CHAPTER 1
PURPOSE AND NEED FOR ACTION

1.1 DOCUMENT STRUCTURE

The United States Department of Agriculture Forest Service (USFS), the lead agency, with the Bureau of Land Management (BLM), cooperating agency, has prepared this Draft Environmental Impact Statement (DEIS) in compliance with the National Environmental Policy Act (NEPA), and other relevant federal and state laws and regulations. This DEIS discloses the direct, indirect, and cumulative environmental impacts that would result from No Action (Alternative 1), the Proposed Action (Alternative 2), and the Proposed Action with route modifications (Alternative 3). The document is organized into seven chapters followed by Appendices A-F.

- ***Chapter 1: Proposed Action and Purpose and Need for Action***: The chapter includes information on the background of the project proposal, the purpose of and need for the project, and the proposal for achieving that purpose and need. This section also details how the USFS involved the public in the project proposal, how the public responded and what issues were generated regarding the proposal.

- ***Chapter 2: Alternatives, including the Proposed Action***: This chapter provides a more detailed description of the Proposed Action. The Proposed Action was developed based on addressing the purpose and need. -Comments and issues raised by the public, other agencies, and internally was the basis for the modifications to the Proposed Action that resulted in Alternative 3. Finally, this section includes summary tables of the environmental consequences and a comparison of effects associated with the Proposed Action, Proposed Action with route modifications, and No Action alternatives.

- ***Chapter 3: Affected Environment and Environmental Consequences***: This chapter describes the current environmental conditions in the project analysis area and the environmental effects of implementing the Proposed Action, Alternative 3, and No Action alternatives. This chapter is organized by resource area, e.g., Visual, Wildlife, Recreation and Socioeconomics, etc.

- ***Chapter 4. Bibliography/References***: The bibliography provides a list of references supporting the documentation in the DEIS.

- ***Chapter 5. Glossary***: The glossary provides a list and explanation of key words, acronyms, and terminology used throughout the DEIS.

- ***Chapter 6. List of Preparers***: This chapter provides a list of preparers involved during the development of the DEIS.

- ***Chapter 7. Index***: The index references page numbers for many key document topics and words.

- ***Appendices***: The appendices provide more detailed information to support the analyses presented in the DEIS.

Additional documentation, including more detailed analyses of project-area resources, may be found in the Project file located at Mystic Ranger District office in Rapid City, South Dakota; the Douglas Ranger District Office in Douglas, the High Plains BLM District Office in Casper, and the Newcastle BLM Field Office in Newcastle in Wyoming.

1.2 BACKGROUND

Black Hills Power (BHP) proposes to construct and operate a 230 kV transmission line from northeastern Wyoming to the Rapid City area in South Dakota. It would connect the Teckla Substation in Campbell County, Wyoming to the Osage Substation in Weston County, Wyoming and the Lange Substation located in Pennington County near Rapid City, South Dakota. This transmission line is being developed to strengthen the transmission network, improve transmission system reliability, and to help meet future demand for electricity and economic development in the region. **Figure 1-1** shows the project area.

The Teckla-Osage-Rapid City (T-O-RC) 230 kV Transmission Line Project (the Project) would be approximately 144 miles long and would cross private lands, National Forest System (NFS) lands, Bureau of Land Management (BLM) lands (in Wyoming), and state lands (in Wyoming). The NFS lands crossed by the proposed Project are managed by the Black Hills National Forest (BHNF) in South Dakota and Thunder Basin National Grassland (TBNG) in Wyoming. Pending final design, the Proposed Action crosses the following jurisdictions:

TABLE 1-1 - LAND OWNERSHIP / JURISDICTION CROSSED BY PROPOSED ACTION

Ownership/Jurisdiction	Approximate Mileage
Black Hills National Forest (BHNF)	36.3 miles
Thunder Basin National Grassland (TBNG)	4.7 miles
Bureau of Land Management	2.6 miles
State of Wyoming	10.3 miles
Privately Owned Lands	90.0 miles

Project construction would occur in two phases: the Teckla-to-Osage, and the Osage-to-Rapid City phases. Construction would begin between Teckla and Osage in 2014 and construction between Osage and Rapid City would begin in late 2014. BHP intends to have the entire line between Teckla and Rapid City energized by 2016.

1.3 MANAGEMENT DIRECTION

The following sections provide an overview of the management direction on NFS and BLM lands that are within the T-O-RC Project area.

1.3.1 National Forest

1.3.1.1 FOREST PLAN DIRECTION

1.3.1.1.1 Black Hills National Forest

The BHNF programmatic management direction is the 1997 Revised Land and Resource Management Plan (LRMP or Forest Plan), as amended by the Phase II Amendment (October 2005), and supported by the Final Environmental Impact Statement (FEIS) for the Phase II Amendment to the 1997 LRMP. The Forest Plan is required by the rules implementing the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA), as amended by the National Forest Management Act of 1976 (NFMA).

The Forest Plan as amended, provides revised and new goals, objectives, and standards and guidelines focused on protecting communities, property, and forest values by reducing severe insect infestations and fire hazards; conserving viable plant and animal species and habitats for the long-term supported by the best available science; and designating and managing research natural areas.

The purpose of the Forest Plan is to provide management direction for multiple use and sustained yield of goods and services from NFS lands in an environmentally sound manner. Moreover, the Forest Plan provides overall management allocations, goals and objectives (FP Chapter I), as well as associated standards and guidelines (FP Chapter II) for management.

1.3.1.3.2 Thunder Basin National Grassland

The USFS manages TBNG per its 2001Revised LRMP, which includes goals, objectives, standards, and guidelines for managing resources. The LRMP includes direction for TBNG's six geographic areas. The project analysis area includes five of the six areas - Broken Hills, Cellers Rosecrans, Fairview Clareton, Hilight Bill, and Upton Osage.

The Revised LRMP provides guidance for all resource management activities on the TBNG. It establishes management standards and guidelines, and describes resource management practices, levels of resource production, people-carrying capacities, and the availability and suitability of lands for resource management activities.

The Revised LRMP embodies the provisions of the NFMA, the implementing regulations and other guiding documents. Land-use determinations, management area prescriptions, and standards and guidelines are statements of the management direction. Projected outputs, services, and rates of implementation are dependent on the annual budgeting process.

1.3.1.2 MANAGEMENT AREAS

The LRMPs set management allocations for specific uses of land (Management Areas) within the BHNF and TBNG to meet multiple use objectives (FP Chapter III). The T-O-RC Project Interdisciplinary (ID) Team reviewed Management Area (MA) direction and confirmed that no new information existed that would require reconsideration of Forest Plan resource allocations. The MAs designated in the Forest Plans crossed by the T-O-RC Project are in **Tables 1-2** and **1-3**.

TABLE 1-2 - MANAGEMENT AREA DESIGNATIONS IN THE BHNF CROSSED BY THE PROJECT

Management Area	Miles
3.7 – Late Successional Forest Landscape	0.4
4.1 – Limited Motorized Use & Forest Product Emphasis	0.5
5.1 – Resource Production Emphasis	15.4
5.4 – Big Game Winter Range Emphasis	19.5
8.2 – Developed Recreation Complexes	0.5
Total NFS	36.3

TABLE 1-3 - MANAGEMENT AREA DESIGNATIONS IN THE TBNG CROSSED BY THE PROJECT

Management Area	Miles
5.12 – General Forest & Rangelands Range Vegetation Emphasis	3.2
6.1 – Rangeland with Broad Resource Emphasis	1.0
8.4 – Mineral Production & Development	0.5
Total NFS	4.7

1.3.1.3 PLAN GOALS AND OBJECTIVES

1.3.1.3.1 Black Hills National Forest

The BHNF Forest Plan establishes 11 multiple use goals and associated objectives for management of the Forest. Goals 1 to 4, 10 and 11 are directed toward natural resource objectives for multiple use management of the Forest. Goals 3 and 5 through 9 provide socio-economic emphasis for management of the Forest. The goals and objectives, applicable to specific resource management issues needing resolution, provide the basic direction for defining the purpose and need and subsequently developing the Project proposal. The 11 Forest Plan goals are discussed in Chapter I of the Forest Plan.

The Forest Plan goal that generally provides direction for the T-O-RC Project proposal is Goal 7: Emphasize cooperation with individuals, organizations and other agencies while coordinating planning and project implementation. Associated with this goal is Objective 701: Continue to cooperate with interested parties and organizations in the development of plans and projects.

The Forest Plan provides management Standards and Guidelines (S&G) that apply Forest-wide. Those specific to transmission lines on NFS lands are listed below.

8304 (Guideline). Reduce effects of utility corridors.

a. Locate new and rebuilt (greater than 33 KV) utility lines so they are not highly visible from the highways;

b. Locate new and rebuilt (greater than 33 KV) utility lines to cross at right angles to the travel corridor; and

c. Use non-reflective material in construction of overhead utility lines within travel corridors.

8305 (Guideline). Consolidate occupancy of transportation or utility corridors and sites wherever possible and compatible.

8306 (Standard). New proposals to utilize existing utility corridors will be authorized without alternative route analysis, subject to site-specific environmental analysis.

8307 (Standard). Do not authorize conflicting uses or activities within utility corridors.

8309 (Standard). For new construction of electric lines and poles, protect raptors by use of Suggested Practices for Raptor Protection on Power Lines – State of the Art in 1981 (Olendoff 1981) (or any updated version) for single-phase, dead-end, intersection, transformer configurations and under-ground takeoff poles.

8310 (Guideline). Management activities within linear corridors should be compatible, to the extent possible, with the goals of the individual management areas through which the corridors pass.

All Forest Plan S&Gs could apply depending on the resource affected by a given project. **Appendix D** contains a list of the Forest Plan S&Gs.

1.3.1.3.2 Thunder Basin National Grassland

The TBNG LRMP establishes four multiple use goals and associated objectives for management of the Grassland. Goal 1 is directed toward natural resource objectives for multiple use management of the Grassland. Goals 2, 3 and 4 provide socio-economic emphasis for management of the Grassland. The goals and objectives applicable to specific resource management issues needing resolution provide the basic direction for defining the purpose and need and subsequently developing project proposals. The four management goals are discussed in Chapter 1 of the TBNG LRMP. The LRMP goals that provide general direction for

the T-O-RC Project area are Goal 1 - Ensure sustainable ecosystems and Goal 2 - Multiple benefits to people**.**

The TBNG LRMP also provides management S&Gs that apply across the TBNG. Those specific to transmission lines on the National Grassland are listed below. These S&Gs are contained in Section P Special Uses.

P. 1. (Guideline) Permit utility companies to construct new utility corridors, unless prohibited by management direction provided in Chapters 1, 2, and 3.

P. 2. (Guideline) Consolidate utility lines within existing corridors or in areas adjacent to roads wherever possible.

P. 4. (Guideline) Ensure utility corridors are consistent between adjoining NFS regions and other federal, tribal, and state land management agencies.

P. 6. (Guideline) Route new roads, pipelines, gathering lines, and technically required overhead power lines in a manner as to minimize visual impacts and conform to approved corridors. When these facilities leave corridors, they should be subordinate to the landscape.

P. 7. (Standard) Design and construct new power lines to minimize the risk of raptor electrocution by ensuring that there is an 80-inch distance between conductors and ground wire. Upon renewal of permits, retrofit to provide for 80-inch distance between conductors and ground wire or install perch-inhibitors.

P. 10. (Guideline) Act on special-use applications according to the following priorities:

- Land and land-use activity requests relating to public safety, health and welfare, e.g., highways, power lines and public service improvements.
- Land and land-use activities contributing to increased economic activity associated with Grassland NFS resources, e.g., oil and gas and energy minerals.
- Land and land-use activities that benefit only private users, e.g., road permits, rights-of-way for power lines, telephones, waterlines, etc.

P. 12. (Guideline) Don’t approve any special-use applications that can reasonably be met on private or other federal lands unless it is clearly in the public interest.

All Grassland Plan Standards and Guidelines could apply depending on the resource affected by a given project.

1.3.1.4 MANAGEMENT AREA SPECIFIC GOALS AND OBJECTIVES

1.3.1.4.1 Black Hills National Forest

Management 3.7 - Late Successional Forest Landscape

Guideline 3.7-5101. “The recreation opportunity spectrum class is roaded natural, non-motorized. “

Guideline 3.7-5601. “The adopted scenic integrity objectives are:

High = 3,729 Acres

Moderate = 13,606 Acres

Low = 7,802 Acres”

Guideline 3.7-8501. “Large facilities, such as transmission corridors and electronic sites that permanently alter significant areas of vegetation, should not be permitted”.

Management 4.1 - Limited Motorized Use & Forest Product Emphasis

Guideline 4.1-201. “Emphasize wood-fiber production, wildlife habitat, and visual quality”.

Guideline 4.1-2502. “Locate or design structural improvements to meet Scenery Integrity Objectives’.

Guideline 4.1-5101. “The recreation opportunity spectrum class is roaded natural non-motorized”.

Guideline 4.1-5601. “The adopted scenic integrity objectives are:

High = 6,362 Acres

Moderate = 23,742 Acres

Low = 13,539 Acres”

Management 5.1 - Resource Production Emphasis

Objective 5.1-203. “Maintain or enhance hardwood shrub communities where biologically feasible, and within management objectives”.

Guideline 5.1-5101. “The recreation opportunity spectrum is roaded natural”.

Guideline 5.1-5601. “The adopted scenic integrity objectives are:

High = 57,127 Acres

Moderate = 248,914 Acres

Low = 255,641 Acres”

Management 5.4 - Big Game Winter Range Emphasis

Guideline 5.4-5101. “Any activities may be prohibited when needed to mitigate adverse impacts on wildlife”.

Guideline 5.4-5103. “The recreation opportunity spectrum is roaded natural”.

Guideline 5.4-5601. “The adopted scenic integrity objectives are:

High = 51,224 Acres

Moderate = 166,821 Acres

Low = 176,348 Acres”

Management 8.2: Developed Recreation Complexes

Goal 8.2-201. ”Manage vegetation in high-use recreation areas to provide for public safety, to improve forest condition, or protect sensitive plants and plant species of local concern as needed to maintain or improve the desired recreation setting(s) and conserve botanical features.”

Goal 8.2-202. “Emphasize a visually appealing landscape by providing a diversity of vegetative species and size classes, vista openings featuring rock outcroppings, and park-like stands of large ponderosa pine”.

Objective 8.2-203. “Maintain existing stands and acres of hardwoods”.

Standard 8.2-3202. “Retain dead standing trees that do not present a safety hazard”.

Guideline 8.2-5101. “The recreation opportunity spectrum class is roaded natural”.

Guideline 8.2-5601. “The adopted scenic integrity objectives are:

High = 9,331 Acres

Moderate = 3,873 Acres

Low = 196 Acres”

Guideline 8.2-8500. “Permit special-uses that are complementary and compatible with the kind and development level of the associated USFS facilities within the area.”

Guideline 8.2-9104. “Transportation systems, both roads and trails, should be constructed and maintained to the levels needed to support the recreational activities within the area.”

1.3.1.4.2 Thunder Basin National Grassland

Management Area: 5.12 General Forest and Rangelands: Range Vegetation Emphasis

Ecological sustainability is protected, while selected biological structures and compositions which consider the range of natural variability are emphasized. These areas are managed for the sustainability of physical, biological, and scenic values associated with woody vegetation and open grassland.

Management Area: 6.1 Rangeland with Broad Resource Emphasis

Ecological conditions will be maintained while emphasizing selected biological (grasses and other vegetation) structure and composition that consider the range of natural variability.

Management Area: 8.4 Mineral Production and Development

Ecological values are protected where they affect the health and welfare of humans. These areas are managed for solid mineral operations.

Geographic Area Direction – Standards and Guidelines

Management direction is also provided for each Geographic Area on the TBNG. The Geographic Areas crossed by the Proposed Action and their respective management direction and S&Gs are described in Chapter 3 of this document.

1.3.2 Bureau of Land Management Plan Direction

1.3.2.1 NEWCASTLE FIELD OFFICE PLANNING AREA

The Newcastle Field Office (NFO) receives management direction via the Newcastle Resource Management Plan (NRMP) (2000) (with 6 changes). The NFO management area includes BLM lands in Weston, Crook, and Niobrara Counties. BLM lands in northeast Wyoming are usually small, uncontiguous, lacking names, and border private or state lands (in a “checkerboard” pattern). NRMP realty goals include: supporting the multiple-use management goals of the BLM resource programs; responding to requests for land use authorizations, sales, and exchanges; and, acquiring access for administrative and public needs (p. 10). Some management actions flowing from this goal include:

- BLM-administered public lands in the planning area are open to consideration for rights-of-way. Proposals will be addressed on a case-by-case basis with emphasis on avoiding land use or resource conflicts and sensitive areas;

- Utility/transportation systems will be adjacent to existing utility/transportation systems whenever practical. Areas to be avoided for new facility placement and routes will be identified on a case-by-case basis, rather than attempting to establish utility corridors.

- Areas within 0.25 mile of developed or semi-developed recreation sites are avoidance areas for development activities such as roads, power lines, pipelines, and well pads. However, these areas will be open to development activities specifically for the purpose of recreation site facilities.; and

- Surface-disturbing and disruptive activities associated with all types of right-of-way construction and maintenance is subject to appropriate mitigation measures determined through, but not limited to, using the Wyoming BLM Mitigation Guidelines.

The NRMP has 8 management actions for identifying, evaluating, mitigating, and/or avoiding cultural resources that support a cultural resource management goal (pp. 6-7). The NRMP's paleontological management goal is administering those resources to enhance their informational, educational, scientific, and recreational uses (pp. 13-14). Two of the associated management actions include: if suspected fossil materials are uncovered during construction, the operator will stop work immediately and contact the NFO authorized officer. Activities will halt until the authorized officer can assess the situation and advise whether mitigating measures are appropriate before the operations continue. If fossils are found and operations are adversely affected, a suspension of operations will be granted; and whether to apply WY BLM mitigation measures.

The NRMP mineral management objective maintains or enhances mineral exploration and development (pp. 12-13). Management decisions include: a preference to develop minerals on federal as opposed to private lands. The NRMP grazing management objective maintains and improves forage and range conditions for sustainable livestock grazing (pp. 10-12). The 17 grazing management actions include: grazing via sound range management practices supporting other resource values - this supports wildlife fencing standards on BLM lands; and surface-disturbing and disruptive activities being subject to mitigation measures – in practice this protects lambing and calving. The soil management objective (p. 15) maintains soil cover and productivity through management actions reducing and mitigating erosion.

NRMP's vegetation resource management objective includes maintaining or increasing plant community diversity through management actions that include: using site-specific mitigation on surface disturbing activities and avoiding vegetation treatments during nesting seasons and in times of the year detrimental to wildlife (pp. 15-16). The NRMP's visual resource management (VRM) objective is maintaining and improving the visual resource via 3 management actions (p. 17). The NRMP's wildlife management objectives include - supporting the Wyoming Game and Fish Department (WGFD) strategic plan population objective levels to the extent practical and consistent with BLM multiple-use management requirements; and maintaining wildlife diversity and habitats which extends to conserving migratory birds. Thirteen wildlife management goals include: not disrupting animals on identified crucial winter range, generally from November 1 to March 30, unless approved by the authorized officer; and protecting raptors, Greater Sage and sharp-tailed grouse during their nesting seasons, by not allowing disruptive activity from

February 1 through July 31. This limitation does not apply to maintenance and operations of existing facilities (pp. 18-19).

1.3.3 Other Direction

The USFS and BLM operate in compliance with other specific regulatory programs managed by state and other federal regulatory agencies. Below is a partial list of other federal laws and executive orders that may be applicable to project-specific planning and environmental analysis of federal lands. While most pertain to all federal lands, some of the laws are specific to South Dakota and Wyoming. Disclosures and findings required by these laws and orders are in Chapters 2 and 3 of this DEIS.

- National Environmental Policy Act (NEPA) of 1969 (as amended)
- Federal Land Management and Policy Act (FLPMA) of 1976 (as amended)
- National Forest Management Act (NFMA) of 1976 (as amended)
- Multiple-Use Sustained-Yield Act of 1960
- Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended)
- Endangered Species Act (ESA) of 1973 (as amended)
- Clean Water Act of 1977 (as amended)
- Clean Air Act of 1970 (as amended)
- National Historic Preservation Act (NHPA) of 1966 (as amended)
- American Indian Religious Freedom Act of 1978 (as amended)
- Archeological Resource Protection Act of 1979 (as amended)
- Native American Graves Protection and Repatriation Act (as amended)
- Executive Order 11593 (cultural resources)
- Executive Order 11988 (floodplains)
- Executive Order 11990 (wetlands)
- Executive Order 12898 (environmental justice)
- Executive Order 12962 (aquatic systems and recreational fisheries)
- Executive Order 13007 (Indian Sacred Sites)
- Executive Order 13186 (Migratory Bird Treaty Act)
- Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments)
- South Dakota Permitting and Environmental Guide, 2007 Edition
- Wyoming Executive Order 2011-5, Greater Sage-Grouse Core Area Protection
- Bankhead-Jones Farm Tenant Act of July 22, 1937, as amended (7 U.S.C. 1010-1012).
- BLM 1986 South Dakota Resource Management Plan (RMP)
- BLM 2007 Casper, Wyoming RMP
- BLM 2000 Newcastle, Wyoming RMP

1.4 PURPOSE OF AND NEED FOR ACTION

The purpose and need provides the basis for development of the Proposed Action and any alternatives generated. The purpose and need provides fundamental rationale for the T-O-RC Project and it provides guidance to the ID team during the environmental analysis of the Project.

The purpose of the Teckla-Osage-Rapid City Transmission Project is to:

- Strengthen the regional transmission network
- Improve the reliability of the transmission system
- Provide additional transmission capacity to help meet the growing demand for electricity and development in the region.

1.5 FEDERAL ACTIONS AND APPROVALS

The USFS and BLM will decide whether or not to authorize the ROW, and if so, under what terms and conditions. The purpose and need of the federal action is to respond to the Proponents' Special Use Permit (SUP) application to use NFS lands for a portion of the BHP transmission line pursuant to the Federal Land Policy and Management Act (FLPMA), 43 United States Code [U.S.C.] § 1701 et seq and under the Federal Power Act (FPA), 16 United States Code [U.S.C.] § 791 et seq. The purpose and need for major federal authorizing actions requested for the proposed Project to proceed are further described below.

1.5.1 USFS

The USFS has received a Special Use Permit application from BHP and must determine whether to allow the use of the NFS lands for portions of the proposed transmission line. In accordance with FLPMA, FPA and the USFS's Special Use Permit regulations, 36 CFR 251, Subpart B – Special Uses, the USFS must manage public lands for multiple uses that take into account the long-term needs for future generations of renewable and non-renewable resources. The Secretary of Agriculture is authorized to issue Special Use Permits for "systems and related facilities for generation, transmission, and distribution of electric energy" "over, upon, under, or through [public] lands" (43 U.S.C. § 1761(a)(5)). Taking into account the USFS's multiple use mandate, the USFS's purpose and need is to respond to an FLPMA Special Use Permit application submitted by BHP to construct, operate, maintain, and decommission the transmission line and associated infrastructure on NFS lands administered by the USFS in compliance with FLPMA, USFS Special Use Permit regulations, and other applicable federal laws and policies. In making its decision, the USFS must consider the environmental impact of authorizing a Special Use Permit across the NFS lands. The USFS will decide whether to authorize, authorize with modifications, or deny the Special Use Permit application. Modifications may include authorizing only a portion of the Project, modifying the proposed use, or changing the route or location of the proposed facilities if the USFS determines such terms, conditions, and stipulations are in the public interest (43 CFR § 1701 et seq). This project analysis is being conducted under the authority of the Forest Service predecisional objection regulation at 36 CFR 218, Subparts A and B, issued in the Federal Register on March 27, 2013 (78FR18481).

The USFS must consider the existing LRMPs in the decision to issue a Special Use Permit in accordance with 43 CFR § 1701 et seq. RMPs and allocate public land resource use and establish management objectives. Applicable RMPs are discussed above.

The USFS as the lead agency has prepared this EIS to meet the disclosure requirements under NEPA, to facilitate public participation, to assist the public land agency decision-makers in determining whether to issue a Special Use Permit, and to determine under what terms and conditions the Special Use Permit would be issued. The Forest Supervisors of the Black Hills National Forest and the Medicine Bow-Routt National Forests and Thunder Basin National Grassland Forest Supervisors are the agency officials responsible for making the decisions on this Project.

Based on the environmental analysis in this Draft EIS and subsequently, the Final EIS, the Forest Supervisors will each decide whether and how to approve all or a portion of this Project. Their decisions will be documented in separate Records of Decision (RODs) and may include phased decisions for the Project, in which case a separate ROD would be issued for each phase.

Analysis in the EIS covers the entire Project and discloses the associated environmental effects. The USFS is considering several factors, including the proposed construction schedule, other authorizing entities' preferred routes, environmental effects of the analyzed routes, and opportunities to reach complementary siting decisions with other authorizing entities in deciding whether or not to authorize the Project on public land and if all or only a portion of the Project should be authorized at this time.

If the USFS chooses to issue a Special Use Permit for only a portion of the Project, that decision will not preclude the USFS's ability to choose the "No Action" alternative for the remainder of the Project. The USFS may take this approach where the phase(s) that are approved cover portion(s) of the Project that, if constructed, could be operated without waiting for the rest of the Project to be approved.

A phased decision could provide additional time to allow the various federal, state, and local permitting agencies to potentially reach consensus regarding the siting of the route for one or more segments of the Project. In a phased decision process, the USFS would issue a Special Use Permit for certain segments with independent utility. The ROD would provide the agencies' rationale for a phased decision. The USFS could authorize the start of construction for the approved route for the first phase covered in the ROD via a Notice-to-Proceed when all issues and regulatory requirements are met.

1.5.2 BLM

In accordance with FLPMA and the BLM's ROW regulations in 43 CFR Part 2800, the BLM must manage public lands for multiple uses that take into account the long-term needs for future generations of renewable and non-renewable resources. The Secretary of the Interior is authorized to grant ROWs for "systems for generation, transmission, and distribution of electric energy" "over, upon, under, or through [public] lands" (43 U.S.C. § 1761(a)(5)). Taking into account the BLM's multiple use mandate, the BLM's purpose and need is to respond to an FLPMA ROW application submitted by BHP to construct, operate, maintain, and decommission the transmission line and associated infrastructure on public lands administered by the BLM in compliance with FLPMA, BLM ROW regulations, and other applicable federal laws and policies.

In making its decision, the BLM must consider the environmental impact of granting a ROW across the National System of Public Lands. The BLM will decide whether to grant, grant with modifications, or deny the application. Modifications may include granting only a portion of the Project, modifying the proposed use, or changing the route or location of the proposed facilities if the BLM determines such terms, conditions, and stipulations are in the public interest (43 CFR § 2805.10(a)(1)).

The BLM must consider the existing RMPs that allocate public land resource use and establish management objectives in the decision to issue a ROW grant in accordance with 43 CFR § 1610.0-5(b). Applicable RMPs are discussed above.

1.6 PROPOSED ACTION

The USFS and BLM propose to authorize BHP to construct, install and operate a 230kV transmission line which would strengthen the regional transmission network, improve the reliability of the transmission system and provide additional transmission capacity to help meet the growing demand for electricity and development in the region. The description below is a synopsis of the more detailed project description included in Chapter 2.

The T-O-RC Project would be constructed mainly of wood or steel H-frame transmission structures, with the possibility of some tubular steel self-supporting towers in the Rapid City area. The transmission structures would have an average height of 65 to 75 feet and would have a span length of approximately 800 to 900 feet between structures. The ROW for the line would be approximately 100 feet wide (i.e., 50 feet on either side of the center line) and access along the ROW would be provided by existing improved roads, existing roads that require improvement, and new roads as necessary. All merchantable trees to be removed from the ROW will need to be cruised and paid for prior to removal. In addition, during construction of the transmission line, there would be temporary pulling and tensioning sites, decking yards and construction/material staging sites along and near the ROW.

The Proposed Action begins at the existing Teckla Substation, approximately 67 miles north of Douglas, Wyoming, and travels west approximately three miles along an existing transmission line route, then north approximately 19 miles. Here it turns east and follows county road and section lines before turning northeast approximately six miles. The route would then angle east to parallel a three phase electrical distribution line before heading straight east along section lines to Wyoming State Highway 116 where it would parallel highway ROW north approximately seven miles. At this point, the route would generally travel east on section lines to the existing Osage substation. From the Osage substation, the proposed powerline travels east and north into South Dakota, using approximately 47 miles of currently unused transmission line ROW, to the existing Pactola substation. The currently unused BHP ROW has a cleared width of 40 to 50 feet, which would be widened to 100 feet. From the Pactola substation, the route continues east approximately five and one-half miles and then travels north and east approximately ten miles to terminate at the Lange substation in Rapid City, South Dakota.

1.7 DECISION FRAMEWORK

BHP submitted an application for a ROW to construct, operate, and maintain those portions of the T-O-RC Project located on federal lands. Given the purpose and need, the Responsible Officials (BHNF Forest Supervisor, TBNG Forest Supervisor, and BLM's High Plains District Manager for each of the separate units) will review the Proposed Action, the issues identified during scoping, the alternatives, the environmental consequences of implementing the proposal and alternatives, and public comments on the Draft Environmental Impact Statement. This forms the basis for the Responsible Officials to make the following determinations for their respective jurisdictions:

- Whether the proposed activities and alternatives address the issues, are responsive to laws, regulations, and management direction, and meet the purpose of and need for action in the T-O-RC Project area
- Whether the information in this analysis is sufficient to make a reasoned decision
- Which action, if any, to approve (decide which alternative or combination of alternatives to implement).
- Which if any mitigation measures and monitoring requirements will be applied.

In addition, each Forest Supervisor must decide whether a Forest Plan amendment is required for their respective management plans. The BLM, as a cooperating agency, may use this EIS to make their analyses, findings and decisions on the Project for the portions that cross BLM lands.

1.8 PUBLIC INVOLVEMENT

During the project development and analysis period, collaborative efforts were made to involve, interact, and cooperate with individuals and groups interested in the T-O-RC Project. Part of this effort included public scoping as discussed below.

Scoping is the process of obtaining comments about proposed federal actions to inform the public and determine the breadth of addressed issues. Comments on the proposed action, potential concerns, and opportunities for managing the Project area were solicited from members of the public, American Indian Tribes, other public agencies, adjacent property owners, organizations, and government specialists.

The Project was entered into the USFS's Schedule of Proposed Actions (SOPA) in April 2011. The SOPA contains a list of USFS proposed actions that will soon begin or are undergoing environmental analysis and documentation. It provides information so the public can become aware of and indicate interest in specific proposals see www.fs.fed.us/sopa/.

A scoping notification letter was mailed in the fall of 2011 to over 3,000 interested parties, including property owners near the proposed project and other interested stakeholders. The scoping letter briefly explained the Project, the NEPA process, and announced the scoping

period and the public meetings. Included with the scoping notification letter was a project overview map and comment form.

During the public scoping period and throughout the project development and analysis period, a collaborative effort was made to involve and interact with individuals and groups interested in the Project. The USFS hosted public information and scoping meetings in Wyoming and South Dakota to gather public comment and provide NEPA process and proposed Project information.

The Wyoming public scoping meeting was held on September 13, 2011 at the Hell Canyon Ranger District office in Newcastle, Wyoming and was designed as an open house. The South Dakota meeting was held on September 20, 2011 at the Mystic Ranger District office in Rapid City, South Dakota and consisted of an open house along with a presentation. The open house portion featured information stations throughout the room staffed by the appropriate subject matter experts from the USFS and consultants. BHP also had a station with staff on hand to answer questions about the proposed project. In addition, an interactive Geographic Information System (GIS) computer station with a projection system was available for landowners to view images of their individual properties and to receive a color printout of their property. Handouts were available for the public to take and large-scale maps were available for viewing.

Agencies consulted with included the South Dakota Department of Game, Fish and Parks, Wyoming Game and Fish Department, South Dakota State Historic Preservation Officer, Wyoming State Historic Preservation Officer, Advisory Council for Historic Preservation, Wyoming State Forestry, Wyoming Department of Transportation, South Dakota Department of Transportation, Weston and Campbell Counties in Wyoming, and Pennington County in South Dakota. A concerted effort was made to engage in consultation regarding the Project with Tribal contacts known to have interest in management of the TBNG, BHNF, and BLM-administered lands.

A news release was sent to media outlets on August 25, 2011, announcing the T-O-RC Project, requesting comments on the proposal and noting the time and place for the public meetings. Publications of news releases in the Rapid City Journal and Newcastle News Letter Journal occurred on September 1, 2011, and in the Hill City Prevailer News on August 31, 2011.

The Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on August 26, 2011. This provided official notification that the public comment period for the T-O-RC Project would conclude on October 28, 2011. The NOI requested public comment on the proposal and included the date and place of the scheduled public meetings. During the scoping period, 104 individuals, groups, or agencies submitted comment letters.

Appendix A contains more detailed information on the scoping and public involvement process conducted for this project.

In advance of the scoping process conducted for this EIS, BHP also sponsored several additional public outreach efforts associated with their routing process to identify potentially viable routes for the Project.

1.9 ISSUES

This section provides a summary of issues identified during the public and internal scoping period for the T-O-RC Project. Comments received during scoping were used to help in defining issues, develop alternatives and mitigation measures, and analyze effects. A total of 104 separate comments were received via letters, faxes, public meetings, personal-delivery, or email during the formal scoping process. The comments expressed various issues and concerns associated with the Project and some were supportive of the overall project.

Issues were separated into two groups: key and non-key issues. Significant issues were defined as those directly or indirectly caused by implementing the proposed action. Non-key issues were identified as those: 1) outside the scope of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence. The Council on Environmental Quality (CEQ) NEPA regulations explain this delineation in Sec. 1501.7, "…identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)…".

A list of non-key issues and reasons regarding their categorization as non-key is contained in the Project file located at the Mystic Ranger District office in Rapid City, South Dakota and at the Douglas Ranger District Office in Douglas, Wyoming.

A brief description of the key issues follows below:

1. Effects of the Proposal on Wildlife including Sensitive Species such as Greater Sage-Grouse, goshawks, and other raptors

Many respondents were concerned with wildlife habitat removal or fragmentation. Some of these concerns were specifically focused on sensitive species such as Greater Sage-Grouse or goshawk. There were also concerns for raptor collisions with powerlines with the suggestion that construction should be in accordance with raptor-safe design criteria.

Measurement Indicator for Wildlife including Sensitive Species:

- Determination of effect made in the Biological Assessment and Biological Evaluation

2. Effects of the Proposal on Wetlands and Vegetation Communities

Scoping comments received indicate that there is internal and external support for revegetation/reclamation of disturbed areas. In addition, one suggestion was to avoid spanning large wetlands and to not place transmission towers between wetlands.

Measurement Indicator for Wetlands and Vegetation Communities:

- Acres of wetland filled or vegetation removed.

3. Effects of the Proposal on Scenic Integrity and Visual Resources

Many respondents commented on their support to maintain scenic integrity and limit changes to visual resources and views. Suggestions included minimizing the ROW, using taller towers and running the powerline over the trees.

Measurement Indicator for Scenic Integrity and Visual Resources:

- Effects of the alternatives on Scenic Integrity Objectives (SIOs) for the BHNF and TBNG and Visual Resource Management (VRM) objectives for the NFO lands.

4. Effects of the Proposal on Private Property including Property Values and Electricity Rates

Some commenters are concerned with a lowering of their property values with a transmission line nearby. Many comments also suggested locating the transmission line on public versus private lands. Other commenters question whether the proposed transmission line will lead to an increase in electricity rates.

Measurement Indicator for effects to private property:

- Proximity to residential dwellings.

5. Effects of the Proposal on Existing and Future All-Terrain Vehicle (ATV), Off-Highway Vehicle (OHV), and Snowmobile Trails

Comments and feedback during scoping indicate there is support for not closing existing ATV/OHV/snowmobile trails. There was also support for the transmission line ROW to be available as an ATV trail. One suggestion was to coordinate transmission line construction timelines with the Black Hills snowmobile season.

Measurement Indicator for trails:

- Miles of trails closed and miles of trails kept open.

6. Effects of the Proposal on Tree Removal

Many respondents commented on their support to minimize the amount of tree clearing. Generally the emphasis of these comments was to leave the maximum amount of trees, especially large conifers intact and to avoid clear-cutting. One commenter noted that enough Black Hills timber has been lost to fire/beetles and more timber should not be lost to power lines.

Measurement Indicator for Tree Removal:

- Number of acres of tree clearing needed.

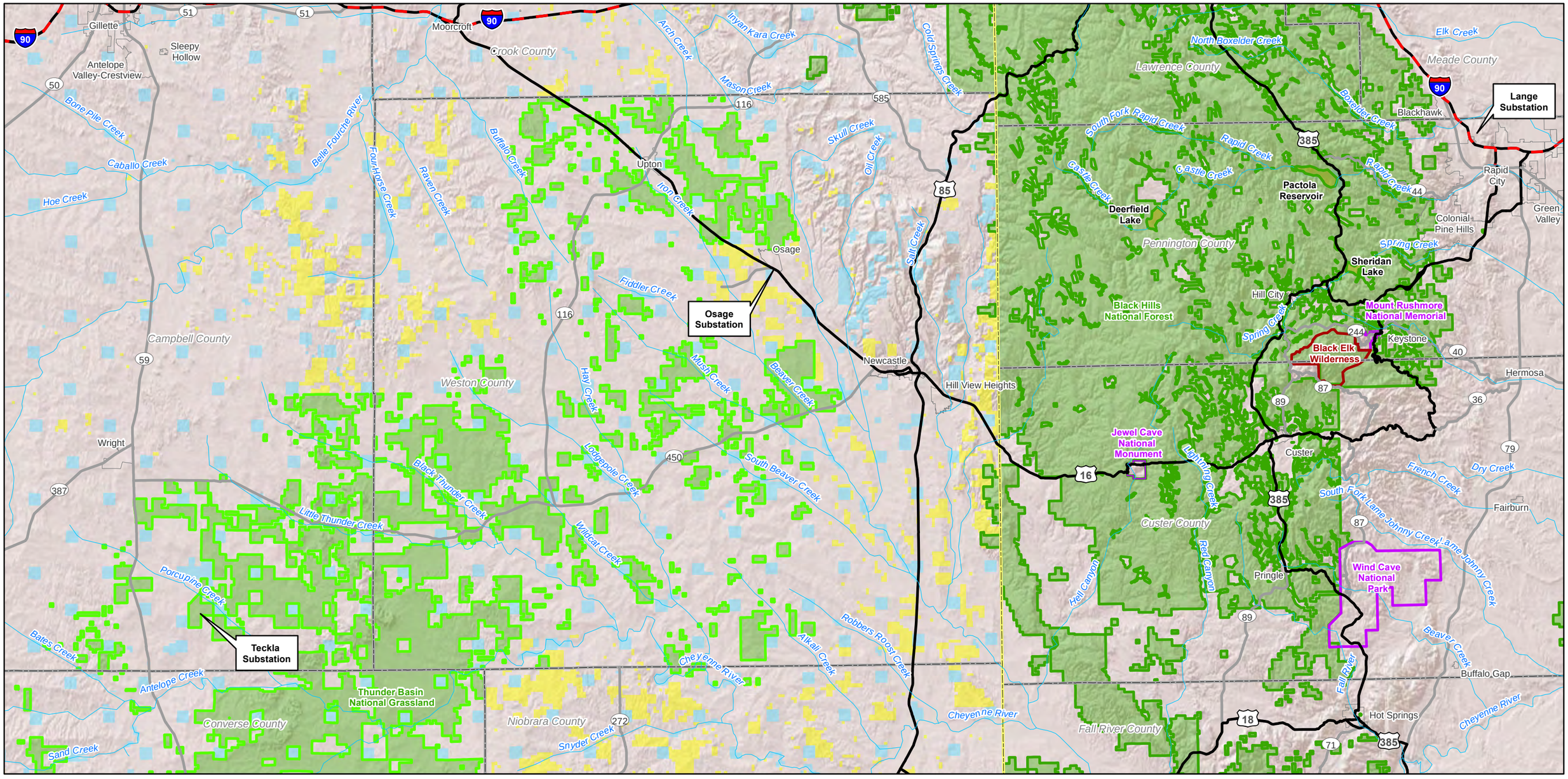
7. Effects of the Proposal on Health resulting from Electromagnetic Fields (EMF)

Concerns include the health effects associated with EMF associated with the line.

Measurement Indicator for EMF health effects:

- Proximity to residential dwellings.

Each of these issues is addressed within this EIS analysis.



Legend

Interstate	City or Town	Jurisdictional Land Ownership
US Highway	Major Water Body	Bureau of Land Management Land
State Highway	Federal Wilderness Area	Bureau of Reclamation Land
Stream	National Park Boundary	U.S. Forest Service Land
State Boundary	National Grassland Boundary	National Park Service Land
County Boundary	National Forest Boundary	State Land

0 3 6 9 12 15

Miles

Universal Transverse Mercator
North American Datum 1983
Zone 13 North, Meters

Teckla – Osage – Rapid City 230 kV Transmission Line

FIGURE 1-1
PROJECT AREA

Map Extent: South Dakota and Wyoming

Date: 112613		Author: rnc
I:\SD-WY\Figure 1-1 Project Area_112613.mxd		C-33