

Record of Decision

Final Environmental Impact Statement for the Energy Gateway South Transmission Project

U.S. Department of the Interior
Bureau of Indian Affairs
Western Regional Office
Phoenix, Arizona

November 2020

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DEPARTMENT OF THE INTERIOR

Record of Decision (ROD) for up to 48.5-acre electric transmission grant of easement for the right-of-way and associated appurtenances for the construction, operation, and maintenance of a 500-kilovolt electric transmission line on the Uintah and Ouray Indian Reservation (Reservation).

AGENCY: U.S. Department of the Interior, Bureau of Indian Affairs

ACTION: Record of Decision

SUMMARY: This document constitutes the Bureau of Indian Affairs (BIA) ROD for the Energy Gateway South Transmission Project (Project). This ROD represents the BIA's conditional approval of a grant of easement for right-of-way to PacifiCorp, doing business as Rocky Mountain Power, for a 250' wide transmission line and 20' access-road for up to 50 years on the Reservation for the purposes of constructing, operating and maintaining a 500-kilovolt (kV), overhead, single-circuit, alternating-current transmission line and associated facilities. This approval includes any encroachment permits that may be necessary. The Project will begin near Medicine Bow, Carbon County, Wyoming, at the Aeolus Substation and will extend south and west to the Clover Substation near Mona, Juab County, Utah. The Project would cross 1.6 miles of the tribal land within the Reservation boundaries in Uintah and Duchesne counties.

The Project is analyzed in the Final Environmental Impact Statement (EIS) and Proposed Land-use Plan Amendments (Bureau of Land Management 2016a), for which the Environmental Protection Agency published the notice of availability in the *Federal Register* on May 13, 2016. As lead federal agency, the Bureau of Land Management also published the notice of availability in the *Federal Register* on the same day. The BIA participated as a cooperating agency for development of the Final EIS. Other cooperating agencies included the Environmental Protection Agency, U.S. Forest Service, U.S. Fish and Wildlife Service, National Park Service, and state of Utah, as well as Duchesne, Uintah, Carbon, Emery, and Grand counties in Utah.

ADDITIONAL COPIES: Copies of the FEIS and ROD are available on the BLM website:

<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=69112>

Additionally, copies will be available in the following locations:

BIA Western Regional Office
2600 North Central Avenue, Fourth Floor Mailroom
12th Floor, Suite 210
Phoenix, Arizona 85004

BIA Uintah and Ouray Agency
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1. Introduction

This document constitutes the United States (U.S.) Department of the Interior, Bureau of Indian Affairs' (BIA) Record of Decision (ROD) for the Energy Gateway South Transmission Project (Project). This ROD represents the BIA's conditional approval¹ of certain grant of easements for right-of-way over lands held in trust for the Ute Indian Tribe (Tribe) of the Uintah and Ouray Indian Reservation (Reservation). This ROD also provides background on the Project, summarizes the decisions being made, summarizes the alternatives evaluated, discusses the mitigation measures to be implemented, and summarizes the public participation process used in the rationale to reach a decision.

1.1 Background

In December 2008, PacifiCorp, doing business as Rocky Mountain Power (the Applicant), submitted an Application for Transportation and Utility Systems and Facilities on Federal Lands (Standard Form 299) to the Bureau of Land Management (BLM) and the U.S. Forest Service for constructing, operating, and maintaining the Project. In response, the BLM, as the lead agency, in coordination with the cooperating agencies, including the BIA, prepared an environmental impact statement (EIS) to evaluate and disclose the potential Project-related environmental impacts that could result from implementation of the action proposed by the Applicant. As proposed, the Applicant would construct, operate, and maintain a 500-kilovolt (kV), overhead, single-circuit, alternating-current transmission line and associated facilities. The Project would begin near Medicine Bow, Carbon County, Wyoming, at the Aeolus Substation and would extend south and west to the Clover Substation near Mona, Juab County, Utah; referred to as the Applicant's Proposed Action. The proposed Project would cross 1.6 miles of the Reservation and no allotted lands in Uintah and Duchesne counties.

The BIA's mission is to "enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian Tribes, and Alaska Natives." The Project would create an economic development opportunity for the Tribe by providing a long-term economically viable revenue source (rental income) and creating new short-term employment opportunities for tribal members.

The Tribe identified the proposed Project as a viable opportunity to meet its economic development goals, because the easement would provide much-needed revenue to the Tribe

¹ BIA's conditional approval to grant an easement for right-of-way is contingent on the Ute Indian Tribe providing its consent in accordance with 25 U.S.C. § 324

while occupying only a small portion of the Reservation. Construction and operation of the Project also would afford short-term employment opportunity to tribal members.

The Project also would assist the BIA in addressing the management objectives in the Energy Policy Act of 2005 (Title II, Section 211). In addition, the BIA also considers the direction and objectives established, which directs the Secretary of the Interior to both designate energy corridors and seek to expedite applications to construct transmission lines within such corridors in order “to take into account the need for upgraded and new transmission and distribution facilities to (1) improve reliability, (2) relieve congestion, and (3) enhance the capability of the national grid to deliver electricity” (42 U.S. Code [USC] 15926).

The Project is analyzed in the Final EIS and Proposed Land-use Plan Amendments (BLM 2016), for which the Environmental Protection Agency (EPA) published the notice of availability in the *Federal Register* on May 13, 2016. As lead federal agency, the BLM also published the notice of availability in the *Federal Register* on the same day. The BIA participated as a cooperating agency for development of the Final EIS. Other cooperating agencies included the EPA, U.S. Forest Service, U.S. Fish and Wildlife Service, National Park Service, and state of Utah, as well as Duchesne, Uintah, Carbon, Emery, and Grand counties in Utah.

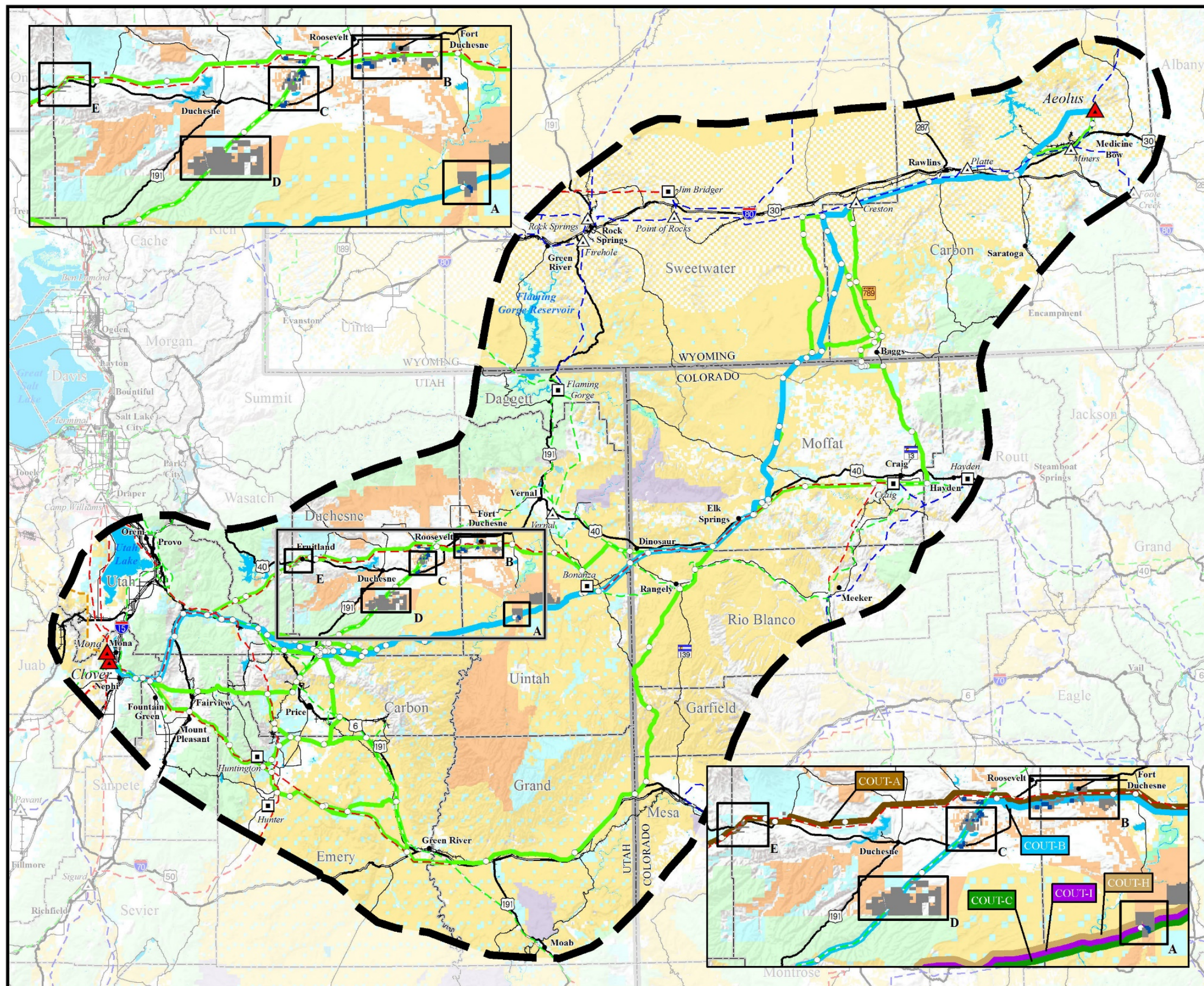
1.2 Decision Being Made

The BIA has a trust responsibility to protect and preserve the Tribe’s land, assets, and resources while promoting tribal self-governance. The BIA, pursuant to 25 U.S.C. §§ 323-328 and its implementing regulations, 25 CFR Part 169, has decided to conditionally approve the grant of easement and associated right-of-way agreements between the Tribe and the Applicant for the portion of the Project where transmission lines and new or improved access roads are located on the Reservation.

2. Alternatives

2.1 Alternatives Considered and Carried Forward for Detailed Analysis

Of the several alternative routes studied for the Project, five alternative routes (some portions of which share the same alignments) cross portions of the Reservation and/or allotted lands (Map 1). These five alternative routes are described below.







Map 1






Project Area

ENERGY GATEWAY SOUTH
TRANSMISSION PROJECT

Indian Reservation and Allotted Lands¹

-  Area where alternative routes cross Uintah and Ouray Reservation and allotted lands
 Area of Focus
 Uintah and Ouray Indian Reservation¹
 Allotted Land¹

Project Features

-  Project Area Boundary
  Selected Alternative
-  Substation (Project Terminal)
  Alternative Route
-  Link Node

Land Ownership

- | | |
|--|--|
|  Bureau of Land Management |  U.S. Fish and Wildlife Service |
|  Bureau of Reclamation |  U.S. Forest Service |
|  Indian Reservation |  State Land |
|  National Park Service |  Private Land |
|  U.S. Department of Defense | |

General Reference

- | | |
|---------------------------|-----------------------|
| ● City or Town | == Interstate Highway |
| △ Substation | — U.S. Highway |
| ■ Power Plant | — State Highway |
| — 500kV Transmission Line | — Other Road |
| — 345kV Transmission Line | Waterbody |
| — 230kV Transmission Line | State Boundary |
| — 138kV Transmission Line | County Boundary |
| — Railroad | |

SOURCES:
 Uintah and Ouray Indian Reservation and Allotted Lands, BIA 2014;
 Series Compensation Station Siting Areas, Rocky Mountain Power 2015;
 Land Jurisdiction, BLM 2013; City or Town, ESRI 2013;
 Transmission Lines as digitized by EPG, POWERmap Platts 2009;
 Water Features, ESRI 2008, USGS 2010; Highways, Roads, and Railroads, ESRI 2013;
 State and County Boundaries, ESRI 2013

¹Only Indian reservation or allotted lands that intersect the 2-mile-wide study corridor studied in the Final EIS are displayed on this map.

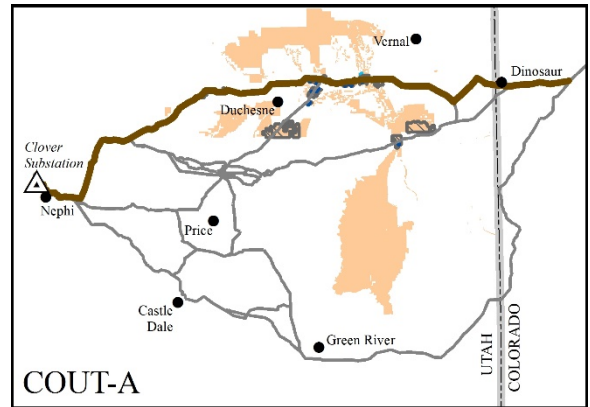
Alternative routes last revised: September 23, 2014



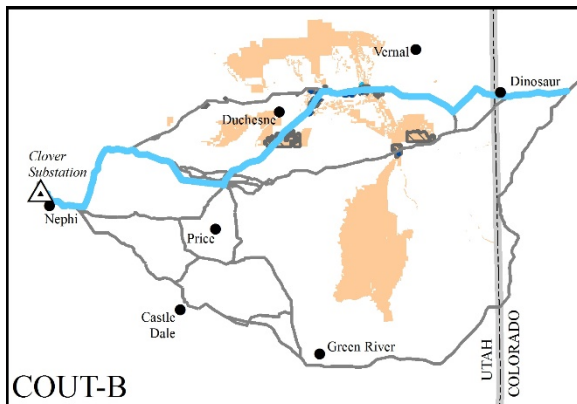
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2.1.1 Transmission Line Alternative Routes

Alternative COUT-A (207.9 miles [334.6 km]) begins at a point northeast of Rangely, Colorado, and parallels the existing Bears Ears to Bonanza 345kV and Hayden to Artesia 138kV transmission lines west toward the border of Colorado and Utah. From the area of Bonanza, Utah, to the west, COUT-A parallels the existing Bonanza to Mona 345kV transmission line through the Uinta Basin, south of Roosevelt, north of Duchesne, and continuing west through the area of Fruitland. COUT-A continues west through the Uinta-Wasatch-Cache National Forest turning south near Birdseye toward Fountain Green, west through the Salt Creek Canyon and onto Clover Substation.



Alternative COUT-A crosses portions of the Reservation in the general vicinity of Fort Duchesne (Links U391 and U410, totaling approximately 2.0 miles of Reservation lands and 0.3 mile of allotted lands) and in the general vicinity of Fruitland (Link U426, totaling approximately 1.3 miles of Reservation lands). These two areas are shown on Map 2, Area A and Area B).

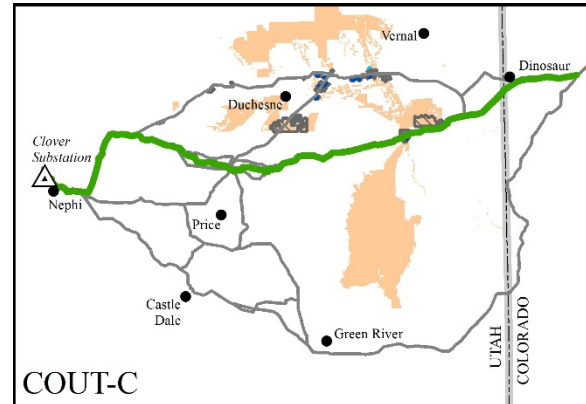


Alternative COUT-B (218.2 miles [351.6 m]) begins at the same point and shares the same alignment as COUT-A to a point between Roosevelt and Myton, Utah, where COUT-B diverges to the southwest paralleling the Carbon to Ashley 138kV transmission line for approximately 45 miles (72.4 km) to a point approximately 10 miles (16.1 km) northeast of Helper, Utah. COUT-B continues west through Emma Park toward U.S. Highway 6 and parallels the Spanish Fork to

Carbon 138kV transmission line for approximately 25 miles (40.2 km). From there, COUT-B converges with and shares the same alignment as COUT-A, paralleling the Bonanza to Mona 345kV line, to the Clover Substation.

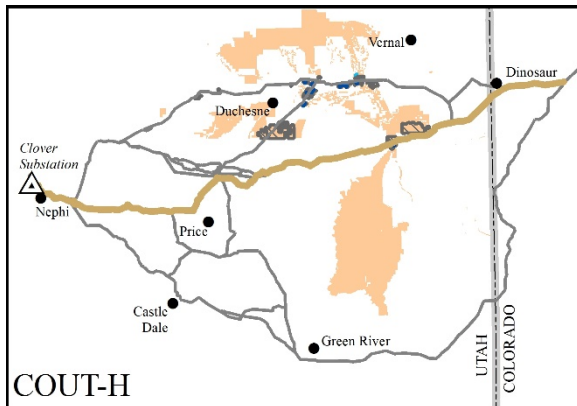
Alternative COUT-B crosses portions of the Reservation in the general vicinity of Fort Duchesne (Links U391 and U410, coincides with Alternative COUT-A), in the general vicinity of Boreham Lake (Link U430, totaling approximately 3.2 miles of Reservation lands and 0.2 mile of allotted lands), and in the area south of Duchesne and east of U.S. Highway 191 in the general vicinity of Sowers Canyon (Link U431, totaling approximately 4.8 miles of Reservation lands). These three areas are shown on Map 2: Area B, Area C, and Area D.

Alternative COUT-C (208.2 miles [335.1 km]) begins at the same point and shares the same alignment as COUT-A and COUT-B to approximately the border of Colorado and Utah, where it turns to the southwest continuing to parallel the Bears Ears to Bonanza 345kV transmission line to the area of the Bonanza Power Plant. The alternative route continues west/southwest, roughly paralleling an underground pipeline in a federally designated



utility corridor, and crosses the Green River approximately 8 miles (12.9 km) north of the Sand Wash boat launch. COUT-C continues west through the Tavaputs Plateau and then through Emma Park toward U.S. Highway 6 and parallels the Spanish Fork to Carbon 138kV transmission line for approximately 25 miles (40.2 km). From there, COUT-C converges with and shares the same alignment as COUT-A and COUT-B, paralleling the Bonanza to Mona 345kV line, to the Clover Substation. COUT-C was identified in the Final EIS as the Agency Preferred Alternative and the Applicant's Preferred Alternative. In addition, this alternative also is identified as the Environmentally Preferable Action Alternative.

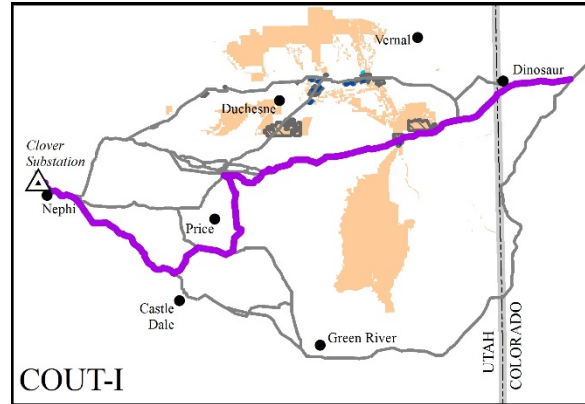
Alternative COUT-C crosses portions of Reservation in the area east of the Green River and Wild Horse Bench (Links U300 and U400, totaling approximately 1.6 miles of Reservation lands). This area is shown on Map 2, Area A.



Alternative COUT-H (200.6 miles [322.8 km]) begins at the same point and shares the same alignment as COUT-C toward Emma Park. Northwest of Price, COUT-H turns southwest and then continues west following a pipeline corridor over the Wasatch Plateau to the area of Fairview, north of Cottonwood Canyon. The alternative then continues through Salt Creek Canyon, paralleling the Bonanza to Mona 345kV transmission line, and goes on to the Clover Substation.

Alternative COUT-H coincides with Alternative COUT-C on Reservation lands (Links U300 and U400). This area is shown on Map 2, Area A.

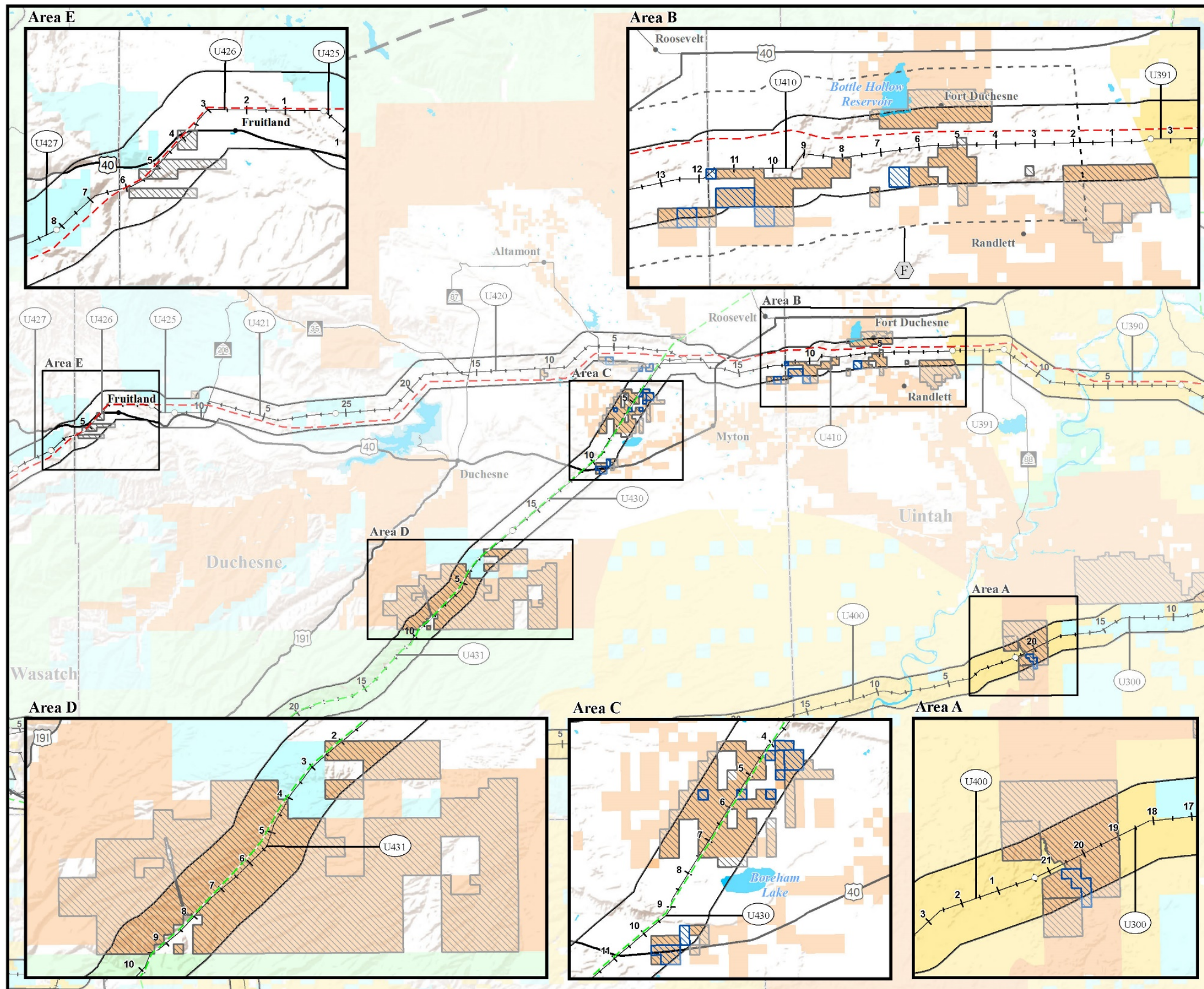
Alternative COUT-I (240.2 miles [386.6 km]) begins at the same point and shares the same alignment as COUT-C and COUT-H toward Emma Park. COUT-I turns south and continues toward Huntington, Utah, where it parallels the Huntington to Mona 345kV transmission line. The alternative goes through the Wasatch Plateau and north toward Mount Pleasant, where it converges with and shares the same alignment as COUT-H west toward Fountain Green, and continues through Salt Creek Canyon, paralleling the Bonanza to Mona 345kV transmission line, and on to the Clover Substation.



Alternative COUT-I coincides with Alternatives COUT-C and COUT-H on Reservation lands (Links U300 and U400). This area is shown on Map 2, Area A.

As mentioned previously in this section, portions of the alternative routes share the same alignments that cross lands of the Reservation or allotted lands. In total, there are five areas (i.e., Areas A through E, refer to Map 2).

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Map 2

Areas of the Uintah and Ouray Indian Reservation and Allotted Lands Crossed by Alternative Routes

ENERGY GATEWAY SOUTH TRANSMISSION PROJECT

Land Status

Bureau of Land Management	U.S. Forest Service
Indian Reservation	State Land
U.S. Fish and Wildlife Service	Private Land

Indian Reservation and Allotted Lands¹

Uintah and Ouray Indian Reservation ¹	Allotted Land ¹
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Project Features

Project Area Boundary	Link Number
Study Corridor	Link Node
Alternative Route (with Milepost Identifier)	

General Reference

City or Town	U.S. Highway
345kV Transmission Line	State Highway
138kV Transmission Line	State Boundary
Railroad	County Boundary
Waterbody	

SOURCES:
 Land Status, BLM 2013;
 Uintah and Ouray Indian Reservation and Allotted Lands, BIA 2014;
 Series Compensation Station Siting Areas, Rocky Mountain Power 2015;
 City or Town, ESRI 2013; Transmission Lines as digitized by EPG, POWERmap Platts 2009;
 Water Features, ESRI 2008, USGS 2010; Highways, Roads, and Railroads, ESRI 2013;
 State and County Boundaries, ESRI 2013

NOTES:
¹Only Indian reservation or allotted lands that intersect the 2-mile-wide study corridor studied in the Final EIS are displayed on this map.

Alternative routes last revised: September 23, 2014



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Table 1 correlates the five areas of lands of the Reservation or allotted lands with the alternative routes considered in detail.

TABLE 1 UINTAH AND OURAY INDIAN RESERVATION AND ALLOTTED LANDS CROSSED BY THE PROJECT			
Area	Alternative Route	Reservation Lands (miles)	Allotted Lands (miles)
A	COUT-C (Selected Alternative), COUT-H, and COUT-I	1.6	0.0
B	COUT-A and COUT-B	2.0	0.3
C	Alternative COUT-B	3.2	0.2
D	Alternative COUT-B	4.8	0.0
E	Alternative COUT-A	1.3	0.0

2.1.2 No Action Alternative

The No Action Alternative assumes that the grant of easement is not executed, and the Project is not built. Under the No Action Alternative, the BIA's purpose and need for federal action would not be met. The Tribe would not benefit economically from the Project.

2.2 Alternatives Considered but Eliminated from Detailed Analysis

The National Environmental Policy Act (NEPA) requires federal officials to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 Code of Federal Regulations [CFR] Section 1502.14). In the preparation of the Draft EIS, an initial evaluation was made of a full range of alternatives. All reasonable alternatives were given further consideration, including alternatives to the transmission line option, new generation facilities, and reliance on the existing transmission system, as well as alternative transmission technologies. Alternatives that were (1) ineffective (i.e., did not meet the BLM's purpose and need), (2) technically or economically infeasible, (3) inconsistent with the basic policy objectives for management of the area (e.g., resource management plans [RMPs]), (4) remote or speculative (i.e., could not be analyzed), or (5) substantially similar in design or effects to another alternative being analyzed were eliminated from further consideration. Specific alternatives that were eliminated from detailed analysis are discussed below, along with the rationale for their elimination.

2.2.1 Transmission Line Routes Considered and Eliminated

Transmission line alternative routes and segments considered early in the NEPA process and eliminated from detailed analysis based on the systematic analysis for preliminary impact analysis and screening and comparing alternatives are described in Section 2.6.2 of the Final EIS

and presented on Maps 2-4a and 2-4b of the Final EIS. These alternative routes and segments had greater overall impacts than other routes and segments in the same general vicinity.

2.2.2 Alternatives to a Transmission Line Option

Alternatives to constructing new transmission lines and substations, which would reduce the electrical load requirements of the system or provide additional capacity to the system, were considered but did not meet the purpose and need for the Project (refer to Section 2.6 of the Final EIS).

3. Permits and Approvals

Refer to Attachment A. This attachment provides a synopsis of the permits and approvals that the Applicant has obtained or will need to obtain prior to beginning construction activities.

4. Corrections to the Final Environmental Impact Statement

The BLM lands with wilderness characteristics inventory for the Desolation Canyon Addition units (north and south) was completed on January 21, 2016. The results of this inventory confirm that the north unit, adjacent the Green River and crossed by the Project, does meet all of the requirements for determination of wilderness characteristics. As stated in the inventory's summary of analysis, some sights and sounds indicating the influence of man are present within the unit. However, due to the remoteness and topographic screening, the average visitor would perceive the units as natural. The BLM Vernal Field Office will incorporate both the north and south additions into the Desolation Canyon area containing wilderness characteristics. The analysis contained in the Final EIS is consistent with these findings and, specifically, the Project would affect the wilderness characteristics most intensely in Kings Canyon and other areas where topographic screening limits the influence of existing adjacent development, increasing the impact of the Project on the area's wilderness characteristics. The construction and operation of the Project would remove approximately 37 acres from the northern edge of the unit in proximity to existing pipelines north of the unit's boundary.

Additionally, Section 3.2.16.5 of the Final EIS contains an error. The text (page 3-860, last paragraph) states "Alternative COUT-C in Utah crosses the northern portion of the Desolation Canyon unit in the Vernal Field Office (removing approximately 7,100 acres from the Unit for the Project right-of-way and northern edge of the Unit) ..." and is incorrect. The 250-foot right-of-way for the Project would remove approximately 368 acres from the unit. An approximate 3,686-acre area at the northern edge of the unit would be removed from the contiguous unit; this portion would not meet the 5,000-acre size requirement for management as a land with wilderness characteristics unit. However, the remaining portion of the unit to the south of where the Project would cross the unit would meet the size requirement.

An addendum to the Final EIS was prepared to provide information to (1) address the U.S. Fish and Wildlife Service listing decision regarding greater sage-grouse and (2) evaluate compliance with the Approved RMP Amendments, which were issued after preparation of the Final EIS. The addendum was submitted with the Final EIS and is available with the Final EIS documents on the BLM Project website at:

<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=69112>

As explained in that addendum, neither the U.S. Fish and Wildlife Service listing decision nor the BLM's Approved RMP Amendments represented significant new circumstances or information triggering a need to supplement the Final EIS.

5. Mitigation Measures

As required by the Council on Environmental Quality's NEPA regulations, 40 CFR Section 1505.2(c), the BIA has identified and adopted all design features of the Proposed Action and practicable mitigation measures to avoid or minimize environmental harm from the Agency Preferred Alternative according to federal laws, regulations, and policies. The construction of the Project also will incorporate adaptive management principles to mitigate unforeseen impacts. Adaptive management is a structured, iterative process of optimal decision-making in the face of uncertainty with an aim of reducing uncertainty over time via system monitoring.

The Project includes the following measures, terms, and conditions:

- design features of the Proposed Action and agency-required mitigation measures outlined in Chapter 2 (refer to Tables 2-8 and 2-13 of the Final EIS, respectively) and Section 5 and Map Set 2 of the draft Plan of Development (POD) (Attachment B of this ROD);
- terms and conditions in the Programmatic Agreement (Attachment C of this ROD);
- conservation measures in the Biological Opinion (Attachment D of this ROD); and
- standard terms, conditions, and stipulations (43 CFR 2800).

The final agency-approved POD for construction will be required to include application of the mitigation measures consistent with the language in the draft POD and its appendices, as well as this ROD. Monitoring will require an adaptive management component to be included.

The BIA lacks sufficient staff to be on-site daily during construction and reclamation. Therefore, the BIA requires the holder of an encroachment permit or easement to provide for an environmental compliance inspection contractor (CIC), to represent the BIA during the construction and reclamation phases of the Project. The CIC will report directly to the BIA. The primary role and responsibility of the CIC is to ensure the Project's compliance with all terms, conditions, and stipulations of the right-of-way grant and the final POD, as well as other permits,

approvals, and regulatory requirements, as described in Section 1.9 of the Final EIS and Section 1.6 of the draft POD (Attachment B of this ROD). Additionally, the CIC will follow the Environmental Compliance Management Plan, included as Appendix A5 of the draft POD.

The Applicant also will be responsible for monitoring the reclamation of the transmission line, access roads not needed for operation and maintenance, and ancillary facilities, as described in Appendix C1 (Reclamation, Revegetation, and Monitoring Framework Plan) of the POD, and for compliance with Appendix B2 (Noxious Weed Management Plan) of the POD.

As required in 40 CFR 1505.2(c), all practicable mitigation measures that are necessary to fully mitigate the potential effects of the Project according to federal laws, rules, policies, and regulations have been adopted by this ROD.

5.1 Mitigation Measures Not Adopted

There are design features of the Proposed Action for environmental protection or agency-required mitigation measures that have not been adopted for the Project. All mitigation measures analyzed in the EIS and recommended by cooperating agencies or other relevant federal and state agencies were adopted for the Project.

6. Public Involvement

Public Scoping Period

As lead federal agency, the BLM published a notice of intent to prepare an EIS in the *Federal Register* on April 1, 2011 (Volume 76, Number 63, pages 18241 to 18243), announcing the preparation of the EIS for the proposed Project and the opportunity for the public to participate in the process and provide input. The publication of the notice of intent in the *Federal Register* marked the beginning of EIS preparation and the scoping process.

The scoping process is summarized in this section and is documented in the Project EIS Scoping Report (BLM 2011), which is available for viewing on the BLM's Project website (http://www.blm.gov/wy/st/en/info/NEPA/documents/hdd/gateway_south.html). Additional description of the public involvement effort for the Project is presented in Sections 1.6 and 6.3 of the Final EIS.

Beginning with scoping (April 2011), the BLM initiated contact with the Ute Indian Tribe, as well as 32 other American Indian tribes that may have an interest in the Project area to inform them of and determine their interest in the Project. The Uintah and Ouray Indian Reservation is the only American Indian reservation that potentially would be crossed by the proposed transmission line. The Tribe did not submit comments during scoping.

Table 2 lists the issues for analysis that were identified during the scoping period. The identified issues that were within the scope of the decisions to be made by the BLM (i.e., the lead federal agency), BIA, and other cooperating agencies, helped determine the appropriate scope of environmental analysis to be used in the EIS.

TABLE 2 KEY ISSUES IDENTIFIED DURING SCOPING	
Issue Topic	Issue/Comment
Purpose and Need for the Project	What technical data from the Applicant need to be included in the EIS to support the Applicant's purpose and need for the Project?
	What are the Applicant's needs for future transmission?
	What are the federal agencies' responsibilities to enable an environmentally responsible economy and infrastructure?
Alternative Transmission Line Routes	What energy corridors and other designated and/or existing utility corridors are available for Project siting?
	Can the transmission line be located in less populated areas and, to the extent possible, on lands administered by the BLM and United States Forest Service?
Air Quality	What are the effects on air quality from Project construction?
	What is an adequate analysis of impacts on air quality for this Project?
Noise	What are the disturbances of transmission line noise on private property owners or public land users?
Water Resources	What are the impacts of the Project on surface water and groundwater quality and quantity and overall watershed health?
	What are the impacts of the Project on residential water supplies?
Water Resources (continued)	What are the impacts of the Project on irrigation systems?
	What coordination is needed with other agencies having jurisdiction over water bodies or water resources?
	What are the impacts of the Project on wetlands, riparian areas, and associated ecosystems?
Vegetation	What is the potential for the spread of noxious weeds and invasive species due to Project construction and maintenance activities?
Wildlife	What are the impacts of the Project on wildlife species, including: <ul style="list-style-type: none"> • Big game (critical habitats) • Colombian sharp-tailed grouse and greater sage-grouse • Burrowing owls • Kit fox • Raptors • Game birds • Migratory birds • Black-footed ferrets • White-tailed prairie dogs • Wild horses • Special status plant species
	What are the timing limitations relevant to the Project for a variety of wildlife species and habitats (e.g., critical seasonal ranges, crucial habitats, migration corridors, etc.)?
	Will an Avian Protection Plan be developed for the Project?
	What are the impacts of the Project on riparian areas and wetlands and sensitive plant populations and potential habitats?
Wildfire Ecology and Management	What is the potential for wildfires due to the presence of a transmission line?

TABLE 2 KEY ISSUES IDENTIFIED DURING SCOPING	
Issue Topic	Issue/Comment
Geology and Soils	What are the impacts of the Project from disturbing the soil and the impacts of the Project on erosion on steep slopes?
	What are the impacts of the Project on unstable soils and areas prone to landslides within classified avoidance and other areas?
Cultural Resources	What are the impacts of the Project on archaeological and historic sites, cultural resources dependent on visual settings (e.g., national historic trails), and traditional cultural properties?
	What are the potential impacts of the Project on historic settings or sensitive cultural areas?
Tribal Concerns	What involvement in the preparation of the EIS should there be by affected tribes?
	What protection of traditionally and culturally significant sites is required?
Visual Resources	What are the impacts of the Project on BLM-administered lands where visual resource management classifications have not been assigned or background data are not available?
	What are the impacts of the Project on sensitive viewing areas?
	What are the impacts of the Project on views from private property?
Paleontological Resources	What are the impacts of Project construction activities on paleontological resources?
	What are the appropriate measures to identify and protect paleontological sites?
Land Use and Recreation Resources	What conflicts does the Project pose with existing land uses or land management objectives (e.g., agricultural, recreational, conservation)?
	What are the impacts of the Project on existing land uses and future lands uses (i.e., planned development)?
	What are the impacts of the Project on undeveloped areas?
	What are the impacts of the Project on lands with wilderness characteristics?
	What are the impacts of the Project on recreational uses and areas?
	Are there low-flying military aircraft operating in the Project area that will need to be addressed in the EIS?
Social and Economic Conditions	What are the indirect and qualitative impacts of the Project on local tourism in affected areas?
	What is the availability of employment for the local workforce during construction of the Project?
	Could the Project result in disparate impacts on low-income and/or disadvantaged populations?
	What are the impacts of the Project on private property values?
	What are the impacts of the Project on businesses and existing and future economic development?
Health and Safety	What are the potential health effects on humans and animals from electric and magnetic fields?
Electronic Device Reception Interference	Would the transmission line cause interference with cellular phone, Internet, radio, and/or television reception?
Project Description	What design features related to Project facilities or placement can be developed and incorporated into the Project description to minimize potential impacts of construction, operation, and maintenance of the Project?
Public Involvement	How can the public have access to underlying information, reports, and studies used in preparation of the EIS?
	How can the public and agencies with relevant expertise in the development of construction and operation plans be involved in the Project?
NOTES: EIS = Environmental Impact Statement BLM = Bureau of Land Management	

6.1 Draft Environmental Impact Statement Preparation and Distribution

Over the course of the preparing the Draft EIS, the BLM sent the Tribe periodic letters with updates on the Project and requests to the Tribe for consultation. In addition, the BLM met separately with the Ute Tribe Energy & Minerals Department and the Director, Ute Tribe Cultural Rights and Protection.

The BLM published a notice of availability of the Draft EIS for public review and comment in the *Federal Register* on February 21, 2014. The EPA published a notice of availability of the Draft EIS for public review and comment in the *Federal Register* on the same day, which initiated a 90-day public comment period. Electronic (DVD) copies of the Draft EIS and Potential Land-use Plan Amendments were made available for public distribution. The Draft EIS and Potential Land-use Plan Amendments also was available for review and downloading from the BLM website at: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=69112>.

Additionally, copies were available in the BIA Western Regional Office and BIA Uintah and Ouray Agency office.

During the 90-day public comment period, 12 meetings (Table 3) were held to receive comments on the Draft EIS.

By the end of the comment period, 603 comments on the Draft EIS were submitted by various federal, state, and local agencies; various special interest groups; and individuals. The comments received and responses to the substantive comments are provided in Appendix P of the Final EIS.

TABLE 3		
ENERGY GATEWAY SOUTH PUBLIC OPEN HOUSE MEETINGS		
Date	City and State	Location
March 10, 2014	Grand Junction, Colorado	Colorado Mesa University Ballroom 1100 North Avenue
March 11, 2014	Vernal, Utah	Western Park 302 East 200 South
March 12, 2014	Fort Duchesne, Utah	Ute Indian Tribal Office 988 South 7500 East
March 13, 2014	Roosevelt, Utah	Roosevelt Jr. High School 350 West 200 South
March 17, 2014	Green River, Utah	Green River High School 745 West Pirate Avenue
March 18, 2014	Price, Utah	Carbon County Fairgrounds 450 South Fairgrounds Road, Room 130
March 19, 2014	Mount Pleasant, Utah	North Sanpete High School 390 East 700 South
March 20, 2014	Nephi, Utah	Juab High School 802 North 650 East

TABLE 3		
ENERGY GATEWAY SOUTH PUBLIC OPEN HOUSE MEETINGS		
Date	City and State	Location
March 31, 2014	Rangely, Colorado	Colorado Northwestern Community College Weiss Conference Room 500 Kennedy Drive
April 1, 2014	Craig, Colorado	Colorado Northwestern Community College Academic Building Commons Area 2801 West Ninth Street
April 2, 2014	Baggs, Wyoming	Valley Community Center 255 West Osborne
April 3, 2014	Rawlins, Wyoming	Jeffrey Memorial Community Center 315 West Pine Street

6.2 Final Environmental Impact Statement Preparation and Distribution

On May 13, 2016, the BLM published the notice of availability for the Final EIS and Proposed Land-use Plan Amendments in the *Federal Register* (Volume 81, Number 93, pages 29912 to 29915). The EPA notice of availability published in the *Federal Register* (Volume 81, Number 93, pages 29855 to 29856) on the same date, which announced the public availability of the document and initiated a 30-day availability period before any federal decisions on the Project were made.

Electronic (DVD) copies of the Final EIS and Proposed Land-use Plan Amendments were made available for public distribution. The Final EIS and Proposed Land-use Plan Amendments also were available for review and downloading from the BLM website

at: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=69112>.

Additionally, copies were available in the BIA Western Regional Office and BIA Uintah and Ouray Agency. The Final EIS took into account all public comments received in response to the Draft EIS and addressed all substantive comments.

In addition to preparing the Final EIS and efforts in compliance with Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act, the BLM continues its efforts to engage American Indian tribes through government-to-government consultation. A final draft of the Programmatic Agreement prepared in accordance with the National Historic Preservation Act, Section 106, was sent to the Tribe, as well as other tribal governments and tribal cultural resources representatives, and in July 2015 the BLM sent a letter to the newly elected chairperson of the Tribe and has provided Project updates to the tribal cultural resources representative.

At the request of the BIA and based on the information and data in the EIS, the BLM agreed to prepare a resource inventory and analysis for the Reservation and allotted lands (BLM 2016b).

The intent of the inventory and analysis was to address more specifically the areas of the Reservation and allotted lands crossed by alternative routes to support a decision by the Tribe and BIA. Prior to completion of the BLM's ROD, the BLM met separately with the Ute Tribe Business Committee and the representatives of the Ute Tribe Energy & Minerals Department and BIA Uintah and Ouray Agency to discuss the status of the NEPA process and Project.

7. Decision Rationale

The BIA has chosen the Agency Preferred Alternative identified by the BLM in collaboration with the cooperating agencies, including the BIA, as the Selected Alternative (Map 3). Overall, the Selected Alternative will accomplish the purpose and need for the federal action and will help fulfill the BIA's statutory mission and responsibilities. Economic, environmental, and technical factors were considered in choosing the Agency Preferred Alternative. The Project location and the implementation of the following will minimize adverse environmental impacts:

- design features of the Proposed Action for environmental protection.
- agency-required mitigation measures outlined in Chapter 2 (Tables 2-8 and 2-13 of the Final EIS, respectively) and Section 5 of the Final EIS and Map Set 2 of the draft POD (Attachment B of this ROD);
- terms and conditions in the Programmatic Agreement (Attachment C of this ROD);
- conservation measures in the Biological Opinion (Attachment D of this ROD); and
- standard terms, conditions, and stipulations.

The Project also would assist in addressing the management objectives in the Energy Policy Act of 2005 (Title II, Section 211). In addition, the BLM also considers the direction and objectives established, which directs the Secretary of the Interior to both designate energy corridors and seek to expedite applications to construct transmission lines within such corridors in order "to take into account the need for upgraded and new transmission and distribution facilities to (1) improve reliability, (2) relieve congestion, and (3) enhance the capability of the national grid to deliver electricity" (42 USC 15926).

The locations of the portions of the Project that are on Reservation land are described in Attachment E.

8. Agency Action

8.1 Bureau of Indian Affairs Decision

It is my decision to approve a grant of easement for right-of-way for an electric transmission line and its associated appurtenances and access road rights-of-way and any necessary encroachment permits on tribal trust lands to the Applicant for the Selected Alternative. This decision is based on the results and commitments in the Final EIS and the commitments represented in the Programmatic Agreement submitted to the BIA Western Region in coordination with the Ute

Indian Tribe of the Uintah and Ouray Indian Reservation. This decision is subject to (1) consent to the right-of-way by the Ute Indian Tribe, (2) submittal of documents to the BIA with substantively identical terms to any already-submitted documents and (3) implementation and terms, conditions, stipulations, and environmental protection measures developed by the U.S. Department of the Interior, BLM (as lead federal agency), and the BIA, and consistent with this ROD. This decision will be made final once the documents required by 25 CFR Part 169, including a tribal consent resolution, are submitted to the BIA Western Region and the Region has verified that the documents are substantively complete.

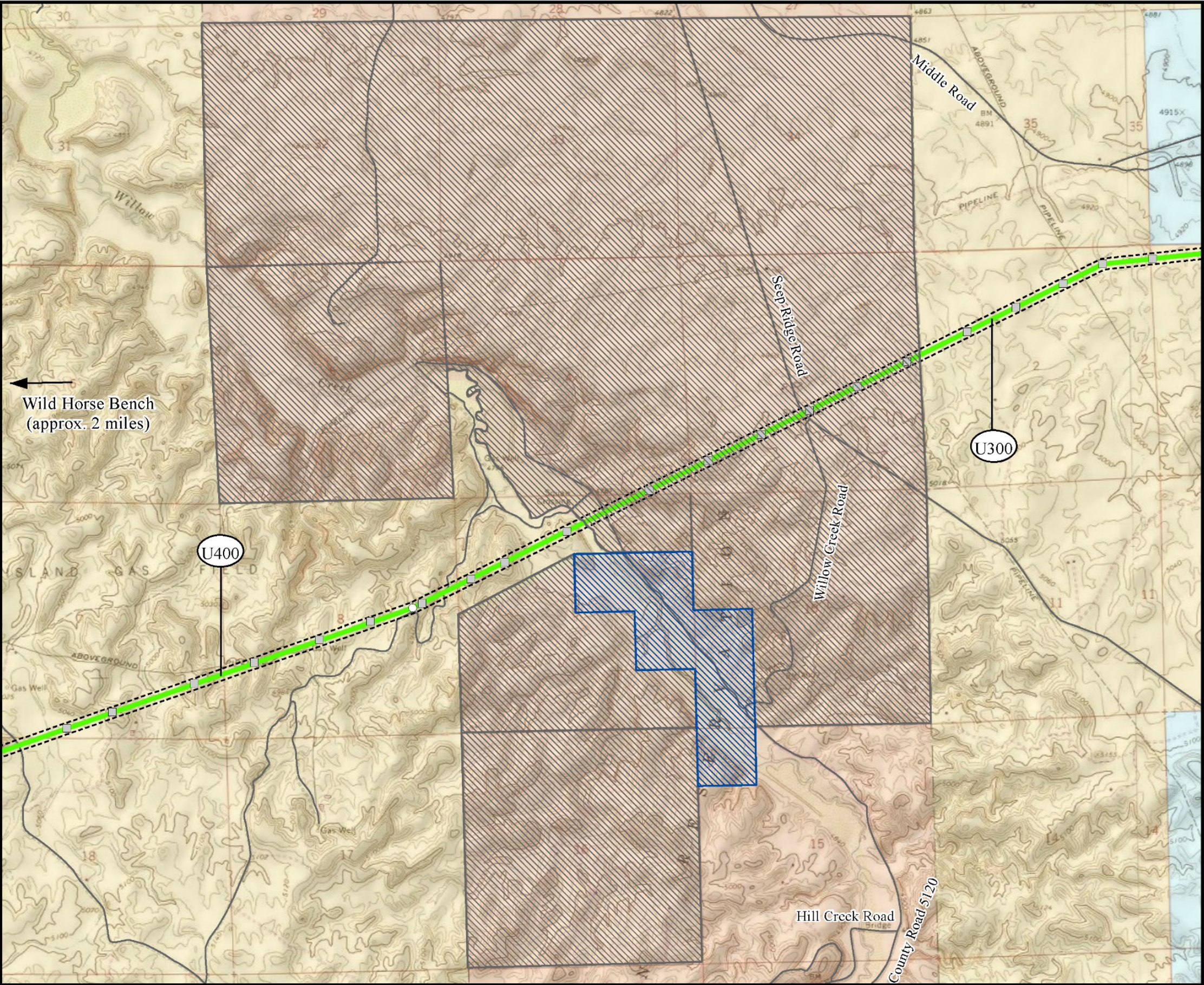
8.2 Protest and Appeal Opportunities

Any person who may be adversely affected by this decision may appeal the decision to the Interior Board of Indian Appeals (IBIA) at 801 North Quincy Street, #300, Arlington, Virginia, 22203, in accordance with the regulations set forth at 25 CFR Part 2. The notice of appeal must be signed and postmarked within thirty days of the date of this decision. The notice will clearly identify the decision being appealed, and a copy of the decision will be attached to the notice of appeal. Copies of the notice must be sent to the Assistant Secretary for Indian Affairs, MS 4140-MIB, U.S. Department of the Interior, 1849 C Street, N.W., Washington, D.C., 20240, as well as to my office and to all other interested parties known to the person appealing the decision. The notice of appeal to the IBIA must also certify that the appealing party sent copies to each of these parties. The IBIA will notify an appealing party of further appeal procedures. If no appeal is timely filed, this decision will become final for the Department of the Interior.

Approved by:

Bryan Bowker
Regional Director
Bureau of Indian Affairs-Western Region

Date



Map 3

Uintah and Ouray Indian Reservation Crossed by the Selected Alternative

ENERGY GATEWAY SOUTH TRANSMISSION PROJECT

Land Status

Bureau of Land Management	State Land
Indian Reservation	

Indian Reservation and Allotted Lands

Uintah and Ouray Indian Reservation	Allotted Land
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Project Features

250-Foot-Wide Right-of-Way	Selected Alternative Route
Preliminary Tower Locations	Link Number
	Link Node

General Reference

Local Road

SOURCES:
Land Status, BLM 2013;
Uintah and Ouray Indian Reservation and Allotted Lands, BIA 2014;
Highways and Roads ESRI 2013

Alternative routes last revised: September 23, 2014
Date Printed: February 6, 2017

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9. References

- Bureau of Land Management (BLM). 2011. Energy Gateway South Transmission Project Scoping Report. U.S. Department of the Interior (USDI), BLM, Wyoming State Office. December.
- _____. 2016a. Energy Gateway South Transmission Project Final Environmental Impact Statement and Proposed Land-use Plan Amendments. Volumes I-A, I-B, II-C, II-A, and II-B. BLM/WY/PL-14/009+5001. Case Files: WYW-174597, COC-72907, and UTU-87237. USDI, BLM. Wyoming State Office. May.
- _____. 2016b. Energy Gateway South Transmission Project. Resource Inventory and Analysis for the Uintah and Ouray Indian Reservation and Allotted Lands. Prepared for USDI, Bureau of Indian Affairs, Western Region, Uintah and Ouray Agency, Fort Duchesne, Utah; prepared by Environmental Planning Group, LLC, Salt Lake City, Utah. August.

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Attachment A – Permits and Approvals for the Energy Gateway South Transmission Project in Utah

1 **Federal, Tribal, State, and Local Permits and Approvals**

2 Attachment A is a list of the major federal, tribal, state, and local permits and approvals that
3 could be required for construction, operation, and maintenance of the Project.

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Federal			
Locating Facilities on Land under Federal Management			
Encroachment onto American Indian reservation	Bureau of Indian Affairs (BIA) in coordination with Ute Indian Tribe of the Uintah and Ouray Indian Reservation	Grant of easement for right-of-way	25 Code of Federal Regulations (CFR) 169
Preconstruction surveys; construction, operation, and maintenance	Bureau of Land Management (BLM)	Right-of-way grant and temporary-use permit (an approved Plan of Development would be a condition of approval to granting the right-of-way)	Federal Land Policy and Management Act (FLPMA) of 1976 (Public Law [P.L.] 94-579+); 43 United States Code (U.S.C.) 1761 et seq.; 43 CFR 2800
Preconstruction surveys; construction, operation, and maintenance	U.S. Forest Service (USFS)	Special-use authorization (an approved Plan of Development would be a condition of approval to granting the special-use authorization)	FLPMA, as amended
Construction, operation, and maintenance of transmission line across or in highway rights-of-way	Federal Highway Administration	Permits to cross Federal Aid Highway	Department of Transportation Act (23 CFR 1.23 and 1.27; 23 U.S.C. 109 and 315); 23 CFR 645; 23 CFR 771
Biological Resources			
Protection of migratory birds	FWS	Compliance	Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); 50 CFR 1; individual agency guidance; Memoranda of Understanding between federal land-management agencies and FWS
Protection of bald and golden eagles	FWS	Compliance (may require permit for take of eagles)	Bald and Golden Eagle Protection Act of 1972 (16 U.S.C. 668), including the Final Eagle Permit Rule, or implementing regulations of September 11, 2009 (50 CFR 13; 50 CFR 22)

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Protection of special status species	BLM and USFS	Compliance	BLM Policy Manual 6840; Forest Service Manual 2670; individual agency guidance
Protection of fish, wildlife, and aquatic resources	BLM and USFS	Compliance	BLM Policy Manuals 6500 and 6720; Forest Service Manuals 2600 and 2900
Coordination with FWS for use of Crossing Central Utah Project Wildlife Mitigation Lands	URMCC	URMCC would have to coordinate with FWS prior to issuance of a license agreement for use of mitigation properties	Fish and Wildlife Coordination Act of 1934, as amended (16 U.S.C. 661 et seq.)
Ground Disturbance and Water Quality Degradation			
Construction sites with greater than 1 acre of land disturbed	U.S. Environmental Protection Agency (Wyoming Department of Environmental Quality [WDEQ], Colorado Water Quality Control Commission, and Utah Department of Environmental Quality [UDEQ])	Section 402 National Pollutant Discharge Elimination System General Permit for Storm Water Discharges from Construction Activities (In Utah, Utah Pollutant Discharge Elimination System)	Clean Water Act of 1972 (CWA) (33 U.S.C. 1342)
Construction across water resources	U.S. Army Corps of Engineers (USACE)	General easement	10 U.S.C. 2668 et seq.
Crossing 100-year floodplain, streams, and rivers	USACE	Floodplain use permits	40 U.S.C. 961
Construction in, or modification of, floodplains	Federal lead agency	Compliance	42 U.S.C. 4321; Executive Order 11988 Floodplains
Construction in, or modification of, wetlands	Federal lead agency	Compliance	42 U.S.C. 4321; Executive Order 11990 Wetlands
Potential discharge into water(s) of the United States (including wetlands and washes)	U.S. Environmental Protection Agency (In Utah, Administered by UDEQ)	Section 401 permit	CWA (33 U.S.C. 1344)
Discharge of dredge or fill material into water(s) of the United States, including wetlands	USACE (In Utah, Utah Division of Water Rights administers General Permit-40)	USACE 404 permit (individual or coverage under nationwide permit)	CWA (33 U.S.C. 1344); Utah Code Title 73-3-29
Placement of structures and construction work in navigable waters of the United States	USACE	Section 10 permit	Rivers and Harbors Act of 1899 (33 U.S.C. 403)

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Protection of all rivers included in the National Wild and Scenic Rivers Systems	Affected land-management agencies	Review by permitting agencies	Wild and Scenic Rivers Act of 1968 (P.L. 90-542); 16 U.S.C. 1271 et seq.
Potential pollutant discharge during construction, operation, and maintenance	U.S. Environmental Protection Agency	Spill Prevention Control and Countermeasure Plan for substations	Oil Pollution Act of 1990 (40 CFR 112)
Cultural and Archaeological Resources			
Disturbance of historic properties	Federal lead agency, State Historic Preservation Office (SHPO), Advisory Council on Historic Preservation	Section 106 consultation	National Historic Preservation Act of 1966 (54 U.S.C. 306108; 36 CFR 800)
Excavation of archaeological resources	Federal land-management agency	Permits to excavate	Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa to 470ee)
Potential conflicts with freedom to practice traditional American Indian religions	Federal lead agency, federal land-management agency	Consultation with affected American Indians	American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996)
Disturbance of graves, associated funerary objects, sacred objects, and items of cultural patrimony	Federal land-management agency	Consultation with affected American Indian groups regarding treatment of remains and objects	Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001-3002)
Investigation of cultural resources	Affected land-management agency	Permit for study of historical and archaeological resources	FLPMA of 1976
Investigation of cultural resources	Affected land-management agency	Permits to excavate and remove archaeological resources on federal land (American Indian tribes with interests in resources must be consulted prior to issuance of permits)	Archaeological Resources Protection Act (16 U.S.C. 470aa et seq.); 43 CFR 7
Protection of segments, trails in the in	Affected land-management agency	National Trails System Act compliance	National Trails System Act of 1968 (P.L. 90-543); 16 U.S.C. 1241 et seq.
Paleontological Resources			
Ground disturbance on federal land or federal aid project	BLM and USFS	Compliance with BLM and USFS mitigation and planning standards for paleontological resources of public lands	FLPMA (43 U.S.C. 1701 et seq.); 36 CFR 291; BLM Handbook H-8270; BLM Handbook 8270

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Collection of paleontological resources from federal land	BLM and USFS	Permit to collect paleontological resources from federal land	Omnibus Public Lands Management Act of 2009 – Paleontological Resources Preservation; (P.L. 111-11, Title VI, Subtitle D, Sections 6301 et seq., 123 Stat. 1172); 16 U.S.C. 470aaa
Locating Facilities on Indian Reservation Land			
Crossing roads or irrigation facilities on Indian reservation land	BIA	Encroachment permit	25 CFR 169
Use of Pesticides			
Use of pesticides or herbicides on federal lands	Federal land-management agencies	Incorporate into right-of-way grant and temporary-use permit (BLM) and special-use authorization (USFS)	Carlson-Foley Act (43 U.S.C. 1241); Federal Noxious Weed Act of 1974 (P.L. 93-629) (76 U.S.C. 2801 et seq.), BLM Manual 9015, Forest Service Manual 2150
Transportation			
Use of National Forest System Roads	USFS	Road use permit	Sections 4 and 6, National Forest Roads and Trail Act of 1964; 16 U.S.C. 535 and 537
Air Traffic			
Location of towers and spans in relation to airport facilities and airspace	Federal Aviation Administration	File notice of proposed construction or alteration; Federal Aviation Administration to determine whether structure is a hazard	Federal Aviation Administration Act of 1958 (P.L. 85-726); 14 CFR 77
Rate Regulation			
Rates for resale and transmission services	Federal Energy Regulatory Commission	Federal Power Act compliance by power seller	Federal Power Act of 1935 (16 U.S.C. 792)
Tribal			
Conducting Business			
Conducting business on the Uintah and Ouray Indian Reservation	Ute Indian Tribe of the Uintah and Ouray Indian Reservation	Business license	Requirement of the Ute Tribal Employment Rights Office and Ute Business Council
Locating Facilities on Indian Reservation Land			
Grant of right-of-way across Indian reservation	BIA in coordination with Ute Indian Tribe of the Uintah and Ouray Indian Reservation	Right-of-way grant	25 CFR 169

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Crossing roads or irrigation facilities on Indian reservation land	BIA	Encroachment permit	25 CFR 169
State of Utah			
Noxious Weeds			
Construction and operation activities	Utah Department of Agriculture and Food	Compliance	Utah Administrative Code (UAC) Title R68-9
Permitting Process			
Proposed transmission line facility	Resource Development Coordinating Committee	Expedites review of permitting process for all state agencies	UAC Title 63J-4-501 and 63J-4-504
Locating Facilities on State Land			
Encroachment on, through, or over state land	Utah Division of Forestry, Fire and State Lands, Utah School and Institutional Trust Lands Administration (SITLA), and Utah Division of Wildlife Resources (UDWR)	Application approval; easement on state land (bond may be required)	Utah Code Title 65A-7-8 and UAC Title R652 for Utah Division of Forestry, Fire and State Lands; Utah Code Title 53C and UAC Title R850 for SITLA; and Utah Code Title 23 and UAC Title R657 for UDWR
Project Need			
Project construction	PSC	Certificate of Public Convenience and Necessity; approve construction contracts	Utah Code Title 54-4-25 and UAC Title R746-401
Cultural Resources			
Disturbance of historic properties	SHPO, Utah Division of State History	SHPO will comment on state-funded undertakings	Utah Code Title 9-8-404 and UAC Title R455
Discovery of graves, associated funerary objects, sacred objects, and items of cultural patrimony on nonfederal-, nonstate-administered land	Utah Division of State History, Antiquities Section	Consultation with state agency regarding treatment of human remains and funerary objects	Utah Code Title 76-9-704 and 9-9-403 to 9-9-405; UAC Title R203-1 and R455-4
Survey or excavation of archaeological resources on lands owned or controlled by the state	Governor's Public Lands Policy Coordinating Office	Permit to survey or excavate	Utah Code Title 9-8-305; UAC Title R694-1; and Utah Rule R212-4
Paleontological Resources			
Excavation and collection of paleontological resources from state lands	Utah Geological Survey, Utah Museum of Natural History, SITLA	Permit to excavate and collect paleontological resources from state land	Utah Code Title 79-3-501 and 79-3-502; Utah Code Title 63-73-11 through 63-73-19
Historical and Cultural Review			
Impact on historical sites	Division of State History	Notification of planning stage and before construction	Utah Code Title 9-8-404

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Archaeological Resources			
Survey or excavation of archaeological resources on lands owned or controlled by the state	Governor's Public Lands Policy Coordinating Office	Permit to survey or excavate	Utah Code Title 9-8-305; UAC Title R694-1
Encroachment on State Park Lands			
Utility easement on state park lands	Department of Natural Resources, Division of Parks and Recreation	Agreement for granting and maintenance of easements or rights-of-way across park lands	Utah Code Title 79-4 and UAC Title R651
Air Quality			
Construction and operation	UDEQ, Air Quality Board	Notice of Construction	Utah Code Title 19-2-108 and UAC Title R317
Ground Disturbance and Water Quality Degradation			
Construction and operation	UDEQ, Water Quality Board	Discharge permit, spills	UAC Section 19-5-101 et seq.
Potential discharge into water(s) of the state (including wetlands and washes)	UDEQ	Section 401 permit	UAC Title R-317
Wildlife			
Modification of habitat	UDWR	Easement for use of state wildlife resource lands	Utah Code Title 23 and UAC Title R657
Local			
Utah Land Use			
	Carbon County	Conditional-use permit	Development Code of Carbon County, Utah, Sections 4.2.1C, 4.2.2C, 4.2.3C, 4.2.10C, 4.2.11C, 4.2.13C, 4.2.14C, 4.2.15C, 4.2.16C, 4.2.17C, 4.2.21C
	Helper City	Conditional-use permit	City of Helper Zoning Ordinance, Chapter 11-7
	Duchesne County	Conditional-use permit	Duchesne County Zoning Ordinance, Title 8, Chapters 7, 9, 13, 14, and 15
	Roosevelt City	Conditional-use Permit	City of Roosevelt Zoning Ordinance, Chapter 17.60
	Emery County	Level 3 Conditional-use Permit	Emery County Zoning Ordinance 2009, Section 9-1, 9-4, 9-5, 9-6
	Grand County	Conditional-use permit	Grand County Land Use Code 2008, Section 2.3, 2.7, 2.8, 2.10
	Juab County	Permitted use	Juab County Zoning Ordinance 2014, Section 12-1- 02 Use Regulation

SUMMARY OF POTENTIAL MAJOR FEDERAL, TRIBAL, STATE, AND LOCAL PERMITS AND APPROVALS REQUIRED AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION, OPERATION, AND MAINTENANCE			
Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
	Nephi City	Conditional-use permit	Nephi City Code, Title 10, Chapter 2
	Sanpete County	Conditional-use permit	Sanpete County Land Use Ordinance 2013, Chapter 14.28, 14.30, 14.40, 14.44, 14.48
	Uintah County	Conditional-use permit	Uintah County Code of Ordinances 2011, Chapter 17.0, 17.28.030
	Town of Ballard	Conditional-use permit	Ballard City Land Use Ordinances 2009, Section 6-1-3, 6-7-3
	Fort Duchesne	To be determined by jurisdiction	No plan available
	Roosevelt City	Conditional-use permit	City of Roosevelt Zoning Ordinance, Chapter 17.60
	Utah County	Conditional-use permit	Utah County Land Use Ordinance 2010, Sections 5-5, 5-6, 5-9
	Wasatch County	Conditional-use permit	Wasatch County Land Use and Development Code 2012, Section 16.05.03, 16.11.02

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Attachment B – Draft Plan of Development

Attachment B is the draft Plan of Development, which is a two-volume document. A copy of the Plan of Development is included on the DVD following this page.

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Attachment C – Programmatic Agreement

Attachment D – Conservation Measures in the Biological Opinion

Attachment E – Legal Descriptions

