circuit line were affected. Disconnecting generation increases the risk of damage to generator plants when dropped, creates spill conditions at hydropower projects that violate Endangered Species Act requirements, raises power costs to consumers, and creates increased risk of blackouts. In addition, building the double circuit line in existing right-of-way would require tearing down the existing line, creating an unacceptable outage.

27-13. A booklet of over 60 resource maps is available for anyone who wishes to review individual resources for the length of the transmission line. A series of 25 maps depicts the vegetation along the proposed right-of-way.

The power plant analysis is much more detailed and concise for two reasons: (1) it covers a much smaller area and each resource can be discussed in greater detail without adding too much length to the document, and (2) specific plans were required to be submitted to the state in the proponent's Application for Site Certification prior to the publishing of the Draft EIS. In contrast, the final tower locations for a new transmission line are not designed until late in the NEPA process (and in many cases, after the Record of Decision). The design of the tower locations requires the use of cadastral surveys and profiles and computer-aided engineering programs and graphics. For the NEPA process, each alternative is evaluated based upon expected impacts for a known right-of-way location and expected access routes. We estimate effects based upon field study of the specific right-of-way (site specificity) and years of experience in building and maintaining transmission lines of similar design. Identified mitigation will be as concise and specific as possible.

27-14. New information resulting from the listed analyses and permits has been included in the Final EIS where it is available. Additional mitigation is included in the Final EIS Appendix A and will be part of the Record of Decision.

27-15. Please see responses to comments 27-27 and 27-40.

27-16. Please see response to comment 27-27.

27-17. Please see response to comment 27-42.

27-18. Please see response to comment 15-2.

27-19. Please see response to comment 17-8.

27-20. As stated in Appendix A, Bonneville will conduct preconstruction noxious weed surveys during summer 2002.

27-21. Revegetation, landscaping, and erosion control would be covered in the Storm Water Pollution Prevention Plan for the project. Most practices relating to revegetation and landscaping are addressed through implementation of Best Management Practices. In addition, some aspects of revegetation and landscaping would be covered through implementation of guidelines in the Bonneville Transmission System Vegetation Management Program Record of Decision (July 2000; DOE/EIS-0285).

27-22. Active burrowing owl nest sites would be protected under currently proposed mitigation. Wildlife surveys will be conducted prior to construction to determine the presence of sensitive, threatened, or endangered wildlife species. As stated in the mitigation in Appendix A, these special-status species and any critical habitat would be avoided through adjustments to structure locations and access road alignments. These mitigation measures have been expanded to include the pipeline and transmission line construction.

27-23. Several activities would take place to complete construction of the transmission line. The steps of construction generally include:

— Additional easements or special use agreements for right-of-way or access roads would be obtained from landowners prior to the start of construction.

— Bonneville would clear vegetation and build or improve access roads as necessary to tower locations. The roads would need to be wide enough to allow clearance for a lowboy loaded with a large mobile crane.

— The right-of-way would be cleared of vegetation that could endanger the operation of the transmission line. In this case, very little vegetation would be cleared.

— The tower construction sites would be prepared.

— Each tower would be constructed to site-specific requirements.

— Conductors and, if necessary, ground wire and fiber would be strung between towers along the length of the transmission line.

— Site restoration and clean up would be performed.

Each of these steps was described in detail in Sections 2.2.2.3 and 2.2.3.3 of the Draft EIS. At the end of construction activities, site restoration and cleanup would take place. This generally includes reshaping and contouring the soil around tower and conductor tensioning site locations to a condition consistent with the original condition. Access roads would be repaired. Disturbed areas would be reseeded with grass or an appropriate seed mixture to prevent erosion. All litter and other remaining materials from construction would be disposed of, and equipment would be removed from the right-of-way.

27-24. A project-specific helicopter noise control plan cannot be developed at this time because it has not been established when, or if, helicopters would be used. It would be appropriate to require the construction contractor to develop such a plan after they have finalized their construction plans. Development of this plan has been added to Appendix A of this Final EIS.

27-25. Some plans are not normally developed until at a later stage of project design. In those cases, the plans that are developed at a later date will be included in an overall mitigation action plan. The mitigation action plan will be incorporated into the construction contracts.

27-26. In each of the respective subject areas, the EIS has attempted to set boundary conditions/limits, assess project impacts based on those conditions/limits, and establish appropriate mitigation. The detailed plans that will be produced later will serve to further control and reduce the impacts within the respective boundaries.

27-27. Many plans and analyses, such as the Storm Water Pollution Prevention Plan and spill prevention plan, are not developed until later in the EIS process. Information and required mitigation from these and other permitting processes has been included in the Final EIS where possible and will be part of the Record of Decision or EFSEC Site Certification Agreement, should the project be approved. Bonneville has made decisions regarding impacts and mitigation for transmission lines in its Business Plan EIS.

27-28. The existing Lower Monumental-McNary line has had relatively few problems. Access has remained good with a minimal amount of road erosion or other problems. Occasionally, Russian olive trees need to be removed from within the right-of-way, but overall very little maintenance is required. Yellow starthistle is the main noxious weed present. Biological control has been the main method used for control of the starthistle. This line has been a low maintenance line. Outages on the line itself have been limited to 0.055% down time in the last 10 years. The main reason for downtime has been terminal failures in the substation at either end. Without these terminal failures, the downtime drops to 0.003%.

27-29. Sections 3.2 and 3.17 have been updated to better describe the implications of modeling worst-case air concentrations below EPA's Significant Impact Levels. Concentrations below the SILs indicate the project has no significant potential to cause exceedances of air quality standards or PSD increments. Therefore, there is no need to develop assumed background concentrations for use in the referenced tables.

27-30. We do not agree with this comment. The applicant has been required to offset more than 100% of the plant's PM10 emissions and has demonstrated that the power plant would not contribute to further degradation of air quality in the nonattainment area. In addition, all future proposed major air pollution sources in the nonattainment area would be required to make the same offsets, thus ensuring future protection of air quality. Therefore, it is not necessary to attempt to define all foreseeable future projects in the nonattainment area.

27-31. Please see response to comments 27-33 and 27-39.

27-32. This change has been made in Section 3.17 of this Final EIS.

27-33. The 30-page-long cumulative analysis is far more comprehensive than most NEPA analysis of cumulative impacts, many of which are a page or less. It is true that the air emissions analysis from the power plant modeling covers only plant emissions and, as such, is not cumulative to background. However, other impacts from the plants are applied to the existing environment, which includes past and present uses, and addresses cumulative impacts in the same way as other projects.

27-34. By preparing an Environmental Impact Statement, Bonneville and EFSEC have acknowledged there may be potentially significant impacts from the actions associated with the proposed project. The effects are presented in terms of their context (local vs. regional, short term vs. long term) and intensity. Mitigation has been identified for many (but not all) of the effects associated with this project. Section 3.17 attempts to display some of the potentially significant cumulative impacts associated with the project. The cumulative impacts analyses are based on available information and modeling of expected conditions. These are estimates only and strong statements of level of significance may be misleading to the public and decision maker. We present the range of potential cumulative impacts.

27-35. Each element of the environment is evaluated according to the effect that multiple power plants may have on that element. The location of the listed plants is directly related to the resource.

27-36. This change has been made in Section 3.17 of this Final EIS.

27-37. EFSEC believes the requested information was adequately addressed in the Draft EIS. As described in Section 3.17.2.2, Bonneville's Phase I report modeled the upper-bound case of 45 hypothetical new power plants, and concluded that the combined impacts are in nearly all cases less than the SILs. This demonstrated that even 45 new plants would pose no significant potential to cause exceedances of the NAAQS standards or PSD increments. Therefore, it is unlikely that a smaller subset of future power plants (e.g., the 7,000 MW source group) would have

significant potential to contribute to exceedance of the NAAQS standards or PSD increments.

27-38. Section 3.2.2.2 of the Draft EIS described fine-scale modeling of the area within 15 miles of the power plant for purposes of demonstrating compliance with the NAAQS standards and PSD increments. The fine-scale modeling was done using the ISCST3 and CTSCREEN dispersion models.

27-39. As explained in the Draft EIS, the cumulative analysis had to consider the unique condition in the Northwest of multiple power plants over a relatively short time frame. The analysis was provided to inform the public and decisionmakers about this phenomenon. If one plant were proposed, cumulative analysis would have been limited to nearby proposals. Past and present projects are already included in the affected environment for non-air resources and reflected in TMDL limits, instream flow requirements, water rights limitations, and similar factors. This EIS provides a cumulative analysis of multiple future power plant decisions that goes far beyond others that have been done. It is beyond the scope of this EIS to perform a comprehensive water resources evaluation of every river and watershed containing a proposed power plant and evaluate all discharges and withdrawals.

27-40. Mitigation measures identified in the Final EIS and Record of Decision are transferred to the specifications of the Construction Contract as part of the Storm Water Pollution Prevention Plan (SWPPP). During construction, Bonneville's contract technical representative would be present to enforce specifications outlined in the contract, including the SWPPP. A representative from the Environment, Fish, and Wildlife department would also spot check sensitive sites during construction and monitor implementation of mitigation measures. During operation, annual or biennial flights of every line check for environmental damage and report to regional maintenance personnel if something needs correction. EFSEC as well can ask for plans and would require monitoring as part of the Site Certification Agreement, depending on the needs of the project.

27-41. Effects of noise on wildlife would be mitigated through the observance of construction windows. No operational effects were identified. Please see wildlife mitigation in Appendix A of the Final EIS under Construction Timing and Construction Avoidance Areas.

27-42. Vegetation along the right-of-way will be managed within the guidelines established by the Vegetation Management EIS (DOE/EIS-0285), which emphasizes integrated vegetation management. Noxious weed surveys are being conducted in the summer of 2002 to determine the extent of existing populations. The survey information will be used to develop a weed control plan. See response to comment 27-28 for information on the existing line.