



Department of Energy

Bonneville Power Administration
P.O. Box 491
Vancouver, Washington 98666-0491

TRANSMISSION SERVICES

April 18, 2011

In reply refer to: TEP-TPP-3

Oregon Department of Land Conservation and Development
Oregon Coastal Management Program
Attn. Juna Hickner, Coastal State-Federal Relations Coordinator
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

RE: Bandon-Rogue Transmission Line Rebuild Project CZM Consistency Determination

Dear Ms. Hickner:

Bonneville Power Administration (BPA) is proposing to rebuild the Bandon-Rogue transmission line (Rebuild Project) in Coos and Curry Counties, Oregon. The 46-mile long, 115 kilovolt (kV) transmission line roughly parallels U.S. Highway 101 between the BPA Bandon Substation and the BPA Rogue Substation near Nesika Beach. The Preliminary Environmental Assessment (Preliminary EA) for the Rebuild Project was released to the public for comment in January, 2011 (previously sent to you, enclosed and available at the project website at www.bpa.gov/go/BRRP).

As an agency of the federal government, BPA follows the guidelines of the Coastal Zone Management Act of 1972 (CZMA, 16 U.S.C. Sections 1451-1464) and would ensure that projects are, to the maximum extent practicable with the Oregon Coastal Management Program (OCMP). The proposed Rebuild Project is within Coos County and Curry County, both within Oregon's Coastal Zone.

This letter describes the proposed Rebuild Project activities and summarizes the direct effects to coastal resources, including land use, geology and soils, water quality, wetlands and floodplains. More detailed information on these resources is found in the Preliminary EA, which is referenced in this letter where appropriate, rather than repeating information in this letter.

BPA believes that the proposed project is consistent to the maximum extent practicable with Oregon's Coastal Management Program. Both Coos County and Curry County reviewed the Rebuild Project in light of their comprehensive plan and land use regulations. Their consistency statements and signatures are enclosed. We request concurrence from you that the proposed project is consistent to the maximum extent practicable with the enforceable policies of the Oregon's approved coastal management program.

Rebuild Project Proposal

The purpose of and need for the Rebuild Project are described in detail in Chapter 1 of the Preliminary EA. The wood pole line was constructed in 1950 and most of the structures, structure hardware and conductor are physically worn and structurally unsound in places. There is a need to rebuild the

transmission line to maintain reliable electrical service, avoid risks to the public, and ensure worker safety.

The details of the proposed Rebuild Project are described in detail in Chapter 2 of the Preliminary EA. Rebuild Project activities, proposed for late spring through fall 2011, would include improving some existing access roads, building less than 1 mile of new access roads, establishing a temporary staging area for material storage, removing some vegetation, removing and replacing 283 existing wood pole structures, replacing associated structural components and conductor, adding 19 wood pole structures to the transmission line, and revegetating disturbed areas. The existing structures would be replaced with structures of similar design and size, within or near to their existing locations, in the existing right-of-way. The transmission line would continue to operate at 115-kV.

The transmission line right-of-way is located mostly on privately owned lands. Approximately 4,400 linear feet of the right-of-way are on public lands: approximately 3,000 feet on lands owned by Oregon State Parks, 1,400 feet on lands owned and managed by the U.S. Bureau of Land Management and the City of Bandon owns a small parcel near the Bandon Substation. The state lands include the easternmost portion of Humbug Mountain State Park; three structures and some access roads are located on the on state-owned lands. One structure and some access roads are located on BLM managed lands.

Public Involvement

BPA conducted public outreach for the Proposed Action through various means, including providing notice of the Proposed Action, the environmental process, and opportunities to comment. On February 3, 2010, BPA sent a letter to people potentially interested in or affected by the Proposed Action, including adjacent landowners, public interest groups, local governments, tribes, and state and federal agencies. The letter explained the proposal, the environmental process, and how to participate. The letter, other project materials, and comments received were also posted on the project website.

BPA held two public scoping meetings to describe the project and to solicit comments. One public meeting was held on February 23, 2010, in Bandon; the other was held on February 24, 2010, in Port Orford. The public comment period began on February 22, 2010, and closed on March 19, 2010. Comments received during the comment period, both written and oral, were considered in the environmental analysis of the Proposed Action. Comments received after the comment period ended were also considered in the environmental review. Table 1-1 in the Preliminary EA summarizes the written and oral comments on the Rebuild Project received during the scoping period. These topics are addressed in appropriate sections in the EA.

BPA released the Preliminary EA for review and comment on January 27, 2011. Chapter 5 lists agencies, including DLCD, tribes, landowners and other stakeholders who were sent a letter announcing the availability of the Preliminary EA, information on how to receive or access a copy, and information on how to submit comments by phone, e-mail, or by letter. The EA was mailed to persons and agencies who requested a hardcopy, an electronic copy was e-mailed to persons requesting an electronic copy and materials were posted on the project website.

During the public review period for the Preliminary EA, BPA accepted comments orally, via e-mail, and by letter. The initial comment period ended February 27, but it was extended to March 11, 2011. BPA received 17 comments from landowners and agencies. BPA is considering all comments received during

the review period in preparing the Final EA. Chapter 8 of the Final EA will include responses to all substantive comments received.

Effects of the Proposed Action to Coastal Resources

The effects of the proposed action on coastal resources are summarized in Table 1 below and discussed in more detail in Chapter 3 of the Preliminary EA. More detailed information on impacts to fish, wildlife, water quality, wetland, floodplains, are described below. Chapter 4 of the Preliminary details the environmental consultation, review for the Rebuild Project. A list of persons and agencies consulted is in Chapter 5 of the Preliminary EA.

Within the Preliminary EA, mitigation is listed for each resource area. Mitigation includes actions that were taken during the design phase to avoid or minimize adverse impacts. It also includes mitigation measures that would be implemented during pre-construction, construction, and post-construction implementation of the Rebuild Project. Some mitigation measures resulted from collaborative consultation and coordination with stakeholders, while others are best management practices BPA adopts based on past experience maintaining, building, and operating transmission lines.

Table 1. Summary of Effects of the Rebuild Project on Coastal Resources

Environmental Resource	Rebuild Project	Section in Preliminary EA on Effects and Mitigation
Land Use and Recreation	<p>Localized and temporary disruption of agricultural operations, forestry, recreation, transportation access, and residential use associated with construction, including minor delays and interruptions of local traffic and generation of noise and dust.</p> <p>Less than 1 acre of land converted to new access roads from its current use.</p> <p>Impacts would be low to moderate depending on location and duration of the disruption.</p>	<p>Effects: 3.2.2 Mitigation: 3.2.3</p>
Geology and Soils	<p>Increased levels of temporary erosion and sedimentation from vegetation clearing and soil disturbance during and immediately after construction.</p> <p>Soil compaction by heavy equipment during construction with potential to degrade soil structure.</p> <p>Localized soil disturbance, minor sheet erosion, and compaction during operation and maintenance.</p> <p>Impacts on soils would be low to moderate during and shortly after construction, then at a low level as vegetation becomes reestablished.</p> <p>Impacts from landslide hazards would be low.</p>	<p>Effects: 3.4.2 Mitigation: 3.4.3</p>

Environmental Resource	Rebuild Project	Section in Preliminary EA on Effects and Mitigation
Vegetation	<p>Temporary removal/crushing of vegetation on up to 62 acres for structure work and temporary or permanent removal of vegetation during access road work on existing and new access roads, a moderate impact.</p> <p>Potential impacts from the introduction and spread of invasive weed species, a moderate impact with implementation of weed control measures.</p> <p>Removal of 587 danger trees, a low impact.</p> <p>Implementation of the mitigation measures to prevent harm to known western lily populations would result in a low impact, with potential beneficial effects on habitat from weed control.</p>	<p>Effects: 3.5.2 Mitigation: 3.5.3</p>
Waterways and Water Quality	<p>Temporary impacts on water quality from increases in turbidity caused by increased erosion and sedimentation associated with construction activities would be low to moderate depending on the location and extent of disturbance and are expected to return to previous levels or improve over time.</p> <p>Potential low impacts from chemical spills (e.g., petroleum products used during construction).</p> <p>Indirect impacts on water quality from increased temperature associated with vegetation clearing and danger tree removal would be low to moderate.</p>	<p>Effects: 3.6.2 Mitigation: 3.6.3</p>
Wetlands	<p>Placement of less than 0.5 acre of permanent fill from structure installation and access road work would result in loss of wetland functions.</p> <p>Placement of less than 1.0 acre of temporary fill in wetlands from structure installation and access road work would result in some loss or impairment of wetland functions during and after construction until vegetation is reestablished.</p> <p>Impacts on wetlands would be low to moderate.</p>	<p>Effects: 3.7.2 Mitigation: 3.7.3</p>
Floodplains	<p>Direct impacts from structure removal and replacement and access road work within floodplains could result in minor soil compaction and erosion, a low impact.</p> <p>Installation of structures and access road work near floodplains could cause temporary erosion and deposition of sediments in floodplains, a low impact.</p>	<p>Effects: 3.8.2 Mitigation: 3.8.3</p>

Environmental Resource	Rebuild Project	Section in Preliminary EA on Effects and Mitigation
Fish	<p>Localized and temporary disturbance of fish and prey organisms from construction noise, activity, and increase in turbidity; impacts related to sedimentation are expected to be moderate in intensity at first, then decreasing to low as sedimentation decreases.</p> <p>Potential degradation of fish habitat from increases in water temperature due to some vegetation removal near streams, a low impact.</p> <p>Potential fish mortality or injury during implementation of fish salvage plans and work area isolation for culvert work, but with implementation of mitigation measures to avoid or minimize incidental take; impacts would be moderate.</p> <p>Some beneficial effects resulting from improvement of fish passage at six locations and improvement of project access roads resulting in less ongoing sedimentation.</p>	<p>Effects: 3.9.2 Mitigation: 3.9.3</p>
Wildlife	<p>Temporary loss of wildlife habitat in construction areas and displacement of wildlife from work areas, a moderate impact.</p> <p>Minimal loss of permanent habitat from installing 19 new structures and constructing less than 1 mile of new access roads, a low to moderate impact.</p> <p>Degradation of wildlife habitat from potential loss of native species and invasion by weed species during construction and danger tree removal would be a low to moderate impact.</p> <p>Potential for avian collisions would be minimized by the placement of bird diverters on conductor that spans waterways, a low to moderate impact.</p> <p>Impacts on eagles, northern spotted owl, and marbled murrelet after mitigation would be low, because impacts on nesting would be minimal and no critical habitat would be affected.</p>	<p>Effects: 3.10.2 Mitigation: 3.10.3</p>

Fish and Wildlife

Pursuant to the requirements of Section 7(c) of the ESA, BPA prepared a BA that was submitted to the National Marine Fisheries Service (NMFS). The BA addresses effects of the Rebuild Project on Oregon Coast (OC) and Southern Oregon/Northern California Coast (SONCC) coho salmon ESUs and designated critical habitat. Based on the information and analysis of effects within the BA, BPA determined that the Rebuild Project would not be likely to adversely affect (NLAA) OC coho, would be likely to adversely affect (LAA) SONCC coho, and would not adversely modify designated OC and SONCC coho critical habitat. NMFS is currently drafting a Biological Opinion for the Rebuild Project. The potential effects on coho salmon ESUs and their designated critical habitat are discussed in Section 3.9, Fish, of the Preliminary EA.

BPA also prepared a BA for US Fish and Wildlife Service (USFWS) that addresses effects of the Rebuild Project on marbled murrelet and northern spotted owl, both federally listed as threatened. There is no designated critical habitat for these species in the project area. BPA determined that the Rebuild Project may effect, but is not likely to adversely affect, marbled murrelet and northern spotted owl. Northern spotted owl and marbled murrelet nesting, roosting, foraging, and dispersal habitat would not be modified by the Rebuild Project. Disturbance of nesting northern spotted owl and marbled murrelet would be minimized by the implementation of restrictions on the time of work, as agreed upon with USFWS. These species are not expected to permanently abandon the study area and no reduction in the abundance or their distribution is expected. USFWS concurred with BPA's determination of effect for these species and listed conservation measures that must be implemented in a letter dated February 3, 2011. Potential effects on these species are discussed in Section 3.10, Wildlife, of the Preliminary EA.

BPA coordinated with Oregon Department of Fish and Wildlife (ODFW) biologists concerning Rebuild Project activities with the potential to affect fish and wildlife. BPA and ODFW fish and wildlife biologists held an initial scoping meeting to discuss the Proposed Action on February 25, 2010. Field visits to area streams were held with ODFW, NMFS, and BPA staff on April 28 and April 29, 2010, and again on November 16, 2010. Local fish and wildlife biologists provided valuable input concerning the presence of fish and wildlife species and potential effects, via phone and email communications, throughout the environmental review process.

Construction and maintenance activities could impact fish habitat if sediments from work areas reach streams. Implementation of mitigation measures, including best management practices, would limit impacts. Culverts that would be installed within fish-bearing streams were designed to meet NMFS and ODFW criteria for fish passage and culverts would be installed during the ODFW approved instream work period. Installation of fish passage culverts could cause harm fish through disturbance, injury, or mortality but impacts would be minimized through implementation of mitigation and conservation measures required by NMFS and ODFW. Removal of 4 danger tree removal near streams is not likely to affect fish by because the small amount of cover that would be removed would not be expected to increase water temperatures to a level that could affect fish.

BPA also coordinated with agencies to address effects to Essential Fish Habitat (EFH). Construction activities and vegetation removal would affect Pacific coast salmon EFH. With the implementation of mitigation measures, project activities are not likely to reduce the abundance or distribution of coho or Chinook salmon or to adversely modify the ecosystem to the extent that measurable effects on spawning, feeding, or growth to maturity for coho or Chinook salmon would result. Mitigation measures designed to conserve essential fish habitat are listed in Section 3.9, Fish, of the Preliminary EA.

Construction and maintenance activities would result in increased noise and activity levels, which could temporarily displace wildlife near work areas, but disturbance would be temporary and wildlife would be expected to return after work is complete. Areas disturbed by construction and maintenance could result in degradation of wildlife habitat if these areas are invaded by noxious weeds, which would be mitigated for by the implementation of weed control activities as described in the Weed Management Plan (Appendix D of the Preliminary EA) and degradation of habitat below existing conditions is not expected. Mitigation measures designed to conserve wildlife and their habitats are listed in Section 3.10, Wildlife, of the Preliminary EA.

BPA also coordinated with agencies to address effects to migratory birds and eagles. Danger tree removal would not be conducted until after August 15 to minimize displacement of wildlife, including nesting birds. The potential for bird collisions with the transmission line would be reduced by the installation of bird diverters along some long spans over waterways and floodplains. No problem areas for avian collisions are known along the existing transmission line. Nesting bald eagles would not be affected because known eagle nests are approximately 1,600 feet from work areas, well beyond the 660-foot buffer recommended by the U.S. Fish and Wildlife Service (USFWS).

Wetlands and Water Quality

Efforts were made during the Rebuild Project design phase to avoid or minimize impacts on wetlands. Wetlands were identified in construction work areas near structure locations (existing and proposed) and along access roads. Wetland and waterway management, regulation, and protection are addressed in several sections of the Clean Water Act, including Sections 401, 402, and 404 and through Oregon Department of State Lands (DSL) processes. The various sections of the Clean Water Act applicable to the Rebuild Project are discussed below.

Section 401 - ODEQ would review the Rebuild Project's 404 permit application for compliance. Oregon's current turbidity standard (Oregon Administrative Rule [OAR] 340-41-0036) requires that turbidity not increase more than 10% from background levels as measured at an upstream control point. See Section 3.6.2 of the Preliminary EA for impacts to water quality and Section 3.6.3 for mitigation measures.

Section 402 - This section authorizes stormwater discharges under the National Pollutant Discharge Elimination System. The EPA, Region 10, has a general permit for federal facilities for discharges from construction activities. BPA would issue a Notice of Intent to obtain coverage under this general permit, and is preparing a Stormwater Pollution Prevention Plan to address stabilization practices, structural practices, stormwater management, and other controls.

Section 404 - BPA will apply for a permit under Section 404 for unavoidable wetland impacts. The permit application was submitted in March 2011 to the U.S Army Corps of Engineers and DSL and is being distributed for public review in April 2011. The Proposed Action would result in less than 0.5 acre of permanent fill in wetlands from structure removal and installation, culvert installation, and road reconstruction. See Section 3.7.2 of the Preliminary EA for impacts to wetlands and Section 3.7.3 for mitigation measures.

Oregon's Removal Fill Law - BPA submitted the wetland delineation for this project to DSL for review in December 2010. BPA submitted a Joint Permit Application to DSL in March 2011 and the permit is being distributed by DSL for public review in April 2011.

Floodplains

No new project elements (wood-pole structures or access roads) would be constructed in floodplains. Unavoidable impacts within floodplains from removal and replacement of six existing wood-pole structures and work on existing access roads (approximately 0.29 mile) would be temporary and localized and conditioned by the use of best management practices to minimize sedimentation. Work within floodplains would only minimally alter floodplain functions, including existing flood storage capacity. Impacts on floodplains from work on existing access roads (approximately 0.8 mile) outside of but within 200 feet of floodplains would result in the deposition of incidental amounts of sediments in floodplains.

It would not alter floodplain functions. The removal of six danger trees near the Johnson Creek floodplain would not result in erosion because they would be cut with roots left intact. See Section 3.8.2 of the Preliminary EA for impacts to floodplains and Section 3.7.3 for mitigation measures.

What BPA Requests From You

BPA believes that the proposed project is consistent to the maximum extent practicable with Oregon's Coastal Management Program. We request concurrence the proposed project is consistent to the maximum extent practicable with the enforceable policies of the Oregon's approved Coastal Management Program.

For More Information - If you have questions regarding the environmental process, please contact the environmental project lead, Kimberly St.Hilaire, toll free at 800-282-3713, directly at 503-230-5361 or by e-mail krsthilaire@bpa.gov. If you have other questions or would like more project information, you may call BPA toll free at 800-622-4519, e-mail me at etorth@bpa.gov, or call me at 360-619-6559. You may also visit the project website at www.bpa.gov/go/BRRP. Thank you for your assistance with the Rebuild Project.

Sincerely,



Erich T. Orth
Project Manager

Enclosures:

Bandon-Rogue Transmission Line Rebuild Project Preliminary Environmental Assessment
Coos County signature, Block 7, Joint Permit Application
Curry County signature, Block 7, Joint Permit Application

cc w/o enclosures:

Ms. Patty Evernden, Planning Director, Coos County
Mr. David Pratt, Planning Director, Curry County