

**CEQ Workshop**  
**Mid-April**  
**Washington, D.C.**

Action Items

How can the federal agencies better coordinate with State and Local Agencies to improve the transmission line siting process?

**OVERARCHING QUESTION**

What can Federal and State agencies do, within the existing laws, to reduce the decision timeframe for large transmission projects on Federal Lands to three years or less?

- Create a policy directive for Federal Land Agencies directing the agencies to meet a 36 month time frame from conception to decision making, excluding legal challenges. Process should be transparent and accountable.
- State governors can follow the same construct and then hold state agency heads accountable.
- Create a study and analysis framework that defines the breadth of study and results analysis required and incorporates all relevant decision making bodies, as well as applicable regulations (NEPA, NHPA, etc.).
- Update the 2002 WGA Protocol to create standards for collaboration, accountability and transparency.
- Appoint central state point-of-contact that coordinates and facilitates state agencies and local communities concerns and analysis needs.

**ESTABLISH RELATIONSHIPS**

At the very onset of the project, the applicant could coordinate a meeting with the lead federal agency, federal cooperating agencies, lead state agency, state natural resource agencies, affected tribes, and the relevant local jurisdictions to describe the purpose and need of the project, and to gather key requirements. The lead federal agency, due to its unique role with the applicant, is likely the first regulatory body advised that a project is considered necessary by the applicant. As part of this, the applicant should be willing to enter into funding or cost recovery agreements with federal, state, and/or local jurisdictions. By negotiation cost recovery, the applicant will elevate the project within federal, state, and local entities.

**DEFINE THE SCOPE OF ALTERNATIVES TO BE STUDIED**

The lead federal, state, and local agencies should then agree to participate in a preliminary siting and routing of the alternatives that meet the purpose of project. Although the applicant may have initially studied the feasibility of one or more routes to select a preferred alternative, involvement by the affected agencies and land holders is quite likely to alter the routes to be studied by the applicant.

In limited instances new field studies may become necessary beyond those identified early in the process. If adequate studies are not being scoped by the involved stakeholders, then the various technical teams are not providing adequate early advice to the decision makers and project performers. The goal is to conduct in-depth studies on reasonable alternatives, resulting in more comprehensive studies and, ultimately, a better project. Time and resources spent studying unreasonable options is wasteful and slows down the time a project is put in service.

Federal and State natural resource agencies, as part of the pre-application process, should define the nature and extent of studies necessary to complete the assessment and subsequent permitting of the proposed transmission lines. As part of this action, the lead federal agency will need to evaluate, very early, a narrowing list of alternatives that establish the range of reasonable alternatives to meet the NEPA requirement of “all” reasonable alternatives. Alternatives that do not meet the purpose and need of a project are not reasonable and should be eliminated as options. The unreasonable options should be appropriately articulated as such to stakeholders and engaged parties.

## **SCHEDULE**

The lead Federal, State, and Local agencies should establish a general schedule oriented MOU or similar agreement to define at the outset the overall schedule goals and phases of the project. As has been noted, a project will take as much time as allotted. Recent schedules met by projects across the west have greatly exceeded the permitting timeframe necessary to permit the associated generation projects or to timely solve transmission reliability issues. This results in ‘stranded’ generation and unnecessary electrical outages.

WGA should recommend a maximum of three years to scope, conduct, analyze, and render a decision on these projects, with the embedded assumption that 24 months is the time element necessary to publish the DEIS.

### **1. How would you develop a pre-application process that is common across federal agencies?**

Pre-application processes are important for: sharing project information; identifying the formal submittal documentation and requirements; identifying data requirements and data gaps; identifying lead, cooperating, and referral agencies; identifying potential sensitive issues; identifying submittal requirements and review schedules; and establishing expectations of all parties that could be formalized in a MOU. Following are suggested steps to a comprehensive pre-application process.

#### **General Overview (Scope and Complexity)**

- Detailed project description
- Detailed purpose and need (Energy 101, how does the project fit into the grid)
- Anticipated study area (not a formal study area but the general locations)
- Anticipated project schedule (as above within 24 – 30 months or 36 – 42 months from initiation of scoping to the FEIS)
- Extent of reasonable alternatives (based on anticipated study area, purpose and need, and any early siting activities conducted)

- Construction considerations (See page 8)

#### **Formal Submittal Documentation and Requirements**

- NEPA
- National Historic Preservation Act
- Endangered Species Act (BA/BO)
- Migratory Bird Treaty Act (MBTA)
- Bald and Golden Eagle Protection Act (BGEPA)
- Waters of the U.S.
- RMP Revisions

#### **Data Requirements and Data Gaps**

- Geology, seismology, soils, and minerals
- Surface water and groundwater
- Air quality
- Biological resources
  - Vegetation
  - Wildlife
  - Special status species
  - Big Game Overlays
- Land resources
- Transportation
- Recreation, wilderness, ACECs, Protected Areas
- Visual
- Cultural and paleontological
- Socioeconomics
- Electrical characteristics, health and safety
- Cumulative impacts

#### **Consultation with Lead, Cooperating, and Referral Agencies**

- Identify agencies early
  - Federal (BLM, USFS, USFWS, USACE, BIA, EPA, FAA, DOD, FHWA, NRCS, Tribal, Congressmen's and Senators' offices)
  - State (Governor's office, Representatives, State siting commission, Division of Wildlife/Fish and Game, SHPO, DOT, DEQ, DNR)
  - Local (County Commissioners, County extension, roads and public works, etc.)
  - Tribes

#### **Public Engagement and Stakeholder Involvement**

- Non-government organizations and local citizen groups
- Private landowners

**Sensitive Issues**

- Resource issues
- Alternatives

**Potential Resource Impacts and Mitigation Measures**

- Geology, soils, and minerals
- Surface water and groundwater
- Air quality
- Biological resources
  - Vegetation
  - Wildlife
  - Special status species
  - Mitigation Banks
- Land resources
- Transportation
- Recreation, wilderness, ACECs
- Visual
- Cultural and paleontological
- Socioeconomics
- Electrical characteristics, health and safety
- Cumulative impacts
- Reasonableness in overcoming obstacle
- Ensure that documents and assumptions that support impact assessment, Biological Opinion (BO), and other project documents are comprehensive and conservative
- Consider off-sets for high potential events in mitigation strategy

**Submittal Requirements and Review Schedules**

- As prescribed by MOU schedule, unless variance concurred upon
- Suggest for preliminary drafts as 15 days, drafts as 45 calendar days, finals as 30 days
- Monthly schedule performance reporting
- Public review of DEIS at 45 days
- Digital Submittal based on Federal Government Computing Suite with limited hard copies

**Expectations that Could be Formalized in a MOU**

- Review time
- Consolidation of comments
- Schedule for updates

**Cost Recovery Fees**

- Upfront negotiations, with not to exceed amounts.
- Defined refinement process
- Defined dispute negotiation

- Invoice definition and latitude

### **Safety**

- OSHA
- NESC
- Pre-construction safety training

### **Schedule**

- SF-299 (this triggers the fee negotiation with the feds)
- POD (tie this to the MOU development)
- Scoping
- POD Revision
- Preliminary Administrative DEIS/Resource Reports (Lead Agency review before Cooperation agencies review)
- Preliminary Administrative DEIS for Agency Review (federal agency review prior to public review)
- Public DEIS
- Comment Collection and Resolution
- Administrative FEIS (also getting the AR in order)
- Public FEIS and draft Record of Decision
- Final Record of Decision

### **Post Pre-Application Training – Tutorial and Transmission Impact Guide for Environmental Reporting**

This training tool would be used to improve the understanding of transmission line projects so that impact assessment could be clarified, and thus, expedite the review processes.

- Approach (classifying resource-based opportunities and constraints, identifying corridors, public involvement and consultations, route refinement, documentation, permitting)
- Project descriptions
- Project purpose and need
  - Project purpose (reliability, energy, and capacity) – NERC, WECC, Utility Commissions
  - NEPA purpose
- Alternatives
  - Electric system planning alternatives
  - Route alternatives
  - Common corridors and use of existing rights-of-way
- Permitting
  - Federal
  - State
  - Local
  - Construction
- Acquisition of land rights

- Negotiation for easement
  - Eminent domain
- Standard transmission line design
  - National Electrical Safety Code (clearances, wind loading, ice loading)
  - Structure alternatives (design, use of existing structures)
  - Conductor alternatives
  - Shieldwire alternatives (fiber optic communications)
  - Spans between structures (ruling-span, structure spotting, visual)
- Conventional construction
  - Approach (conventional and helicopter)
    - Generic project descriptions and resulting optimistic agency review process
    - Helicopter support limited by Emissions Calculations
    - Routine activities not accounted for in Mitigation Plan
    - Include Key Construction Stakeholders in Project Planning
    - Use conservative estimates for Disturbance area calculations
  - Access (Assure road width adequacy, straight sections and curves, for traffic and equipment, area for excavation toe-of-slopes); staging areas; refueling areas, gates and fences
  - Short- and long-term impacts
  - Avoid tendency to underestimate acreage required for the work
  - Include travel between structure, splice and pull sites & guard structures
  - Worker and equipment parking, and turnouts
  - Guard structures, pull and splice sites
  - Equipment
  - Construction sequence
    - Land surveying
    - Environmental resource surveys
    - Access layout
    - Vegetation management and structure site clearing
    - Foundation excavation
    - Aggregate source identification
    - Construction yards and material staging
    - Structure assembly and erection
    - Conductor and shieldwire stringing
    - Cleanup
    - Reclamation
  - Aerial (helicopter) construction
  - Underground construction
  - Access and staging areas
- Operation and Maintenance
  - Frequency of access
  - Ground and air

- Electrical Characteristics
  - Corona
  - Audible noise (AN), radio interference (RI), television interference (TVI)
  - Electric and magnetic fields (EMF)

## SAMPLE Requirements for Construction to provide understanding of needed Environmental Analysis

### Conventional Construction Personnel and Equipment Requirements

Activity	Method of Construction	No. of Personnel	Equipment	Length of Time
Surveying	F	9	utility vehicles, ATVs	1 mile per week
	OL	3	4X4 pickups, ATVs	3 miles per week
	H	4	ATVs	3 miles per week
Environmental Resource Surveys	F	2	4X4 pickup	3 weeks total
	OL	2	4X4 pickup	3 weeks total
	H	2	ATVs	3 weeks total
Access Layout	F	5-10	D-6 caterpillars, motor graders, 10-wheel dump trucks, water trucks	2 months total
	OL	—	—	—
	H	—	—	—
Vegetation Management and Structure Site Clearing	F	4-6	pickups, and chipper	1 mile per week in forested areas
	OL	6	4X4 pickups, skidders, ATVs, chain saws	3 miles per week
	H	8	ATVs, chain saws	2 miles per week
Hole Excavation	F	12-15	rotary drilling rigs, backhoes, pickups	2 months total
	OL	9	rubber-tired digging equipment, 4X4 pickups, ATVs	1 mile per week
	H	10	Portable compressors, ATVs	1 mile per week
Construction Yards and Material Staging	F	16-14	pickup trucks, flatbed trucks with cranes, pole delivery trucks	1 month total
	OL	9	rubber tired digging equipment 4X4 pickups, ATVs	1 mile per week
	H	10	portable compressors, ATVs	1 mile per week
Structure Assembly and Erection	F	4-9	pickups, carryalls, cranes, boom trucks, 3 material trucks	3 months total
	OL	6	rubber-tired crane, 4X4 pickups, ATVs	2 miles per week
	H	7	ATVS's, hand tools	1 mile per week



## SAMPLE Requirements for Construction to provide understanding of needed Environmental Analysis

### Conventional Construction Personnel and Equipment Requirements

Activity	Method of Construction	No. of Personnel	Equipment	Length of Time
Conductor and Shieldwire Stringing*	F	16-21	pickups, manlifts/boom trucks, hydraulic tensioning machines, reel trailers	3 months total
	OL	3	4X4 pickups	5 miles per week
	H	4	ATVs	4 miles per week
Cleanup	F	6	pickups, dump trucks, flatbed trucks	1 month total
	OL	4	4X4 pickups rubber- tired seeding equipment	3 miles per week
	H	5	hand seeding equipment	2 miles per week
Reclamation	F	6	pickups, flatbed trucks, backhoe, D-6 caterpillar, seeding equipment	1 month total
	OL	6	4X4 pickups rubber tired seeding equipment	1month total

F Full Access Methods: Indicates line construction with improved and new roads.

OL Overland Access Methods: Indicates line construction without improved or new roads, where vegetation and terrains allow. Rubber-tired equipment only. Trees and slash or waste are scattered along right-of-way.

H Helicopter Methods: Normal overland method not practical. ATVs allowed. Trees and slash or waste are scattered along ROW. Helicopter is used to lift in all equipment and construction material.

\* Cannot string more than 4-5 miles without a setup site for the wire equipment.