

DEPARTMENT OF ENERGY

Western Area Power Administration

Blythe Energy Project, Riverside County, California; and La Paz County, Arizona

AGENCY: Western Area Power Administration, DOE.

ACTION: Finding of No Significant Impact and Floodplains/Wetlands Findings.

SUMMARY: The Department of Energy (DOE), Western Area Power Administration (Western) was approached by Blythe Energy, LLC (Applicant) requesting an interconnection for the Blythe Energy Project (Project) with Western's transmission system. The interconnection would take place at Western's Blythe Substation. The Project as proposed is a 520-megawatt (MW) natural gas-fired thermal power plant intended to serve competitive regional markets in southern California and Arizona. The Project is a "merchant plant" which means that it would be independent of other generators and that the power generated would serve the open market rather than any particular utility or load. All financial responsibility for the Project would be borne by the Applicant.

Western prepared an environmental assessment (EA) titled "Blythe Energy Power Plant Project" (DOE/EA-1349) jointly with the California Energy Commission's (CEC) plant siting process. This EA contains an analysis of the proposed activities and the potential for impacts from project-related activities. The analysis in the EA is summarized in this Finding of No Significant Impact (FONSI) under SUPPLEMENTARY INFORMATION below. Western had reviewed the application by the Applicant and determined that an EA would be the appropriate level of documentation, even though projects such as these normally require the preparation of an environmental impact statement (EIS). Western determined that the project proposal was fully mitigated and no significant impacts were anticipated.

Prior to making its determination, Western made a draft of the FONSI available for public review for nearly 60 days. A preliminary FONSI was mailed to more than 200 parties on or about December 29, 2000, asking all recipients to comment on the project and on Western's determination to prepare a FONSI. Western received three specific responses to this request, as well as additional comments on the Project and the EA. All pertinent comments will be addressed in this document. In addition, this FONSI takes into account the preliminary decisions made by the CEC's presiding Commissioner, which were made public on February 17, 2001.

FOR FURTHER INFORMATION CONTACT:

Nicholas Chevance
Environmental Project Manager
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213
(720) 962-7254
e-mail: chevance@wapa.gov

or

John Holt
Environmental Manager
Desert Southwest Region
Western Area Power Administration
P.O. Box 6457
Phoenix, AZ 85005-6457
(602) 352-2592
e-mail: holt@wapa.gov

Additional information and copies of the EA and FONSI are available to all interested persons and the public from the persons named above. For general information on DOE National Environmental Policy Act (NEPA) activities contact:

Carol M. Borgstrom
Director, Office of NEPA Policy and Compliance, EH-42
U.S. Department of Energy
1000 Independence Avenue SW.
Washington, DC 20585

SUPPLEMENTARY INFORMATION

Background: Western's proposed action is to enter into an interconnection and construction agreement with the Applicant. Western's involvement in this Project is based upon its requirement to assess the potential for environmental impacts associated with the interconnection of new generation into Western's transmission grid system. The changes to Western's transmission system would be minor, resulting in no major changes to existing transmission lines or the construction of new transmission lines. Western, however, would be required to make minor alignment changes to three of its transmission lines, as described in greater detail below. Regardless, Western is required to analyze the environmental impacts not only on any changes to its transmission system but also on the impacts associated with the entire Project before permitting the interconnection.

The CEC is required to review and analyze the potential for impacts associated with any new power generation project greater than 50 MW, and changes to existing generation greater than 50 MW. The CEC performs its analysis in accordance with provisions of California State Law, and with a process that is an equivalent of the process defined by the California Environmental Quality Act. While there are minor differences in the process followed by the CEC and Western's NEPA process, the processes were similar enough to permit a joint review by both agencies. The Applicant submitted an application to Western and the CEC in December 1999 and modified that proposal several times based upon comments and suggestions from both Western and the CEC.

Western reviewed the application in detail and on April 21, 2000, determined that an EA would be prepared for the Project. The DOE NEPA Implementing Procedures at 10

CFR part 1021.400 (Appendix D to Subpart D) list integrating new generation as an action that normally requires the preparation of an environmental impact statement (EIS). However, Section 1021.400(c) allows Western to consider "...extraordinary circumstances related to the specific proposal that may affect the significance of environmental impacts of the proposal" in determining the level of environmental review for a proposed project. Western determined that the proposal submitted by the Applicant to Western for consideration came fully mitigated with the applicant's full commitment to avoid all environmental impacts or reduce impacts to insignificance. Western believed that an analysis of the proposed Project would likely lead to a finding that there would be no significant impacts, and thus, this was an extraordinary circumstance. If significant impacts were discovered during the review of the proposal, Western would have immediately stopped the analysis and began an EIS.

Western received a request from Californians for Renewable Energy, Inc., (CARE) in early January 2001 for Western to prepare an EIS for the proposed Project. CARE provided assistance to Ms. Carmela Garnica, who filed for and was granted intervenor status in the CEC process. CARE asserted that Western needed to prepare an EIS citing our reasons for doing so in the Sutter Power Project. Western denied the request stating that the decision to prepare an EA was based on reasons that we had articulated in our Environmental Assessment Determination. Western notified CARE where that document could be found on our web site. In addition, we informed them that, because of the joint review process with the CEC, the level of public participation and environmental analysis would have been much the same if we had prepared an EIS rather than an EA.

The Project Description: The Project would occupy a portion of a 76-acre parcel of private land located just east of the Blythe Airport. Water for cooling and steam generation would be obtained from groundwater wells at approximately 2,200 gallons per minute. The plant would be a "zero discharge" facility, meaning that there would be

no wastewater discharge from the plant; wastewater would be handled by evaporation ponds on site and the sludge would be hauled away. Natural gas would be fed to the plant by new pipelines that would tap existing major interstate gas pipelines in the vicinity. The EA addressed two natural gas supply options. One option would pipe gas from the Arizona side of the Colorado River through a new 11.5-mile pipeline. The other option would tap an existing pipeline within one mile of the proposed Project. Price of gas would be one determining factor on the choice of options.

The proposed Project would interconnect with Western's transmission system using two reconfigured 161-kilovolt (kV) transmission lines that terminate in Western's Blythe Substation, located approximately 600 feet east of the proposed project site. These two lines, the Parker-Blythe No. 1 and No. 2 transmission lines, as well as Western's Blythe-Knob 161-kV line, a line belonging to the Imperial Irrigation District, and a line belonging to Southern California Edison Company all interconnect at Blythe Substation. New transmission construction would be limited to short tie sections to each of Western's two lines; these tie sections would involve at most one or two spans of new construction.

The Public Process: Western and the CEC jointly informed the public of their intent to analyze the project proposal for environmental impacts by issuing letters to interested persons, agencies, and parties in late April and early May 2000. All meetings were listed in the local newspapers and notices were sent to all persons on a mailing list. A public scoping meeting was held in Blythe, California, on May 4, 2000. Public workshops were held on June 7, July 11, and July 26, and a pre-hearing conference was held on November 20, 2000. Public hearings on the joint EA/Final Staff Assessment were held in Blythe on November 27 and 28, 2000. A preliminary FONSI was made available for comment for nearly 60 days. In addition to the official public meetings, Western participated in a meeting on January 18, 2001, sponsored by the Applicant specifically for the residents of the community of Mesa Verde, the residential

area closest to the proposed facility. This meeting was well attended by more than 60 people from the local community. No opposition to the project was voiced at this meeting, though several questions on potential impacts were raised and addressed.

Alternatives: Alternatives considered in the EA include the No-Action and the proposed action. Three alternative sites to the proposed site were also reviewed. The proposed project site and each alternative site included two alternative natural gas pipeline routes. Under the no-action alternative, the proposed Project would not be built. Since the proposed Project would result in no significant environmental impacts, the no-action alternative would not provide substantial environmental benefits versus the Project as proposed.

The proposed action would place the Project adjacent to the Blythe Airport, more than a mile from existing populated areas and immediately adjacent to the transmission system. The proposed project site was outside the city limits, but was part of a parcel along Hobsonway that had been considered for annexation by the City of Blythe for some time. Annexation by the City was completed in 2000 and resolved most zoning issues.

The first alternative site is approximately one mile south of Blythe and would place the proposed Project at least one mile from the closest supply of natural gas, and at least five miles from Blythe Substation. There could be visual impacts from the new transmission corridors, and the interconnection with the Blythe Substation would be complicated. The site is located on the Palo Verde Valley floor, which can be characterized as prime farmland. The groundwater source is relatively close to the surface at this location. This would increase potential for impacts by seismic events. The site is zoned partially for heavy industry but also for agriculture, which could result in impacts to prime agricultural land. In addition, this area is outside the city limits of Blythe, and the City of Blythe has no plans to annex the property as part of long range

planning.

The second alternative site is north of the Blythe Airport on land leased from Riverside County by the City of Blythe for airport operations. The property is vacant at this time but previously was used for agricultural purposes. This alternative would require construction of transmission lines between the site and Blythe Substation, and would increase the length of both proposed pipeline alternatives. This alternative location may interfere with airport operations. This option would likely have greater impacts on biological resources because of the longer pipelines and the added transmission.

The third alternative site is at the El Paso Natural Gas compressor station south of Interstate 10, about one mile east of the preferred project location. Western and the CEC staff determined that this location was infeasible for construction of the plant because of its location at the compressor station.

During the hearings, the public introduced a fourth site. The suggestion was to place the proposed Project south of the City of Blythe, in the general area where the State had constructed new correctional facilities. This would place the proposed Project further from any population center. For similar reasons outlined in the discussion of the second alternative, this alternative would likely increase impacts associated with the need to construct transmission lines to connect to Blythe Substation, and lengthen the alternative gas pipelines to the Project. In addition, it could involve greater impacts to biological resources because of better habitat available in this area.

Environmental Impacts: The existing environment and the proposed environmental impacts were identified and evaluated for the following resources:

- Air quality (criteria air pollutant emissions)
- Public health (toxic air contaminants impacts)
- Worker safety and fire protection

- Transmission line safety and nuisances (noise, electromagnetic fields, aviation safety, hazard shocks, etc.)
- Hazardous materials management
- Waste management (solid non-hazardous waste)
- Land use
- Biological resources
- Traffic and transportation resources
- Noise
- Visual resources
- Cultural resources
- Socioeconomics (including environmental justice issues)
- Soil and water resources
- Geological and paleontological resources
- Transmission system engineering (impacts to the transmission system)

Other areas discussed in the EA, because of the siting requirements of the CEC, were power plant efficiency, power plant reliability, facility design, and general conditions (compliance monitoring and plant closure plan). The analysis in the EA demonstrated that there would be no significant impacts to public health, worker safety and fire protection, transmission line safety and/or nuisances, hazardous materials management, waste management, traffic and transportation resources, noise, visual resources, cultural resources, socioeconomics, geological and paleontological resources, and transmission system engineering. Best business practices discussed in some detail in the EA would mitigate any impacts to these resources. The remaining issues required mitigation of impacts to an insignificant level. The following discusses those issues and the required mitigation.

Air Quality: Air quality would be impacted by the project. The air quality in the Palo Verde Valley is in attainment or is unclassified for all Federal criteria pollutants,

meaning that the air quality meets current Federal standards. Air quality does not meet existing State standards for both ozone and PM₁₀ (suspended particulate matter smaller than 10 microns in size). The proposed Project would add significant amounts of ozone precursors (emissions that interact with sunlight in the atmosphere to form ozone) and PM₁₀. To mitigate these impacts, the Applicant proposed using Emission Reduction Credits (ERCs) to offset Project emissions that could not be controlled by curtailing emissions at the plant through control technologies (Best Available Control Technology (BACT)). The proposed Project would generate emissions of nitrogen oxides (NO_x) and PM₁₀ at levels requiring these offsets; emissions of other pollutants would be below the thresholds. Since there were no available ERCs in the Project's air quality district (Mojave Air Quality Management District), an application was made to the district west of the Project for ERCs (South Coast Air Quality Management District), arguing that the majority of ozone precursors were generated west of the proposed Project. The two air districts agreed and permitted the use of the ERCs by the proposed Project. Impacts from increased emissions of PM₁₀ would be offset by the ERCs and by strictly curtailing fugitive dust (implementing a Fugitive Dust Mitigation Plan and paving approximately 1.5 miles of dirt roads at the proposed project site).

CARE, acting for Ms. Garnica, raised several issues concerning air quality impacts. Specifically, CARE noted that the BACT for the proposed Project should be the SCONOXTM technology, which is ammonia-free (reducing the potential for toxic air emissions in the event of an accident), noting that the technology has demonstrated lowered emissions of criteria pollutants. The Applicant has maintained that SCONOXTM has not been demonstrated to be effective in generators of this size, and that the cost of the technology is prohibitively high. Western relied heavily upon the expertise of the CEC and the U.S. Environmental Protection Agency (EPA) in evaluating this issue. Both the CEC and EPA determined that the BACT for the proposed Project would be the system as proposed by the Applicant. EPA concluded that the risks associated with ammonia handling are not significant and that the costs of SCONOXTM technology

compared to the relatively small decreases in emissions do not warrant its use in this case.

CARE also raised the issue of increased releases of toxic pollutants during times when the facility was generating less than full capacity. Western relied upon the staff of the CEC to evaluate the data and analysis conducted by the Applicant. The CEC did not identify an increased risk of significant impacts due to emissions when the plant was operating at less than full load.

Biological Resources: The proposed Project had the potential to impact biological resources. Left unmitigated, Western would have been liable for any unauthorized take of a Mojave desert tortoise. Mitigation actions were developed in consultation between the Applicant, U.S. Fish and Wildlife Service, Western, and the CEC. The proposed Project would purchase acreage in prime desert tortoise habitat, most likely in the Chuckwalla Basin north and west of the project area, and endow an organization to manage the land in perpetuity to preserve tortoise. This acreage would also be used to preserve Harwood milkvetch, a state species of concern. In addition, all Project facilities would be fenced with appropriate barriers to prevent any tortoise from entering. Finally, Western initiated consultation with the U.S. Fish and Wildlife Service, and received a biological opinion from the Service that would allow Western and the proposed Project incidental take of the listed species.

Water Resources: The two remaining issues, water resources and land use, are related to the accounting of water use. The proposed Project would tap an underground aquifer to supply cooling water (and for other uses) at the plant at a rate of 3,000 acre/feet per year. All parties, including the U.S. Bureau of Reclamation and the local irrigation authority, Palo Verde Irrigation District (PVID), agreed that the water to be used for the project is part of the Colorado River allotment that has been granted to PVID for irrigation in the Palo Verde Valley. However, wells located on the mesa

above the valley proper where the proposed Project would be located are unregulated, so the Applicant did not need authorization to use water from wells developed for the Project. The Applicant voluntarily developed a water conservation offset program in consultation with the Bureau of Reclamation and PVID; this program would retire 652.66 acres of previously irrigated mesa lands eligible for irrigation water from PVID. One concern was whether retiring agricultural properties would impact prime farmland and agricultural jobs. Ms. Garnica and others raised this issue several times. However, the lands on the mesa are not classified as prime farmland and no lands currently under cultivation would be retired, so that there would be no net loss of agricultural production.

Western received informal comments on this issue from the International Boundary and Water Commission (Commission) concerning water quality issues. The Commission is tasked with ensuring that Colorado River water crossing the border into Mexico meets certain standards as set by both legislation and treaty. The Commission was specifically looking for information pertaining to cumulative impacts to flows below Imperial Dam and impacts to water quality (salinity) in general. Western supplied the Commission with a response to its inquiry on January 30, 2001, but no further information or responses have been received.

In order to respond to the Commission, some explanation is necessary. PVID has primary water rights that date to 1877 for water diverted at Palo Verde Diversion Dam (located about 8 miles north of Blythe). About 1 million acre-feet a year are diverted at the dam, of which about 500,000 acre-feet is returned to the River. PVID's water allotment is measured as the total acreage that can be irrigated, which was set at about 104,000 acres of prime lands in the valley for Priority 1 water rights, and about 16,000 acres on the mesa for irrigation under PVID's Priority 3 rights. The proposed Project would use a portion of PVID's Priority 3 water rights for cooling, but it should be noted that PVID is currently not irrigating all of its Priority 3 lands. PVID also has lower

priority rights for more irrigation acreage on the mesa, but are not related to the Commission's concerns. The percentage of water to be used by the proposed Project is 0.3 percent of the total diverted at the dam, and 0.6 percent of the total consumed by all users.

The proposed Project would retire some of PVID's Priority 3 acreage to compensate for the water use. The Applicant has entered into an agreement with the City of Blythe to retire lands under the control of the City that have been irrigated in the past, and may have returned to irrigated agricultural use under favorable economic conditions. The proposed Project would retire the specified acreage for the life of the project based on an average acre-foot per acre figure of equivalent agricultural water use (i.e., 4.6 acre-feet per acre). This figure was developed in consultation with PVID and has been used in other water transfer actions by PVID. The Applicant argues that by setting aside a portion of the acreage that PVID could irrigate, the offset would result in no net increased water consumption.

An assessment of the cumulative impacts as seen from Imperial Dam (downstream from the Project) would include the total flow of the Colorado River and how that water is allotted in the southern basin. Allotment of river water for the states of Arizona, California, and Nevada are based on the flow below Lee's Ferry, which is located south of Page, Arizona, and Glen Canyon Dam. Of the first 7.5 million acre-feet (maf), Arizona is allowed 2.8 maf, California is allowed 4.4 maf, and Nevada is allowed 300,000 acre feet. Any surplus over 7.5 maf is split evenly between Arizona and California (except that Nevada has the right to contract for a small percentage of Arizona's surplus). In terms of total Colorado River water, 3,000 acre-feet of annual Project use water is approximately 0.04 percent of the 7.5 maf, or approximately 0.06 percent of the allotment for California, from which PVID takes its allotment. If surplus water is added, it becomes an even smaller fraction. Even without the acreage offset of PVID lands, Western determined the amount of water that would be consumed by the

proposed Project would be insignificant.

Finally, in response to the Commission's concern on water quality, downstream water quality should not be affected since the small amount of water consumed by the proposed Project is not returned to the river. The plant itself would be zero discharge so that plant process water, high in total dissolved solids, would be pumped to evaporation ponds. No process water would leave the plant.

The Metropolitan Water District of Southern California (MWDSC) also expressed concerns over the consumptive use of water by the proposed Project, and whether the offset of farm land would result in actual water conservation. MWDSC's main concern is the effect on MWDSC's water rights if the water savings are less than the specified acre-feet per acre figure. MWDSC has requested that the Applicant, PVID, and MWDSC establish a verification process to ensure the water savings is met. Western believes that the consumptive use of water by the proposed project would not significantly impact MWDSC's water rights, but we urge the Applicant, PVID, and MWDSC to work together to ensure that no one's rights are infringed upon.

A final water issue, concerning water well interference, was discussed in some detail in the EA. There were concerns that the draw down of water caused by the proposed Project wells would impact local wells surrounding the proposed Project that are shallower. Generally, the impacts would be insignificant, but there was not total agreement between the CEC staff and the Applicant on how to mitigate those impacts. The CEC presiding Commissioner determined that the monitoring program devised by the Applicant would satisfy the need to account for well interference with certain minor modifications. Western does not believe that there would be significant impacts to local wells caused by the proposed Project once a mitigation program is instituted.

Other Issues: The public raised several issues during the EA hearings and in

comments addressed to the CEC. Western determined these concerns should be addressed separately in this FONSI. Ms. Garnica, who filed for Intervenor status with the CEC prior to the hearings, primarily expressed the concerns of the public. In addition, a group known as Greenaction for Health and Environmental Justice voiced similar concerns with the CEC and Western. The major points of these issues are summarized here.

The first issue was a concern over water use. The large amount of water to be used by the proposed Project and the lack of regulation of the amount of groundwater used could cause a significant impact on water resources. As discussed above, actual water proposed to be used by the proposed Project is an extremely small percentage of the total available water from the Colorado River and its use would not be a significant impact on the availability of water in the Palo Verde Valley. The lack of regulation of wells in Riverside County is not something that this EA can address, but the use of water has been addressed by the offset program developed by the Applicant.

Ms. Garnica also raised the issue that MDWSC is currently looking to purchase water rights from local farmers to fallow land and reduce the need for water. Her concern is that this may impact the local farm workers when land is retired. MDWSC is in negotiations with PVID to retire approximately 25 percent of water rights in the Palo Verde Valley for a period of 25 years. There is no connection between the retirement of lands on the mesa for purpose of water conservation by the proposed Project and this land retirement in the valley by MDWSC and PVID.

Groundwater contamination by the Project is also a public concern. The public pointed out that a World War II-era dump is adjacent to the proposed project site and expressed concern that the wells used by the proposed Project could draw contamination from that location. The public noted that fuel tanks at the airport had been removed in 1999 but were not reported in the Applicant's property assessment.

In addition, the public reported World War II-era underground tanks filled with agricultural chemicals were reportedly located between the airport and the proposed project site. These underground tanks also were not reported in the Applicant's property assessment. Western notes that well testing at the proposed project site indicated greater concentrations of organic chemicals adjacent to the former trailer pad in the southeast corner of the property. Testing indicates that contamination apparently is not coming from the dump north and west of the proposed Project that has been present for more than 50 years, nor does there appear to be any significant contamination of soil or water coming from the airport. The Applicant would be required to monitor all new wells as well as all existing wells for contamination. The Applicant cannot be held responsible for tank removals at the airport or illegal dumping of agricultural chemicals in old storage tanks. The City of Blythe leases the airport from Riverside County and is now aware of the situation and would be asked to respond. The CEC presiding Commissioner agrees that there is no evidence supporting the presence of these tanks, and that the Applicant would not be responsible for the clean up if they can be located.

Overall, concerns were raised about the health of the farm workers in the general area of the proposed Project, and those working in the citrus orchards adjacent to the proposed facility. Western believes the EA demonstrates that the impacts from the proposed Project have been studied and that no significant health risk would be borne either by any workers at the proposed project site or those who would be working or living adjacent to the proposed Project. This would include Western employees who would visit Blythe Substation or the new switchyard at the proposed Project.

Considerable concern was expressed in the community about the condition of the existing natural gas pipelines. The proposed Project has no responsibility for existing pipelines and would construct new pipelines discussed in the EA to comply with all current safety standards. Connections to existing pipelines would occur at existing

facilities that would not disturb existing pipelines. All new pipelines would be routed under any existing pipelines to avoid disturbing them.

The public, including a member of the local Chamber of Commerce, expressed concern that the money put forward to provide for mitigation for Federal and State threatened and endangered species, was going to an organization outside the community. The proposed Project would provide for bird monitoring at the evaporation ponds. This work could be provided by local persons; however, the CEC and Western cannot force the Applicant to hire locally. In addition, the local Revegetation and Wildlife Management Center recommended by the public does not appear to have the necessary expertise to manage habitat for desert tortoise.

Finally, Ms. Garnica, as well as CARE and Greenaction, expressed concerns that the Project would significantly impact minority populations, specifically the community of Mesa Verde which is close to the proposed Project site. An analysis of environmental justice issues appears in the EA. The analysis recognized that the project is located in an area with a minority population greater than 50 percent. However, the analysis also indicated that there are no significant impacts to public safety and health issues, including public safety and health issues of potential workers at the proposed Project. No evidence has been presented that indicates there are impacts associated with the proposed Project approaching significant levels.

Floodplain Statement of Finding: An assessment of impacts to floodplains is provided in the EA. In accordance with the regulations at 10 CFR part 1022.15, Western determined that there would be no effect on floodplains. The only activities within the hundred-year flood stage (base flood) of the Colorado River are the proposed natural gas pipeline that would connect the proposed project site to the El Paso Gas terminal on the Arizona side of the river. The project, as proposed, would include a 16-inch pipeline that would be installed at a depth of at least 48 inches below

the ground surface. The crossing of the Colorado River would involve horizontal directional drilling, which would place the pipeline under the river. The bore would start within the El Paso Gas facility on the Arizona side of the river. The receiving pit for the bore would be immediately adjacent to Interstate 10 on the California side of the river, adjacent to an existing campground and boat launch. The pipeline would be under the river at least 50 feet below the lowest part of the river. This same technique would be used for any crossings of irrigation canals and drains, as the pipeline crosses the Valley. No other facilities would be constructed within the floodplain. As proposed, the action conforms to all applicable laws and regulations. The proposed Project would be issued a letter of permission from the U.S. Army Corps of Engineers under the authority of Section 10 of the Rivers and Harbors Act, and a streambed alteration agreement from the California Department of Fish and Game (CDFG). The CDFG has required an extensive remedial action plan to contend with an event such as the leaking of drilling fluid into the river. The technology has been used in this location before, and while it poses an increased risk, that risk is not seen as significant.

Mitigation Action Plan: Western has prepared a Mitigation Action Plan (Plan) in accordance with DOE Implementing Procedures (10 CFR part 1021.331(b)). The purpose of this Plan is to discuss those mitigation actions that must be performed by the Applicant where adverse impacts were identified and mitigation was designed to reduce those impacts to a level less than significant. Not all of the conditions contained in the EA are measures that reduce impacts to less than significant. Some of the conditions are part of standard mitigation required by the CEC for all projects, some are intended to mitigate impacts that are less than significant, and some are directed at non-environmental issues such as engineering and safety concerns. The EA should be reviewed in conjunction with this Plan to better understand the mitigation measures. The Plan will be distributed with this FONSI.

Determination: The analyses contained in the EA indicates that the proposed action is

not a major Federal action significantly affecting the quality of the human environment.
Western has determined that preparation of an EIS is not required.

Issued at Lakewood, Colorado March 15, 2001.

Michael S. Hacskeylo
Michael S. Hacskeylo
Administrator