

U.S. DEPARTMENT OF ENERGY  
Western Area Power Administration

and the

U.S. DEPARTMENT OF THE INTERIOR  
Bureau of Land Management

FINDING OF NO SIGNIFICANT IMPACT  
and Floodplain Statement of Findings

Blythe Energy Project Transmission Line Modifications Project,  
Riverside County, California

**Summary:** Blythe Energy, LLC (Applicant), owned by FPL Energy, LLC, submitted an amendment petition to the California Energy Commission (CEC) to amend the original decision for the Blythe Energy Project (BEP) and to modify the existing license for that power generation project. The proposed Blythe Energy Project Transmission Line Modifications (BEPTL Project, Proposed Project) are for the purpose of improving the availability of long-term transmission paths for the delivery of BEP power generation to the Southern California electrical transmission system. The Applicant also applied to the U.S. Department of Energy (DOE), Western Area Power Administration (Western), to interconnect its Proposed Project with Western's transmission system at the Buck Boulevard Substation near the City of Blythe, Riverside County, California. The Applicant further applied to the U.S. Department of the Interior, Bureau of Land Management (BLM), for a right-of-way (ROW) grant for transmission components of the Proposed Project.

Western's Federal action is to approve or deny the interconnection request. If approved, Western would need to make modifications within the Buck Boulevard Substation to accommodate the interconnection. The BLM's Federal action is to grant or deny a ROW permit to construct, own, and operate the proposed transmission line across public lands managed by the BLM. Both actions would be approved by Western and BLM subject to applicable Federal law and regulations, and specifically subject to the Applicant's compliance with the mitigation measures imposed by the Conditions of Certification incorporated in the CEC's Commission Decision on Amendment Petition rendered on October 11, 2006 and made a part of this decision by reference.

Western and BLM are co-lead Federal agencies and participated with the CEC on a joint National Environmental Policy Act/California Environmental Quality Act (NEPA/CEQA) document to analyze the potential environmental impacts of the Applicant's proposal. The document was issued by the Federal agencies as a draft environmental assessment (EA) titled, "Staff Assessment/Draft Environmental Assessment, Blythe Energy Project Transmission Line Modifications, Amendment petition (99 AFC-8C), Riverside County, California" (Western DOE/EA-1522 and BLM EA-CA-660-06-25), and by the CEC as a Staff Assessment under CEQA in May, 2006. Following evidentiary hearings on the Staff Assessment/EA, a Revised Staff Assessment/Draft Environmental Assessment was issued in

September 2006 by the Federal agencies and the CEC that addressed several changes to the Proposed Project and alternatives, and provided responses to public and agency comments received. As the Commission Decision did not substantively modify the Revised Staff Assessment, that document constitutes the Federal agencies' Final EA. The Decision incorporates all of the Conditions of Certification detailed in the Final EA, and makes them mandatory mitigation for the modified permit.

Based on the Final EA, Western and BLM have determined that, with mitigation committed to under the Conditions of Certification in the Final EA and enforced by the CEC modified permit and by the terms and conditions of the BLM ROW grant, the Proposed Project would not result in any significant environmental impacts, and the preparation of an environmental impact statement will not be required. The analysis and basis for this determination is described below in this Finding of No Significant Impact (FONSI).

Additional information and copies of the EA and FONSI are available to all interested persons and the public through the following contact:

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**Background:** In December 1999, Western was approached by the Applicant to interconnect the proposed BEP to Western's transmission system. The proposed interconnection would take place at Western's existing Blythe Substation. The Applicant further applied to the BLM for a ROW grant for transmission components of the Proposed Project, as the proposed transmission line modifications would cross BLM land.

The proposed BEP consisted of a 520-megawatt (MW) natural gas-fired thermal power plant intended to serve competitive regional markets in Southern California and Arizona. The BEP would be a 'merchant plant' which means that it would be independent of other generators and that the power generated would serve the open energy market rather than any particular utility or load. All financial responsibility for the project would be borne by the Applicant.

The Applicant also submitted an Application for Certification to the CEC under their power plant siting process. The CEC and Western prepared a joint Staff Assessment/Environmental Assessment titled "Blythe Energy Power Plant Project (99-AFC-8) (DOE/EA-1349)" for the proposed BEP, in accordance with CEQA and NEPA. Because the proposed BEP did not affect BLM managed lands, the BLM was not involved in the BEP project. In March 2001, the CEC approved the BEP Application for Certification (99-AFC-8) under their power plant siting process, and Western approved the interconnection request. The BEP was constructed and started commercial operation in December 2003.

On October 12, 2004, the Applicant filed a Petition to Amend the Commission Decision with the CEC to amend the original decision for the BEP and to modify the existing license for that power generation project. The proposed modifications are for the purpose of improving the availability of long-term transmission paths for the delivery of BEP power generation to the Southern California electrical transmission system. The proposed transmission line modifications would connect additional energy supplies directly into the Southern California electrical grid.

The Applicant also applied to Western to interconnect its Proposed Project with Western's transmission system at the Buck Boulevard Substation near the City of Blythe, Riverside County, California. The Applicant further applied to the BLM for a ROW grant for transmission components of the Proposed Project, as the proposed transmission line modifications would cross BLM land.

Western and BLM participated with the CEC on a joint NEPA/CEQA document to analyze the potential environmental impacts of the Applicant's proposal. Western and BLM are co-lead Federal agency participants in this process and have control over components of the existing transmission system and portions of the proposed ROW for the proposed transmission line modifications. The document was issued by the Federal agencies as a draft EA titled, "Staff Assessment/Draft Environmental Assessment, Blythe Energy Project Transmission Line Modifications, Amendment petition (99 AFC-8C), Riverside County, California" (Western DOE/EA-1522 and BLM EA-CA-660-06-25), and by the CEC as a Staff Assessment under CEQA in May 2006. Following evidentiary hearings on the Staff Assessment/EA, a Revised Staff Assessment/Draft Environmental Assessment was issued in September 2006 by the Federal agencies and the CEC that addressed several changes to the Proposed Project and alternatives, and provided responses to public and agency comments received. As the Commission Decision

did not substantively modify the Revised Staff Assessment, that document constitutes the Federal agencies' Final EA. The Decision incorporates all of the Conditions of Certification detailed in the Final EA, and makes them mandatory mitigation for the modified permit.

**Purpose and Need:** The Applicant has applied to interconnect with Western's transmission system at the Buck Boulevard Substation. If approved, Western would need to make modifications within the Buck Boulevard Substation to accommodate the interconnection. To comply with FERC Orders 888 and 888-A, Western's Open Access Transmission Service Tariff provides for non-discriminatory open access transmission services. In addition to the Tariff, Western's General Guidelines for Interconnection provide a process for addressing applications for interconnection. The process dictates that Western respond to an application as presented by an applicant. Western must ensure that existing reliability and service is not degraded. Western's General Guidelines for Interconnection involve transmission and system studies to ensure that system reliability and service to existing customers would not be adversely affected if the interconnection was granted. Western's decision is limited to approving or denying the interconnection request.

The BLM's Federal action is to grant or deny a ROW permit to construct the proposed transmission line across public lands managed by the BLM. BLM has an obligation, in the public interest, to optimize use of the utility corridor so as to best accommodate multiple existing and future projects, minimize adverse environmental impacts, and to minimize duplication or proliferation of similar facilities. BLM would require a Plan of Development as part of the Applicant's ROW application. Both the interconnection and ROW permit actions would be approved by Western and BLM subject to applicable Federal law and regulations, and specifically subject to the Applicant's compliance with the mitigation measures imposed by the Conditions of Certification incorporated in the CEC's Commission Decision on Amendment Petition rendered on October 11, 2006. BLM's purpose for this environmental review process is to determine whether the Blythe Energy proposal meets BLM's needs.

The Applicant's purpose and need in proposing the project is to increase the electrical capability of transmission paths between the BEP and additional points of interconnection with the California Independent System Operator (CAISO) controlled transmission system, thereby allowing Blythe Energy to negotiate increased sales agreements to Southern California for the electrical output of the BEP. Blythe Energy states that by providing this additional transmission capacity, the Proposed Project would better serve California's growing need for electricity in its more densely populated areas.

**Project Description:** The Proposed Project would be located entirely within Riverside County, between Western's Buck Boulevard Substation near the City of Blythe and Metropolitan Water District's Julian Hinds Substation near Hayfield. Project components include construction of transmission lines and the Midpoint Substation, modification of two existing substations, transmission pole realignments, and downstream upgrades to the Southern California Edison (SCE) transmission system. There are two distinct components to the transmission lines: Buck Boulevard to Julian Hinds transmission line and Buck Boulevard to Devers-Palo Verde transmission line (latter generally referred to as the Buck to

Midpoint Substation component). The Applicant requested approval of both transmission line components but may opt to construct only one component. Two locations have been identified for the Midpoint Substation.

For most of its 67.4-mile length, the Buck Boulevard to Julian Hinds transmission line component would be located within a new 95-foot ROW adjacent to and north of Southern California Edison's (SCE's) existing Devers - Palo Verde No. 1 (D-PV1) 500-kilovolt (kV) transmission line. The proposed line would be a 230-kV single-circuit line on concrete, single-pole structures.

The Buck Boulevard to Midpoint Substation component is a proposed single-circuit 230-kV transmission line approximately 6.7 miles long, extending from the existing Buck Boulevard Substation, adjacent to the BEP, to the Midpoint Substation proposed by Blythe Energy. This proposed line would be located adjacent to Western's Blythe - Knob and Imperial Irrigation District's Blythe - Niland 161-kV transmission lines. The transmission structures would be primarily a single-column concrete/steel hybrid pole type and require a ROW width of 95 to 100 feet.

Both transmission line components would terminate at Western's Buck Boulevard Substation. Construction of both components would require modifications to existing equipment, and installation of new equipment within the existing substation boundary. This would consist of the extension of the existing 230-kV bus structure and double buses, and the installation of an additional switching bay with two breakers, protection devices and communication equipment.

Upgrades at the Julian Hinds Substation would also be required for construction of the Buck Boulevard to Julian Hinds component. Existing equipment would be modified and new equipment added. The substation would be expanded by approximately 0.4 acres.

In addition to modification of the Buck Boulevard Substation, construction of the Buck Boulevard to Midpoint Substation component would require construction of a new substation. The Applicants proposed 41.3-acre Midpoint Substation would be located at the intersection of its new transmission line with the existing SCE-D-PV1 500-kV transmission line. Equipment would be located in the center of the site and would include transformer bus structures, circuit breakers and associated communication equipment. A perimeter road would encircle the equipment inset from the property boundary, and a buffer of land with native vegetation would separate the perimeter road from the fenced property boundary.

The Applicant requested that Western, BLM and CEC analyze the Desert Southwest Transmission Project (DSWTP) Midpoint Substation location and adjusted transmission line route as an option to be added to the BEPTL Project amendment. The DSWTP Midpoint Substation would be located at milepost 11.9 from Buck Boulevard Substation. The Applicant provided a Supplemental Analysis filed on August 7, 2006, for the DSWTP Midpoint Substation Option and alignments for mileposts 65.5 to 67.4 near Julian Hinds Substation. Both the Applicant's Midpoint Substation and DSWTP Midpoint Substation Option component of this project would be located adjacent to SCE's existing D-PV1 500-kV transmission line and would interconnect to that transmission line. The Applicant may choose to build the substation at either

its proposed Midpoint location or at the DSWTP Midpoint location, but not at both locations.

Several project components of the original amendment filing were changed during the review of the Proposed Project, including transmission line pole realignments near the Blythe Municipal Airport and near Alligator Rock, a transmission line pole relocated near Julian Hines Substation, relocation of the Applicant's Midpoint Substation and the addition of the DSWTP Midpoint Substation option.

In addition to the above Proposed Project changes, the CAISO and SCE reviews of the Proposed Project indicated the need for additional downstream upgrades to the existing SCE transmission line system, specifically to the Julian Hinds - Mirage 230-kV line. These additions would consist of six new interset poles placed between existing poles in the existing transmission line corridor. The interset poles would keep conductor clearances within utility standards under the additional loads. The pole interset action would be SCE's responsibility under the jurisdiction of the California Public Utilities Commission. The environmental impacts of installing the interset poles were evaluated from the CEQA and NEPA perspective, since they are a reasonably foreseeable connected action resulting from the Proposed Project.

**Agency Consultation and Public Participation Process:** Two publicly noticed workshops were conducted on the Preliminary Staff Assessment in February 2005. Based on these workshops, data responses, comments received on the Preliminary Staff Assessment, and additional information that was gathered, the Preliminary Staff Assessment was revised and issued the Staff Assessment/Draft EA in May, 2006. Then, as a result of new information presented at the Prehearing Conference held on July 31, 2006, an additional workshop was held on August 16, 2006, to review and take comments regarding the DSWTP Midpoint Substation option, which was incorporated into the Revised Staff Assessment/EA issued in September, 2006.

Western submitted a Biological Assessment for the Proposed Project to the USFWS and asked for an amendment to the Biological Opinion issued for the Blythe Energy Project. The USFWS issued an amendment to the original Biological Opinion on November 22, 2005. It states, in part, project "changes are not likely to jeopardize the continued existence of the desert tortoise, or adversely modify designated critical habitat."

The California Department of Fish and Game (CDFG) has been involved in meetings with CEC staff, Western and the USFWS. CEC expect the Proposed Project will receive a CDFG Section 2080.1 Letter of Concurrence because the only state-listed species, the desert tortoise, is also a federally-listed species.

Western and BLM consulted with the California State Historic Preservation Offices (SHPO) to meet its obligation under the National Historic Preservation Act (NHPA, 16.U.S.C. 470 et seq.). Western developed a Programmatic Agreement (PA) with the BLM, the Advisory Council on Historic Preservation, and the California SHPO to take into account the effects of the project. The PA sets out the process that would be followed to mitigate any potential impacts to cultural resources. The Proposed Project would cross areas that are within the traditional boundaries used by the Cahuilla, Chemehuevi, Quechan and the Halchidhoma peoples. Letters were sent to

11 tribal governments initiating government-to-government consultation on behalf of BLM and Western regarding this project. The PA has been approved by Western, BLM, the State Historic Preservation Office, and interested tribes.

**Alternatives:** More than 24 alternatives were identified in the EA process. The analysis of alternatives focused on identifying and evaluating alternatives with the potential to reduce or avoid impacts on all resources, especially biological, cultural, and land use. Additionally, issues related to transmission system engineering were considered (system reliability, use of a designated Utility Planning Corridor, and need) that may affect all alternatives or may be different for different transmission routes, terminations, and configurations.

A two-stage process was used to select alternatives for analysis: first a range of alternatives was identified, and then these alternatives were screened to select those that qualified for detailed evaluation.

In addition to the Proposed Project, six of the initial 24 alternatives and the No Action Alternative were carried forward for full consideration in the environmental process. Some of these alternatives include at some level the consolidation of one or more of the independently-proposed transmission line projects into one or two projects. The six alternatives were: Eagle Mountain Alternative, Desert Southwest Transmission Project (DSWTP) Alternative, Devers - Palo Verde 500-kV No. 2 (D-PV2) Project Alternative, Buck Boulevard to Julian Hinds with Reconductoring Alternative, the Larger Capacity Line Alternative, and the Wiley Well Substation Alternative. Alternatives Table 2 in the EA summarizes the environmental impacts from each of the six alternatives.

Western reviewed the results of the CEC alternatives analysis and determined that the alternatives examined were not viable alternatives to Western's need to grant or deny an interconnection at Buck Boulevard Substation. Alternatives are an important part of the CEC's CEQA analysis and required for a complete BLM analysis. Western supported the analysis as a means to minimize environmental impacts.

The DSWTP, D-PV2 and Buck Boulevard to Julian Hinds with Reconductoring alternatives had greater impacts for the majority of the environmental resources compared to the Proposed Project, primarily due to the longer routes. These three alternatives would not meet BLM's purpose because they would cause larger net environmental impacts than the proposed alternative. The Eagle Mountain Alternative would have similar impacts as the Proposed Project. However, it would have less impact on biological resources because it would cross approximately 31.7 miles of desert tortoise habitat as compared to 52 miles for the proposed route, and it would avoid the Alligator Rock Archaeological Area of Critical Environmental Concern (ACEC). This alternative would have substantially greater visual impacts because of its proximity to I-10 and Joshua Tree National Park. This alternative would also require an amendment to BLM's California Desert Conservation Area (CDCA) plan because approximately 11 miles of this alternative route would be located outside the established BLM utility corridor. The Eagle Mountain alternative does not meet BLM's purpose as it would require proliferation of utility corridor authorization and further utility corridor development outside the existing utility corridors shown in the CDCA plan.

The Larger Capacity Line Alternative would be constructed along the same route as the Proposed Project but the transmission towers would be larger to accommodate larger conductors or an additional circuit. This alternative would allow consolidation of several proposed transmission lines into a single line, creating similar short-term impacts as the Proposed Project but greatly reducing cumulative impacts that would result from construction of complete additional transmission lines in or adjacent to the existing D-PV1 500-kV corridor. The cost of this alternative would be substantially greater than the Proposed Project and would require coordination with the applicants for BEP I, BEP II, SCE, the DSWTP proponent, and stakeholders in Arizona.

This option would optimize the use of the utility corridor and minimize environmental impacts, thus meeting BLM's purpose. However, this alternative would require a rate-setting and capacity agreement structure involving a California-regulated utility, merchant (i.e. unregulated) providers, and an Arizona nuclear power plant. This structure is not available in California, making this alternative infeasible for the participants.

The Wiley Well Substation Alternative is an alternative to the Midpoint Substation. Impacts would largely be similar to those of the proposed Midpoint Substation. The Wiley Well location is adjacent to existing paved roads and therefore does not require as many miles of improved access roads. However, the Wiley Well Substation would not be preferred to the Midpoint Substation because of its much greater visibility and greater effects on biological resources. Because of the larger impacts on visual and biological resources, the Wiley Well Alternative does not meet BLM's purpose of optimizing the utility corridor.

Although the No Action Alternative may reduce cumulative impacts that would occur from the construction of multiple transmission projects in the same corridor, it is not superior to the Proposed Project, because it would rely on other future projects to transmit electric power to California markets. Therefore, it does not assure that the objectives to increase the electrical capability of transmission paths between the BEP and additional points of interconnection with the CAISO controlled transmission system and to be in commercial operation within the time frames envisioned by the Proposed Project would be achieved. The No Action alternative would not meet BLM's purpose, as it does not optimize the use of the utility corridor.

**Environmental Impacts:** Findings on the impacts and their significance resulting from the Proposed Project are based on information contained in the EA. The EA is available upon request. In reaching conclusions about the Proposed Project's environmental impacts, Western and BLM considered the Conditions of Certification approved by the CEC. The existing environment and potential environmental impacts were identified and evaluated for the following resources: air quality, biological resources, cultural resources, hazardous material, environmental justice, land use, noise and vibration, socioeconomics (including environmental justice), soil and water, traffic and transportation, transmission line safety and nuisance, visual resources, waste management, worker safety and fire protection, geology and paleontology, and transmission system. Significance criteria were developed for each resource and the environmental impacts of each alternative evaluated against those criteria (Table 1).

Table 1 Significance Criteria and Mitigation Measures that Reduce Impacts to Less than Significant			
Resource	Significance Criteria	Mitigation	EA Page Reference
Air Quality	Potential impacts would be considered significant if any PM10, ozone or ozone precursor emissions could contribute to an existing violation.	Measures imposed in the CEC's conditions of certification reduce the potential impacts from fugitive dust and from diesel emissions during construction to less than significant. If the construction conditions of certification proposed below are implemented, short-term air quality impacts from the construction of the proposed BEPTL would not be significant. Long-term operation of the proposed BEPTL would not generate any significant criteria pollutant emissions or air quality impacts.	4.1-3
Biological	Potential impacts would be considered significant if adverse modification of critical habitat for the desert tortoise as identified in the Federal Endangered Species Act, possible adverse impacts to the desert tortoise and to other listed and sensitive wildlife and plant species, and possible adverse impact to migratory birds were to occur.	Constructing the proposed project components individually or together would result in potentially significant impacts to desert tortoise, Harwood's milk-vetch, and MFTL. If the mitigation measures discussed in the FSA are implemented by the project owner as required by the Conditions of Certification and all permits are obtained, the project will not result in a significant impact to biological resources and will be in compliance with all state, Federal, and local LORS.	4.2-13, 4.2-14
Cultural	Potential impacts would be considered significant if the project would have an adverse effect on a historic property (significant resource) or cause a "substantial adverse change in the significance of the historical resource."	The execution and implementation of the Programmatic Agreement would reduce impacts to less than significant for the purposes of the NEPA.	4.3-19
HazWaste	Potential impacts would be considered significant if the use of hazardous materials would pose a substantial hazard to the offsite public by potentially exposing members of the public to concentrations of hazardous materials that would reasonably be expected to cause lasting negative health effects.	By incorporating the amendment to Condition of Certification <b>HAZ-1</b> to include the list of hazardous materials listed in the Petition for Post-Certification Amendment, the transport to/from and use of hazardous materials at the BEPTL project site will not result in significant impacts to the public or the environment.	4.4-6
Land Use	BLM must assure that a newly proposed facility does not adversely affect the integrity of or ability to operate existing facilities and other authorized lands uses on public lands.	these impacts can be mitigated using standard construction methods that BLM will include as part of their ROW permit.	4.5-13

Table 1 Significance Criteria and Mitigation Measures that Reduce Impacts to Less than Significant			
Resource	Significance Criteria	Mitigation	EA Page Reference
Noise and Vibration	A potential for a significant noise impact exists where the noise of the project plus the background exceeds the background by 5 dBA L90 or more at the nearest sensitive receptor.	This project, if built and operated in conformance with the proposed Conditions of Certification, would comply with all applicable noise and vibration laws, ordinances, and regulations, and would produce no significant adverse noise impacts, either direct or cumulative	4.6-7
Socioeconomics	For housing, a vacancy rate of five percent or less of permanent available housing is an indicator of a tight housing market with higher prices and possible overcrowding. For environmental justice, a threshold of greater than 50 percent for minority/low-income population of the total population in the affected area is used.	Housing will not be adversely impacted by the construction or operation of the transmission line. The population potentially affected by the proposed transmission line project is not greater than 50 percent for minority or low-income. The proposed BEPTL does not result in any significant adverse socioeconomic impacts, and it does not break-up any communities.	4.7-6
Soil and Water Resources	Stormwater and erosion events must be adequately controlled by construction and operational practices and BMPs such that stormwater and sediments remain within designated areas and do not move outside of these areas as described by the DESC.	Operation of the BEPTL would not have significant impacts to water supplies since no permanent water or sewer facilities are proposed, nor is water needed for operation. the proposed BMPs and implementation plans appear generally adequate to demonstrate significant drainage and erosion impacts can be avoided or mitigated. Significant impacts to soil and water resources as related to effects from Stormwater runoff are not expected with proper implementation of the DESC/SWPPP.	4.8-10
Traffic and Transportation	Potential project impacts could be significant if they Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, Exceed, either individually or cumulatively, a level of service standard, result in a change in air traffic patterns, substantially increase hazards due to a design feature, result in inadequate emergency access or inadequate parking capacity, or conflict with adopted policies, plans, or programs supporting alternative Transportation.	With implementation of the additional recommended condition and continued compliance with conditions now in place for the BEP, the BEPTL would be consistent with the Circulation Element of the County of Riverside General Plan and all other applicable LORS. The FAA determined that neither of the proposed routes poses a hazard to air navigation, and no markings or lighting are required for air navigation safety.	4.9-12

Table 1 Significance Criteria and Mitigation Measures that Reduce Impacts to Less than Significant			
Resource	Significance Criteria	Mitigation	EA Page Reference
Transmission Line Safety and Nuisance	If the project complies with applicable LORS, any transmission line safety and nuisance impacts would be less than significant thus, insuring the safety of the public.	The project will comply with all applicable LORS, which will reduce any transmission line safety and nuisance impacts to less than significant. There are no corona-related radio-frequency interference or related complaints in the general project area expected.	4.10-6
Visual Resources	If the visual quality of the landscape after project installation does not conform to the land use allocations set forth in the RMP which covers the project area, then the impact may be considered significant.	The poles would continue to repeat the forms and lines, color, and textures of other infrastructures in the landscape, and would not attract attention, especially considering the angle of view (almost perpendicular to the interstate and the travel speed of viewers (70 miles per hour). The proposed modifications would be evident, but remain subordinate to the existing landscape, as they would blend in with other infrastructures in the area. Based on this contrast rating, the assigned VRM Class 3 would be met with the proposed modifications in place. Because of the distance and angle of view of the proposed BEPTL and other transmission lines from viewers, visual awareness of the transmission lines would be low and therefore there would not be a significant cumulative visual impact.	4.11-16
Waste Management	An impact threshold of 10 percent of the remaining capacity of a public landfill is the measure of potential significance.	The relatively small amounts of hazardous construction and operation-related wastes would be insignificant relative to available disposal capacity. There would be no significant direct or cumulative impacts on the waste handling ability of the area's waste management facilities.	4.12-4
Worker Safety and Fire Protection	Potential project impacts would be significant if the project does not comply with all laws, ordinances, and regulations.	Compliance with all LORS will be adequate to assure protection from all fire hazards.	4.13-3
Geology and Paleontology	The criteria used to assess geologic hazard impact significance includes evaluating each potential hazard in relation to being able to adequately design and construct the proposed facility.	No viable geologic or mineral resources are known to exist within the project area. Conditions of Certification are designed to mitigate any paleontological resource impacts, as discussed above, to a less than significant level.	5.1-10

An Engineering Assessment included with the EA evaluated geology and paleontology and transmission system engineering. The environmental and engineering issues determined to have the greatest potential for significant environmental effects were the following:

- Biological resources: the transmission line route passes through critical habitat for the desert tortoise, as identified by the U.S. Fish and Wildlife Service (USFWS).
- Cultural resources: there are archeological sites along the route with potential to encounter both prehistoric and historic period sites during construction.
- Land use impacts may result from inconsistency of the Proposed Project with established laws and policies.
- Inserting BEP power into the transmission system may cause violations of system reliability criteria and requires mitigation that cannot be determined with the current System Impact Studies (SIS).

These identified issues were thoroughly analyzed, and the results are summarized in Table 1, above, and below in text for each section, which appears in the order in which it is discussed in the Final EA.

**Air Quality:** The criteria pollutant emissions during construction would primarily consist of fugitive dust from earth moving activities and combustion emissions from construction equipment and vehicles. Potential air quality impacts caused by construction would be minimized by Conditions of Certification that include an Air Quality Construction Mitigation Manager with authority to implement additional mitigation measures and to temporarily halt construction, an approved Air Quality Construction Mitigation Plan, and a suite of fugitive dust controls and diesel engine emission controls. No cumulative air quality impacts were identified. The limited duration of construction, along with implementation of the Conditions of Certification are expected to ensure compliance with Federal and state standards. If the Conditions of Certification are implemented, air quality impacts from the construction and operation of the Proposed Project would not be significant. Western and BLM have concluded that no significant direct, indirect, or cumulative impacts to air quality would occur from the Proposed Project.

**Biological Resources:** The only listed species within the project area is the desert tortoise. It is listed as both a Federal and state “threatened” species. The CFDG has identified numerous non-listed animal species of special concern that occur in the project area. There are also numerous plant species that occur within the project area that are considered rare, threatened or endangered by the California Native Plant Society. The project would affect these species, desert tortoise critical habitat, the BLM Chuckwalla Desert Wildlife Management Area, and the BLM Chuckwalla Valley Dune Thicket Area of Critical Environmental Concern (ACEC).

Construction of either the Midpoint Substation or the DSWTP Midpoint Substation site is expected to impact approximately 41.3 acres of desert tortoise habitat, and construction of the transmission lines is expected to impact up to 272.8 acres of desert tortoise habitat. Western, BLM, the CEC and the Applicant have agreed to the purchase of desert tortoise mitigation land to offset impacts. The mitigation fees required would be based on the actual acreage of habitat

impacted during construction of the project. Mitigation fees would be provided to the Desert Tortoise Preserve Committee for the purchase and management of desert tortoise habitat. The required desert tortoise mitigation land would be selected so that it also contains habitat appropriate to support the listed plant and animal species. Potential impacts to Harwood's milk-vetch would be addressed through seed collection efforts. Consultation with CDFG would be required on burrowing owls to determine specific amounts of off-site habitat compensation required to reduce impacts on burrowing owls to less than significant levels. An invasive weed reduction program would be implemented to reduce and mitigate impacts.

Blythe Energy has obtained a USFWS Biological Opinion and must obtain a CDFG Concurrence Determination. To ensure biological resources are protected, the Applicant would retain a Designated Biologist and implement a Worker Environmental Awareness Program. Western and BLM concluded that if the mitigation measures required by the Conditions of Certification, the Biological Opinion, the Terms and Conditions of the BLM's ROW Grant, and all necessary permits are implemented, the Proposed Project would not result in a significant impact to biological resources. Therefore, Western and BLM have concluded that the Proposed Project would not cause significant direct, indirect, or cumulative impacts to any endangered, threatened, proposed, candidate, or other sensitive species.

**Cultural Resources:** A current comprehensive survey and recording of the cultural resources in the impact area/area of potential effects (IA/APE) was conducted in January, February, and May, 2005, and the final draft technical report was completed in July, 2005. Cultural resources that cannot be avoided have been evaluated for the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR). The Colorado River Aqueduct (CRA) and the Julian Hinds Pumping Plant were determined to be eligible for the National Register of Historic Places. The Proposed Project would not change any of the character-defining elements of these properties, and would not affect them adversely.

The North Chuckwalla Mountains Petroglyph District (District) is a National Register-listed resource/property within the BLM's Alligator Rock Area ACEC. The proposed pole locations and spur roads were changed in this area so they would be outside of the District boundary. The realignment is consistent with the BLM California Desert Conservation Area goals (see Table 1). It is also consistent with the goals of the BLM ACEC.

Western developed a PA with the BLM, the Advisory Council on Historic Preservation, and the California State Historic Preservation Officer to take into account the effects of the project. The PA establishes the process that would be followed to mitigate any potential impacts to cultural resources has been approved by Western, BLM, the State Historic Preservation Office, and interested tribes. Compliance with the Conditions of Certification coupled with implementation of the processes and standards in the PA would reduce impacts to less than significant. Based on these findings and commitments, Western and BLM have concluded that no significant direct, indirect or cumulative impacts to cultural resources would occur as a result of the Proposed Project.

**Hazardous Materials:** Hazardous materials proposed for use during construction include gasoline, fuel oil, hydraulic fluid, lubricants, solvents, cleaners, sealants, welding gases and flux, paint, paint thinner, and wasp spray. Most of these would be used for fueling and maintenance

of on-site vehicles and equipment to be used during construction activities. Hazardous materials would be stored in proper containers in material yards and designated construction areas. In the event of a spill, any contaminated soil would be placed into approved containers and properly disposed of as a hazardous waste. Any impact of spills or other releases of the proposed hazardous materials would be limited to the site due to the small quantities involved. No significant or reportable quantities would remain on site during either the construction or operations phase of the Proposed Project. By incorporating the recommended Conditions of Certification, Western and BLM have concluded that the transport to/from and use of hazardous materials at the Proposed Project sites, including the DSWTP Midpoint Substation and the SCE interset pole sites, would not result in significant direct, indirect or cumulative impacts to the public or the environment.

**Land Use:** Existing land uses include undeveloped open space, desert lands, ROW for interstate and state highways and county and local roads, highway commercial development, and railroads. The only residences within the 0.50-mile wide study area are those for the SCE workers at Julian Hinds Substation. To date, no conflicts have been identified with existing facilities along the Proposed Project alignment. The Proposed Project is consistent with BLM and CEC principles, in that it involves an expansion of an existing ROW and would be located in an established utility corridor designated by BLM for this type of use. BLM finds that the Proposed Project is consistent with the California Desert Conservation Area (CDCA) Plan of 1980. The Proposed Project would not cause a change in land use or require an amendment to any existing land use plan. Based on these findings and Conditions of Certification, Western and BLM have concluded that no significant direct, indirect or cumulative impacts to land use would occur as a result of the Proposed Project.

**Noise and Vibration:** The Proposed Project is located almost entirely in areas that have no permanent residents and few activities that generate substantial sustained noise events. In locations where construction activities would take place in the vicinity of residences, the Applicant commits to performing noisy construction work during daytime hours between 7 a.m. and 7 p.m. or when consistent with local requirements or adopted mitigation measures for the project. Long-term operational noise levels are expected to be unchanged from existing levels. Given the sparsely developed nature of the project area and the Conditions of Certification, Western and BLM have concluded that no significant direct, indirect or cumulative noise impacts would occur as a result of the Proposed Project.

**Socioeconomics:** The Proposed Project would require 12 to 18 months for construction, average 60 workers on-site, and require a maximum of 162 workers during the peak month of construction. The proposed construction workforce is small compared to Riverside County's workforce, which is expected to grow to 79,100 in 2008. Sufficient vacant housing exists to accommodate any workers that elect to temporarily relocate to the project area. The Proposed Project would use largely local labor from Riverside County and would not create any significant adverse socioeconomic impacts on area's housing, schools, law enforcement, emergency services, hospitals, and utilities. Direct public benefits include construction payroll, value of purchased materials and supplies and sales and property taxes. Western and BLM have concluded that the Proposed Project would not result in significant direct, indirect or cumulative impacts on socioeconomic resources.

There are nine residences within 0.25 mile of the Proposed Project. Eight of these residences are located in the community of Hayfield, adjacent to the Julian Hinds Substation. No population is expected to be displaced by the Proposed Project. The Proposed Project would not result in disproportionate impacts to minority and low income people and communities. Western and BLM have concluded that the Proposed Project would not result in significant direct, indirect or cumulative impacts on environmental justice.

**Soil & Water Resource Impacts:** Soils with high compaction potentials would not be crossed in the project area, however, there is a high potential for wind and water erosion. The reduction in vegetative cover would likely cause some increase in water and wind erosion.

The principal groundwater basins underlying the Proposed Project range in depth below ground surface from a minimum of 30 feet in the Palo Verde Valley to 89 feet at the Buck Boulevard Substation. Because the depth to groundwater is deep relative to the construction activities it is unlikely that groundwater would be encountered or affected by the construction or operation of the Proposed Project. Dewatering efforts are not expected during construction, except possibly for a few transmission foundations between Mileposts 1.0 to 3.0, located adjacent to irrigated lands in agricultural production. If dewatering is needed, straw bale dewatering structures would be used.

All surface features crossed by the Proposed Project are dry washes. Wherever possible, the transmission poles would be placed outside of these areas. In some cases it may be necessary to locate poles within the floodplain of a wash. The relatively narrow 5-foot diameter base of the vertical transmission towers would not have a significant effect in diminishing the capacity of the drainages, and thus would not exacerbate flood conditions.

Impacts to soil and water resources from the Proposed Project are expected to be minimal. The Applicant has established some general approaches for erosion and sediment control which include minimizing initial land disturbance and clearing within the working area, segregating topsoil, stockpiling and replacing, applying temporary and permanent erosion control measures, and restoration of disturbed areas. The Applicant proposes to use natural seed stock in the topsoil to germinate and re-establish vegetation, without planting of additional seed or more mature vegetation. With the implementation of these measures and the Conditions of Certification, Western and BLM have concluded that no significant direct, indirect, or cumulative impacts to soil and water resources would result from the Proposed Project.

**Traffic and Transportation:** The two primary highways (I-10 and SR-77) and the primary local roadways experience relatively low traffic volumes. All have a level of service (LOS) rating of A – free flow, insignificant delays. The analysis of the available capacity of the regional highways and local roads shows that the potentially affected regional transportation system serving the Proposed Project area is operating at very efficient levels of service with significant reserve capacity. On May 31, 2005, Caltrans indicated by letter that the project would require a Caltrans Encroachment Permit. The Applicant would submit the necessary city, county, state, and Federal permits as required under the original certified Blythe Energy Project.

The Blythe Municipal Airport is located approximately 1.2 miles west of the Buck Boulevard Substation. The Federal Aviation Administration (FAA) reviewed both the original transmission line route and the new route suggested by the City of Blythe for a determination of potential hazard to air navigation. FAA determined that neither route poses a hazard to air navigation, and that no markings or lighting are required for air navigation safety.

There are two railways in the vicinity of the Proposed Project. The Arizona & California Railroad is located approximately 4.5 miles east of the Buck Boulevard Substation. It would not be crossed by either of the proposed transmission lines. The proposed Buck Boulevard to Julian Hinds transmission line would cross the Eagle Mountain Railroad approximately 4.5 miles southwest of the Julian Hinds Substation.

The Proposed Project would not have a significant impact on the local and regional road/highway or railroad network. During the construction phase, local roadway and highway demand resulting from the daily movement of workers and materials would not increase beyond significance thresholds established by Riverside County and the City of Blythe. Western and BLM have concluded that with implementation of the identified Conditions of Certification, no significant direct, indirect, or cumulative impacts to traffic and transportation would result from the Proposed Project.

**Transmission Line Safety and Nuisance:** The design and operational plan for the Proposed Project would be adequate to ensure that the generated electric and magnetic fields are managed to an extent the California Public Utilities Commission considers appropriate in light of the available health effects information. The long-term magnetic field exposure of particular health concern would be insignificant given the general absence of residences along the proposed transmission line route. On-site worker or public exposure would be short-term and at levels expected for Western and SCE lines of similar designs and current-carrying capacity. The Conditions of Certification include field strength measurements to verify the effectiveness of the mitigation measures proposed by the Applicant. The height of the structures for the Proposed Project lines (at a general maximum of 125 feet) would be significantly below the 200 feet FAA notification threshold for aviation safety for all area airports. An FAA safety assessment was made and a determination of no conflict was issued for this project. Western and BLM have concluded that transmission line safety and nuisance would not result in significant direct, indirect or cumulative impacts.

**Visual Resources:** A visual resource analysis was performed by the applicant using BLM procedures. From the analysis, two mitigation measures were identified and would be required to minimize visual impacts. These are to use colors that blend with the existing setting, and to minimize night lighting effects. Because of the distance and angle of view of the Proposed Project and the presence of other transmission lines, visual awareness of the transmission lines would be low. Western and BLM have concluded that with implementation of the Applicant's proposed mitigation measures and the Conditions of Certification, no significant direct, indirect, or cumulative impacts to visual resources would result from the Proposed Project.

**Waste Management:** Non-hazardous solid wastes generated from the Proposed Project would be recycled through a waste broker as practicable. The fraction that cannot be recycled would be

disposed of at the local Blythe sanitary landfill. Hazardous wastes would be accumulated at satellite locations and then transported daily to the construction contractor's 90-day hazardous waste storage area located in the construction lay down area. The wastes thus accumulated would be properly manifested, transported and disposed of at a permitted hazardous waste management facility by a licensed hazardous waste collection and disposal company. A Condition of Certification requires the Applicant to conduct a subsurface evaluation to address potential contamination from abandoned military ordnance along the proposed route. Any hazard must be mitigated before construction. With the availability of hazardous and non-hazardous waste disposal facilities and mitigation of abandoned military ordnance, Western and BLM have concluded that waste generated by the Proposed Project would not result in significant direct, indirect or cumulative impacts.

**Worker Safety and Fire Protection:** A Safety and Health Program would be prepared by the Applicant to minimize worker hazards during construction and operation. The Riverside County Fire Department maintains three stations in Blythe and would respond to any possible fires along the right-of-way of the proposed transmission line. The Riverside County Fire Department is adequately staffed and equipped to deal with any foreseeable incidents involving the Proposed Project. Medic Engine 49, stationed at Desert Center is responsible for the area between Chiriaco Summit and Blythe, including the Hayfield and Julian Hinds Substation area. Compliance with the Conditions of Certification would provide adequate worker protection from potential safety and fire hazards. Therefore, Western and BLM have concluded that worker safety and fire protection plans could be implemented for the Proposed Project without significant direct, indirect or cumulative impacts to fire and emergency service capabilities.

**Geology and Paleontology:** Strong ground shaking represents the only regionally significant geologic hazard. Geologic hazards, such as liquefaction, dynamic compaction, landslides, and expansive soils, may be present locally. Conditions of Certification require that these geologic hazards be investigated prior to facility design and, if present, mitigated through facility siting and foundation design as required by the California Building Code (2001). There are no known viable geologic or mineral resources within the project area. However, paleontological resources have been documented in the general area of the Proposed Project. Conditions of Certification require mitigation of impacts to paleontological resources. Based on design and construction of the Proposed Project to minimize effects of geologic hazards and the implementation of the Conditions of Certification, Western and BLM have concluded that no significant direct, indirect, or cumulative impacts to geology and paleontology would result from the Proposed Project.

**Transmission System Engineering:** The Proposed Project would connect to both the Western and SCE transmission systems and requires analysis by both Western and SCE as well as approval by the CAISO. Western's System Impact Studies (SIS) did not identify any system reliability concerns in its Desert Southwest regional system. The SCE studies indicate that it is possible to interconnect the proposed transmission modifications to the SCE system, CAISO has determined the reliability impacts of the proposed transmission modifications on the SCE transmission system in accordance with all applicable reliability criteria, and issued their preliminary approval. The Applicant will submit the final interconnection approval letter from the CAISO and the Facility Construction Agreement from Western before the start of

construction.

**Floodplain Statement of Finding:** There are no perennial streams within the project area; there are a large number of ephemeral washes. Flow in the ephemeral washes can be substantial during rainfall events and may result in flash flooding in the washes and floodplains. The Midpoint Substation would not be located within a 100-year floodplain. Transmission lines would span most of the washes and in general, poles would be placed outside of floodplains. In some cases it may be necessary to locate poles within the floodplain. The relatively narrow 5-foot diameter base of the vertical transmission towers would not have a significant effect in diminishing the capacity of the floodplains, and thus would not exacerbate flood conditions. Project activities would not change drainage patterns or impede or redirect flood flows. Sediment levels would not be increased to any measurable degree during runoff events. The Applicant would implement mitigation measures to minimize potential harm to or within the floodplain. Western and BLM have concluded that the Proposed Project conforms to applicable floodplain protection standards.

**Cumulative Impacts Analysis:** The Final EA systematically analyzed cumulative impacts for each resource. The geographic area considered for cumulative impacts analysis included the existing ROW corridor for the Edison Devers-Palo Verde existing line and the adjacent rights of way requested by Desert Southwest Transmission Project and by this Blythe Transmission Line project. The Final EA presents a cumulative impacts analysis for each resource considered and concludes that this project, when considered together with past, present, and reasonably foreseeable future actions in the geographic area of concern would not have a significant cumulative impact on any resource.

**Mitigation Measures:** Western's action is the interconnection at Buck Boulevard Substation. Because all the required work to accommodate the interconnection would occur within the existing substation, there were no significant impacts identified.

The CEC is the overall permitting agency, and all Conditions of Certification are binding on the Applicant in order for the modified license to be issued. They developed the Conditions of Certification with input from Western and BLM. The CEC is responsible for ensuring compliance with the Conditions of Certification for the entire project, regardless of land ownership. They would have on-site inspectors for the duration of the project to ensure all Conditions of Certification are fully met, and have the ultimate authority over the entire Proposed Project through control of the modified license. Western and BLM would work with the CEC to ensure the mitigation measures contained in the Conditions of Certification are fully implemented within the areas under the control of those Federal agencies.

Generally, those mitigation measures necessary to render impacts to less-than-significant levels are the focus of a FONSI. Since in this case the Federal agencies participated in a CEC process, the mitigation measures in the Conditions of Certification are not specifically identified as to whether they are critical to reducing a potential impact to a less-than-significant level, or are included as a best management practice. Instead, the CEC takes the position that all the Conditions of Certification approved by the Commission must be implemented, and the suite of conditions would ensure that no significant impacts would occur. Appendix A contains a

summary description of the Conditions of Certification that apply to this Proposed Project.

Western has prepared a Mitigation Action Plan (MAP) in accordance with DOE Implementing Procedures at 10 CFR 1021.331(b). The purpose of the MAP is to discuss those mitigation actions that must be performed by the Applicant where adverse impacts were identified and mitigation was designed to reduce those impacts to a level less than significant. Western has issued the MAP concurrently with this FONSI. The MAP is available upon request.

In addition to the CEC Conditions of Certification, which are referenced in Appendix A and made part of this FONSI by reference, the BLM will include Terms and Conditions in its ROW grant which are also made part of this FONSI by reference. Compliance with the CEC Conditions of Certification, with Western's MAP, and with the BLM ROW Grant's Terms and Conditions will assure that this project will have no significant impact, either individually or cumulatively, upon the environment.

**Determination:** The analyses contained in the EA indicate that the Proposed Project is not a major Federal action significantly affecting the quality of the human environment when the Conditions of Certification and mitigation planned in the MAP are considered. Western and BLM have determined that preparation of an EIS is not required.

Issued:

\_\_\_\_\_  
J. Tyler Carlson  
Regional Manager  
Desert Southwest Region  
Western Area Power Administration  
U.S. Department of Energy

\_\_\_\_\_  
3/22/07  
Date

\_\_\_\_\_  
John Kalish  
Interim Field Manager  
Palm Springs South Coast Field Office  
Bureau of Land Management  
U.S. Department of the Interior

\_\_\_\_\_  
3/26/07  
Date

## APPENDIX A

### CONDITIONS OF CERTIFICATION

The following Conditions of Certification apply to this project and are listed by topic area in the order in which they appear in the Final EA.

#### **Air Quality**

- AQ-SC 1 Air Quality Construction Mitigation Manager (AQCMM).
- AQ-SC 2 Air Quality Construction Mitigation Plan (AQCMP).
- AQ-SC 3 Construction Fugitive Dust Control.
- AQ-SC 4 Dust Plume Response Requirement.
- AQ-SC 5 Diesel-Fueled Engines Control.

#### **Biological Resources**

- BIO-1 Sensitive Species Protection.
- BIO-2 Designated Biologist.
- BIO-3 Designated Biologist Duties.
- BIO-4 Construction Manager Duties.
- BIO-5 Worker Environmental Awareness Program (WEAP).
- BIO-9 Desert Tortoise Exclusion Fencing.
- BIO-10 Weed Reduction Program.
- BIO-13 Harwood's milk-vetch compensation.
- BIO-14 Biological Resource Mitigation Implementation and Monitoring Plan (BRMIMP).
- BIO-16 BEPTL Habitat Compensation.
- BIO-17 Disturbance Calculation Protocol.

#### **Cultural Resources**

- CUL-1 Statements of Qualifications - modified to include monitors.
- CUL-5 Compliance Project Manager (CPM) - modified to include known resources impacted in an unanticipated manner, and to require that the CPM approves mitigation measures.
- CUL-7 Cultural Resources Report (CRR) - was modified to require the CRR to include all cultural resources activities.
- CUL-16 County of Riverside's standards.
- CUL-17 Cultural Resources Monitoring & Mitigation Plan (CRMMP).
- CUL-18 Requires documentation of the project's compliance with Federal LORS.
- CUL-19 Requires a monitoring log and notification of non-compliance issues and actions taken to resolve them.
- CUL-20 Requires a Native American monitor in areas where resources important to Native Americans might be encountered.

#### **Hazardous Materials**

HAZ-1 Advance approval of reportable quantities of hazardous material use.

### **Land Use**

LAND-6 ROW Permit from BLM.

LAND-7 ROW Grant from Metropolitan Water District.

### **Noise and Vibration**

NOISE-8 Permissible times of Noisy Construction near Residences.

### **Soil and Water**

Soil & Water-1 National Pollution Discharge Elimination System (NPDES) permit and Storm Water Pollution Prevention Plan (SWWPPP).

Soil & Water-2 Drainage, Erosion & Sedimentation Control Plan (DESCP).

Soil & Water-12 Access Road Use Plan for BLM approval.

Soil & Water-13 Water Supply Service Agreements & Compliance.

### **Traffic and Transportation**

TRANS-1 County and CALTRANS vehicle size and weight requirements.

TRANS-2 Local & State Encroachment Permits.

TRANS-3 Federal & State Hazardous Materials Transport.

TRANS-8 Repair of Construction Damage.

### **Transmission Line Safety and Nuisance**

TLSN-3 EMF Field strength measurements.

### **Visual Resources**

VIS-6 Surface Restoration Plan.

VIS-7 Surface Treatment of Project Structures and Buildings.

VIS-8 Permanent Exterior Lighting.

VIS-9 Signage.

### **Waste Management**

Waste-6 Mitigation of Contamination Hazards (Military Ordinance).

### **Worker Safety**

Worker Safety-1 Project Construction Safety & Health Program.

Worker Safety-2 Operation & Maintenance Safety & Health Program.

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Worker Safety-6 Construction Safety Supervisor.

Worker Safety-7 Funding for Safety Monitor.

### **Geology and Paleontology**

GEO-1 Engineering Geologist(s).

GEO-2 Engineering Geologist Duties and Reports

### **Transmission System Engineering**

TSE-4 Schedule of Design submittals and major equipment list.

TSE-5 Approval of registered electrical, geotechnical, design and mechanical engineers.

TSE-6 Design/construction discrepancy reporting & correct action.

TSE-7 Plan approval before construction.

TSE-8 Compliance with applicable LORS.

TSE-9 Notification of impending changes.

TSE-10 Notice to Western & CAISO prior to connecting.

TSE-11 Inspection of transmission facilities during and after construction.