

Appendix H

Comments and Responses



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:
MP-153
ENV-3.00

MAY 31 7:07

Mr. Steve Tuggle
Project Manager
Western Area Power Administration
Sierra Nevada Regional Office
114 Parkshore Drive
Folsom, California 95630-4710

Subject: Draft Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, California, DOE/EA 1395

Dear Mr. Tuggle:

Reclamation has reviewed the subject document for affects to Reclamation historic properties, activities, and plans. We have noted discrepancies in **Table 3-7** which lists Reclamation as the landowner for archeological site CA-SAC-39. Our records do not record any Reclamation land at the location of CA-SAC-39. In the same table Reclamation is listed as the landowner for Rainbow Bridge. While Reclamation owns the land, Rainbow Bridge is not Reclamation property.

Thank you for the opportunity to comment on the draft document. Should you have any questions regarding our comments, please contact me at (916) 978-5041.

Sincerely,

G. James West, Ph.D.
Regional Archeologist

Response to Comment 1-1

The EA has been corrected.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
SACRAMENTO VALLEY AND CENTRAL SIERRA REGION
1701 NIMBUS ROAD, SUITE A
PACIFIC GROVE, CALIFORNIA 95670
Telephone (916) 352-2900

GRAY DAVIS GOVERNOR



June 17, 2002

Mr. Steve Tuggle
Project Manager
Western Area Power Administration
Sierra Nevada Regional Office
114 Parkshore Drive
Folsom, CA 95630-4710

Dear Mr. Tuggle:

The Department of Fish and Game (DFG) has reviewed the Draft Environmental Assessment (EA) for Right-Of-Way Maintenance in the Sacramento Valley, California (SCH# 2002054007). The project proposes modifications of existing maintenance activities within power transmission right of ways in portions of Sacramento, Sutter and Placer Counties.

As the draft EA notes, several state listed species occur or may occur within the project area. Maintenance activities may directly, indirectly and cumulatively impact these species.

The DFG recommends the following specific mitigation measures be incorporated into the final EA:

Swainson's Hawk

- 1) Preconstruction surveys during the nesting season (March 1 through September 15), within 0.5 mile of maintenance areas, shall be conducted by a qualified biologist prior to beginning construction and related activities in each maintenance phase. Survey results shall be provided to the Department in a written report, 30 days prior to commencement of maintenance activities. If nesting Swainson's hawks are found, the Western Area Power Administration shall consult with the Department to determine if construction activities could cause reproductive failure (nest abandonment and loss of eggs and/or young). If, in the course of consultation with the Department, a determination is made that the construction activities could cause reproductive failure, no maintenance activities will be allowed between May 1 and September 15 within 0.5 miles from the nest site until young have fledged, or the adults are no longer nesting.

Response to Comment 2-1

Western does not agree with DFG's recommended mitigation measures for Swainson's hawk. The requirement to have Western survey within 0.5 miles of maintenance areas would involve approximately 64,000 acres of land within the study area. Western will, however, survey within the ROW and record survey results in its own NEPA documentation. Western will provide this documentation to DFG upon request. Western will avoid Swainson's hawk nesting trees where possible. In the event that Western disturbs or removes a tree where a Swainson's hawk nest resides, mitigation would take place in accordance with the *Migratory Bird Treaty Act* guidelines.

2-1

H-2

Mr. Tuggle
June 17, 2002
Page Two

- 2) For unavoidable impacts to nest trees, the following mitigation measures shall be implemented to ensure full mitigation.
- a. Known nest trees shall be removed outside of the nesting period (October 1 to February 1).
 - b. For every known nest tree removed, plant 40 trees (expected to be mature within 10 years) on protected lands adjacent to suitable foraging habitat.
 - c. Planted trees shall be chosen from a palette of native trees in which Swainson's hawks are known to nest.
 - d. Conduct monitoring of planted trees. A five-year maintenance and monitoring plan shall be completed for all mitigation plantings. The monitoring plan shall include appropriate irrigation schedules, as well as criteria for success and re-establishment during the five-year period. Any trees planted, as remedial action for failure of initial planting shall be monitored for five years in similar fashion to the initial planting. Planted trees must demonstrate a minimum 80 percent success rate to end the monitoring period.

2-1,
Cont.

Thank you for the opportunity to review this project. If we can be of further assistance, please contact Mr. Jeff Finn at (530) 477-0308 or Ms. Terry Roscoe, Habitat Conservation Planning Supervisor at (916) 358-2883.

Sincerely,



Larry L. Eng, Ph.D.
Assistant Regional Manager

cc: Ms. Terry Roscoe
Mr. Jeff Finn
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670



State of California • The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Gold Fields District
7806 Folsom Auburn Road
Folsom, CA 95630
(916) 988-0205, FAX (916) 988-9082

Steve Tuggle
Western Area Power Administration
Sierra Nevada Regional Office
114 Parkshore Drive
Folsom, CA 95630-4710

Grey Davis, Governor
Rusty Arélas, Director

July 1, 2002

Re: Draft Environmental Assessment for Right-of-Way Maintenance

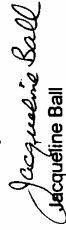
Dear Mr. Tuggle,

The purpose of this letter is to express the concerns and recommendations of the California Department of Parks and Recreation (DPR) regarding the Draft Environmental Assessment for right-of-way (ROW) maintenance in the Sacramento Valley. Two of the ROW lines are within the Folsom Lake State Recreation Area (SRA), the Folsom-Nimbus and Folsom Roseville lines. Most of the land within the SRA is owned by the Bureau of Reclamation and managed by DPR through a lease agreement. DPR's mission and the management emphasis for our properties, is to protect natural and cultural resources and provide quality outdoor recreation opportunities.

DPR opposes the application of the new vegetation management approach described in the proposed action on the lands that DPR manages as part of the Folsom Lake SRA. The proposed action is a proactive program to change the vegetation community along the right-of-way corridor for Western Area Power Administration (WAPA) transmission lines. This includes a 150-foot corridor along the entire length of Lake Natoma, and a 250-foot corridor for the portion of the Folsom-Roseville line that passes through the SRA. DPR is concerned about the impacts to native vegetation, the introduction of exotic species, and impacts to wildlife, water quality, recreation and aesthetics.

Folsom Lake SRA is one of the most popular park units within the State Park system. An estimated 2.5 million people visit the unit annually. Lake Natoma is a much-loved recreation and natural resource amenity for the region. The paved bikepath around Lake Natoma is an extension and part of the American River Parkway Bike Path, used by hundreds of thousands of visitors annually. Please see Attachment 1 for the details on our specific concerns regarding the proposed action and the Environmental Assessment. If you have any questions or concerns regarding this letter or the issues raised please contact Jim Micheals of my staff at (916) 988-0513. Thank you.

Sincerely,


Jacqueline Ball
Gold Fields District Superintendent

Response to Comment 3-1

The DPR's opposition is noted. Specific comments are addressed below.

3-1

CC

Tom Aiken, Bureau of Reclamation, Central California Area Office
Frank Ciri, Lake Natoma Community Taskforce
Alan Wade, Save the American River Association
Tony Powers, Folsom Area Bicycle Advocates
Don Alden, Lake Natoma Rowing Club
John Holland, River City Paddlers
Jim Haagen-Smit, Folsom-Auburn Trail Riders Action Coalition
Mary Bisharat, Sacramento Audubon Society
Sara Myers, Friends of Folsom Parkways

Attachment 1

DPR Comments on the Right-of-Way Maintenance, Sacramento Valley

DPR understands that currently WAPA maintains the ROW for it's transmission lines through the use of a variety of manual and mechanical methods that are primarily on an as needed basis. Herbicide use is limited to spot application in the vicinity of towers to control invasive species. It is DPR 's experience that current WAPA maintenance of the Folsom-Nimbus and Folsom-Roseville lines have had a minimal impact on the resources and uses of the Folsom Lake SRA. Portions of these lines pass through mature riparian woodlands and other important habitats.

The proposed action in the EA would institute a proactive program of systematically converting the vegetation within the ROW corridors to low-growing plant communities. The EA indicates a number of potential methods, but does not specify any particular method in specific locations. The proposed action also includes a much greater use of herbicides to remove and alter large areas of vegetation.

Land Use

As previously mentioned, Folsom Lake SRA is comprised primarily of land owned by the federal government and managed by DPR through a lease agreement with the Bureau of Reclamation. However, there are State owned lands within the SRA, including many parcels along Lake Natoma. DPR would like WAPA to confirm whether or not any portion of the Folsom-Nimbus or Folsom-Roseville ROW corridors pass across State-owned lands. If portions of the ROW do occur on State land, DPR believes that WAPA would need to comply with the California Environmental Quality Act.

Also DPR would like clarification regarding the nature of the WAPA right-of-way for the Folsom-Nimbus and Folsom-Roseville lines. Are these easements? If so who is the underlying property owner? What are the specific rights granted in the easement? Does WAPA own these corridors in fee title?

The management of Folsom Lake SRA is guided by the mission and policies of the Department of Parks and Recreation codified in the Public Resources Code and elsewhere, and more specifically by a General Plan. The existing general plan for the unit was completed in 1978 and is currently undergoing revision. The Declaration of Purpose for the unit, the most fundamental direction for management, notes the vegetation mosaic, scenic and historic values as key elements of the resource. Department policies are aimed at protecting scenic quality and the protection and preservation of native plant communities and wildlife in a natural status. Protection of the scenic rolling oak-woodlands of Folsom Lake, and the wild and quiet character and beauty of Lake Natoma are specific objectives identified in the current General Plan.

Given that one of the key purposes of the proposed action is altering natural vegetation communities and a key management objective and "use" of Folsom Lake SRA is the protection of native vegetation in it's natural status, DPR believes the proposed action does represent a change and restriction in the use of the lands along the Folsom-Nimbus and Folsom-Roseville corridors and is a substantial adverse impact.

Response to Comment 3-2

The EA does not mandate the systematic conversion of vegetation within the ROW. Many areas already contain low-growth plant communities and would be managed in much the same manner as they are now. Many portions of the Folsom-Nimbus and Folsom-Roseville lines are not problematic in respect to vegetation maintenance. DPR's experience that current maintenance has "had a minimal impact on the resources and uses of the Folsom Lake SRA" likely reflects the nature of vegetation along that portion of the ROW, not the methods used to maintain it.

The EA does not, nor is it intended to, specify the particular methods to be used in a given area. These methods will be determined as vegetation maintenance is performed and may evolve over time depending on the success of various methods. However, a significant amount of detail is provided on constraints for the use of particular methods, for example, observing a 100-ft buffer on herbicide use near waterways, select removal of trees along waterways, and taking measures to protect public health when performing ROW maintenance. Text has also been added to Section 3.13—Esthetics, to consider preservation of narrow bands of vegetation in areas of high scenic value to screen transmission line ROWs from the public.

Response to Comment 3-3

Although the Folsom-Nimbus transmission line does cross one parcel of state land within the Folsom Lake SRA (approximately ½ mile), Western does not agree that maintaining the ROW across these lands requires compliance with the California Environmental Quality Act.

Response to Comment 3-4

The Folsom-Nimbus 115-kV Transmission Line was built on U.S. Government land, except for the section from tower 5/2 to 5/7 which was built on State of California property (managed by

Folsom Prison). Western obtained the rights to maintain 75 ft on each side of the transmission line when the line was transferred to Western from the Department of Interior, Bureau of Reclamation (underlying fee owner is the U.S. Government). On the section that was built on State of California property, Western acquired a 100-ft wide easement from the State General Services to operate and maintain the line (underlying fee owner is State of California).

The east end of the Folsom-Roseville Transmission Line is U.S. Government land managed by the Bureau of Reclamation. A 250-ft wide right to maintain the line was transferred to Western (underlying fee owner is the U.S. Government).

Response to Comment 3-5

As stated in the response to Comment 3-2, the EA does not mandate systematic conversion of vegetation within the ROW. The EA also states that native vegetation is preferred in cases where mitigation is required. Given the small area where such activities would take place, Western does not believe its actions would affect the scenic quality, native plant communities, and wildlife within the Folsom Lake SRA.

Immediately following the Declaration of Purpose, the General Plan presents a Natural Resources Management Policy to achieve the Declaration of Purpose goals. The largest section within the Management Policy covers fire management, largely because the Folsom Lake SRA had the highest number of wildfires of any State Park System unit in 1975 and 1976 (47 and 33 wildfires, respectively). The Management Policy directs DPR to install and maintain firebreaks and fuelbreaks, realizing the tradeoff between preserving natural status and reducing fire threat. Western's ROW maintenance activities proposed in the EA are in concert with reducing the threat of fire that DPR's General Plan advocates. Reduction of fire threat is achieved not only by reducing the opportunity for fires to start (vegetation contacting conductors), but also through ROWs acting as fuelbreaks prescribed in the General Plan. Western would be interested in coordinating its ROW maintenance activities with the DPR's fire management obligations under the General Plan.

Lastly, a correction for the Land Use section of the EA, there is no Negro Bar State Park. Negro Bar is a recreation site within Folsom Lake State Recreation Area.

Habitats and Vegetation

The EA indicates the types of vegetation and habitat found within the study area, and indicates the presence of particular habitat types in each of the ROW corridors, but the EA does not provide maps of vegetation and habitat within each corridor, nor is there a quantification of the amount of each type of habitat within each corridor. Along the Folsom-Nimbus and Folsom Roseville lines within Folsom Lake SRA, much of the vegetation is riparian woodland, forest or scrub. This includes many mature native trees including oaks. Given the marked change in vegetation management from the current situation to the proposed action, the conversion of these woodlands to grass or brush (low-growing vegetation), including the potential loss of many oak trees is a significant impact. The normal documentation for the elimination of oak trees is to survey and identify each tree to be removed. If WAPA is truly planning to convert the entire ROW within Folsom Lake SRA, DPR believes these impacts need to be specifically quantified, including the number of oak trees to be removed. Without quantification of the loss of oak trees and other native vegetation DPR does not believe WAPA can adequately evaluate the significance of impacts of the proposed action nor could WAPA support a Finding of No Significant Impact.

DPR disagrees with the analysis of the environmental consequences to vegetation. DPR believes the document overstates the benefits of the proposed action of vegetation and does not quantify nor fully disclose the impacts on existing native vegetation. DPR disagrees with the assertion that "maintaining ROWs so that only small or no trees can grow would increase the overall diversity of plant species..." (p. 3-12&15). Currently, along Lake Natoma in the Folsom-Nimbus ROW there is great diversity within the vegetation, mature riparian woodlands interspersed with openings that support grasses, forbs and shrubs. Converting this relatively natural diversity to an artificially maintained grassland or shrubland would decrease the current diversity and variation within the ROW. If WAPA wishes to claim that habitat diversity will increase through the proposed action, the EA needs to quantify the existing habitat diversity along specific ROWs and quantify how the proposed action will increase diversity. Further WAPA indicates that non-native plants may be introduced as part of the proposed action. The introduction of non-natives will serve to reduce natural diversity and is in direct conflict with DPR's management strategy within the SRA to eliminate or contain all non-native species.

DPR also disagrees with the statement regarding the proposed action that "Since the ROW is already established, maintenance activities are not anticipated to cause further fragmentation of habitat." (p. 3-14) While WAPA describes a wide range of potential activities that it uses in its current vegetation management program, the document does not describe or quantify the extent to which that program is currently implemented. As previously stated, DPR believes that within the existing Folsom-Nimbus ROW there are many mature trees, and existing WAPA maintenance activities have been minimal. The change in vegetation management in the proposed action may well cause fragmentation of habitat.

DPR believes the proposed action is a significant shift from current management of vegetation and that the wholesale conversion of existing vegetation to grassland or

3-6

Response to Comment 3-6

This correction has been incorporated into the Final EA.

3-7

Response to Comment 3-7

An inventory of vegetation types by transmission line has been incorporated into the Final EA. Western will supply habitat maps to the DPR concurrent with submittal of the Final EA.

3-8

Response to Comment 3-8

Western believes that DPR overestimates the amount of change that would occur as a result of the vegetation management strategy proposed in the EA. Western's ROW along the Folsom-Nimbus transmission line and eastern 1 mile of the Folsom-Roseville transmission line encompasses 142 acres. Of this, only 42 acres lie within areas categorized as woodland, and there are many treeless areas within the woodland because of the nature of the substrate.

3-9

Western is not proposing wholesale changes in vegetation communities along all its ROWs. If areas are identified where conversion to low-growth vegetation communities would be beneficial within Western's ROW maintenance strategy, Western would coordinate maintenance activities with landowners, including the DPR and BOR. However, much of the vegetation along the ROW within the Folsom Lake SRA is already consistent with Western's goal of achieving low-growth vegetation communities. In addition, the paved bicycle trail, which is kept clear of encroaching vegetation, winds through Western's transmission line ROW for significant stretches within the Folsom Lake SRA.

3-10

Western understands the value of native oaks and has no intention of removal of all of these trees. Although these oaks can grow to heights that interfere with power lines, their relatively slow rate of growth makes them less of a threat than other tree species. Western would work with DPR to identify oaks that pose a threat to transmission lines and plan a maintenance strategy

3-11

that will serve DPR's objectives while satisfying Western's needs to ensure safety and reliability of its system as required by law.

Response to Comment 3-9

Western disagrees with DPR's assertion that "WAPA indicates non-native plants may be introduced as part of the proposed action." In Section 3.3.3 of the Draft EA, Western states it would "use native seed/plants to the extent practical." For the Folsom Lake SRA, Western would choose species consistent with DPR's management strategy. Western has clarified this statement in the Final EA.

Along much of Western's Folsom-Nimbus and eastern Folsom-Roseville ROW, the current vegetation community has developed during the past 150 years on ground that has undergone significant human disturbance through mining, the creation of Lake Natoma, construction of the bike path, and residential and commercial development. The locations of interspersed openings that support grasses, forbs, and shrubs are largely determined by human influences on the substrate. Western would strive to achieve the same vegetation community along its ROWs as found in these numerous interspersed openings. For such a varied vegetation assemblage as that present along Lake Natoma, Western's actions would likely have little effect on diversity. Western maintains that diversity would increase as a whole along its ROWs in the Sacramento Valley, particularly with the elimination of invasive species and noxious weeds.

Response to Comment 3-10

As stated in the response to Comment 3-2, the nature and extent of Western's current maintenance activities along the Folsom-Nimbus ROW reflect the nature of vegetation in that area, not the methods used to maintain it. As stated in the response to Comment 3-8, a majority of the vegetation along the ROW within the Folsom Lake SRA is already consistent with Western's goal of establishing low-growth vegetation communities.

Western believes DPR's comment that the EA "does not describe or quantify the extent to which that program is currently implemented" is incorrect, as Western thoroughly describes the program in Section 2.1 and the program is implemented throughout the Sacramento Valley. Under the program, transmission system maintenance activities are performed on a regular, predictable schedule, as described in the EA. Vegetation and access road maintenance activities vary from year to year based on requirements consistent with the need-driven management approach. Needs, in turn, are influenced by changing land use and effectiveness of prior maintenance activities.

Response to Comment 3-11

Western maintains that the proposed action does not represent a significant shift from current ROW maintenance practices along the Folsom-Nimbus line. Manual and mechanical methods are currently used, and use would continue, as appropriate. Herbicides would not be used within 100 ft of perennial water bodies within the Folsom Lake SRA, with the exception of cut-stump treatments. This restriction would eliminate potential foliar herbicide use over approximately 2.0 miles of the 6.4-mile Folsom-Nimbus line. Any herbicides used would be approved by the U.S. EPA and registered with the California Department of Pesticide Regulation.

Western strongly disagrees with DPR's assertion that the proposed action is "far more intrusive and detrimental to the environment than the current program of removing selected vegetation on an as needed basis." While there may be increased activity in the short term, the long-term benefits include:

- Reduced potential for impacts on public health and safety as less maintenance is necessary;
- Improved wildlife conditions as habitat is changed to low-growing and is not in constant disturbance from frequent cutting;

- Reduced need for coordination with land owners/managers as ROWs need less intensive maintenance;
- Reduced inconvenience to recreationists as fewer maintenance cycles are conducted;
- Reduced air quality impacts as fewer maintenance activities generating exhaust and dust become necessary;
- Lower maintenance costs as less frequent and less intensive maintenance activities are necessary; and
- Improved system reliability as the number of high-growth threats to the transmission line are reduced.

These benefits have been documented in various studies, including W.C. Bramble and W.R. Byrnes (1983, Thirty years of research on development of plant cover on an electric transmission rights-of-way. *J. of Agriculture* 9:67-74), D.R. Patton (1992, Wildlife habitat relationships in forested ecosystems, Timber Press), J.B. Cavanagh, et al. (1976, Proceedings of the First National Symposium on Environmental Concerns in Rights-of-Way Management, Mississippi State University, Jan. 6-8), R.L. Kroodsmma (1987, Edge effect on breeding birds along power-line corridors in east Tennessee, *American Midland-Naturalist* 118:275-283), and R.L. Geier (1992, An investigation of plant community development following selective herbicide application to the Eriksdale-Silver powerline right-of-way, Interim report for Manitoba Hydro; Research and Development Program). Western would work with DPR to establish a management approach that would be consistent with DPR's management approach and goals.

shrubland through the increased use of herbicides and manual and mechanical vegetation removal is far more intrusive and detrimental to the environment than the current program of removing selected vegetation on an as needed basis. DPR manages it's lands to protect native vegetation and natural processes (including natural disturbance and succession) to the extent feasible. DPR does not manage for individual or specific species, such as early succession species.

Wildlife

DPR strongly disagrees with some of the broad assertions of beneficial effects of the proposed action on wildlife and wildlife habitat and does not believe these claims are supported by data. As previously mentioned, within the Folsom-Nimbus ROW, there already exists natural diversity in the vegetation and habitat from forest and woodlands to open areas that support grasses and shrubs. Converting these areas to uniform grassland or shrubland will not increase habitat diversity. Removing all mature trees and topping snags will reduce habitat for many species. How much riparian woodland and forest will be lost if the proposed action is implemented? How will the loss of these trees affect birds and other wildlife that depend upon this habitat?

Within the vicinity of the Folsom-Nimbus ROW, perhaps even within a portion of the ROW, there is an extensive heron and egret rookery on the west side of Lake Natoma. These birds nest annually in the grey pines along Lake Natoma. To what extent will the proposed action impact this specific resource?

WAPA claims that the proposed action will provide wildlife corridors. DPR believes that the proposed action could eliminate wildlife corridors. Different species have different requirements for movement corridors. For which species will the conversion from riparian woodland or forest to grassland or shrubland be beneficial and create movement corridors? Which species will be adversely affected by this change? WAPA needs to provide more data and a more rigorous analysis before making any claims to beneficial effects regarding habitat diversity and wildlife corridors.

DPR believes that the proposed action, the conversion of naturally diverse riparian woodlands, forests and shrubland to uniform grassland or shrubland will have adverse impacts on wildlife. Further, DPR believes WAPA needs to provide more data and analysis regarding the extent of proposed herbicide use within specific ROWs and the potential adverse effects on wildlife prior to claiming no significant adverse effects.

Water Quality

Because much of the Nimbus-Folsom ROW runs adjacent to Lake Natoma, DPR is concerned about the proposed increase in use of herbicides to eliminate and retard vegetation in the proposed action. DPR does not believe that the proposed 100-foot buffer is sufficient to prevent herbicides from reaching Lake Natoma.

Public Health

DPR is concerned about the proposed increased use of herbicides in the proposed action and potential exposure to visitors to Folsom Lake SRA. This would include visitors swimming at many locations along Lake Natoma, people boating on the Lake and the trail users along the paved bikepath and many single-track dirt trails along the Lake, many of which cross the ROW.

Response to Comment 3-12

3-11, Cont. As stated in the responses to Comments 3-8 and 3-9, Western would work with DPR and the Bureau of Reclamation to preserve the naturally-diverse character of forest and woodlands interspersed with open areas that support grasses and shrubs. Western has no intent of removing "all" mature trees. Topping snags is necessary if they are a threat to the transmission line, but such maintenance would be performed under current practices.

3-12 Western has not quantified the loss of riparian woodland and forest, although an acreage estimate for woodland habitat along the Folsom-Nimbus line is provided in the response to Comment 3-8. The EA is not a planning document that dictates actions at a particular site. Actions would be conducted based on a variety of site-specific considerations. All of Western's ROW maintenance activities would use an Integrated Vegetation Management approach: Western would use an array of control methods, choosing those methods or combination(s) of methods based on the vegetation needing control, cost-effectiveness, and the environmental conditions present at the specific location.

Response to Comment 3-13

3-13 The heron and egret rookery is not within Western's ROW, however, maintenance activities that could disturb nesting herons or egrets would be planned for non-nesting periods. Western has used the information provided by the DPR to add the heron rookery location to its GIS so it can be avoided during future maintenance activities.

Response to Comment 3-14

3-17 As the DPR states in Comment 3-9, the area along the Folsom-Nimbus transmission line is characterized by "mature riparian woodlands interspersed with openings that support grasses, forbs and shrubs." Within this vegetation community, corridors

already exist, and wildlife present within the area has adapted to using or avoiding these corridors. While the beneficial aspect of low-growth corridors is well-documented for some species (e.g., deer, birds; see response to Comment 3-11), Western has changed the EA wording to indicate that such benefits have not been established for all species.

Response to Comment 3-15

Please see the response to Comment 3-14 regarding the “conversion” of woodlands, forest, and shrublands. The EA does not prescribe conversion to “uniform grassland or shrubland.” As stated in the response to Comment 3-8, most of Western’s ROW within the Folsom Lake SRA would require no conversion at all. Further, trees within the ROW that pose no short- or long-term threat to the transmission line or towers would not be removed. Western has outlined restrictions in the EA that would prevent herbicide use along significant portions of the Folsom-Nimbus ROW. The use of herbicides in other portions of the ROW would be determined, to a large extent, on vegetation types, feasibility, and safety. Western proposes using only herbicides approved by the California Department of Pesticide Regulation, in accordance with any restrictions developed by the Department. These include buffer zones to protect crops, residences, and wildlife, and restrictions on nozzle sizes, wind velocities, and other factors to limit drift. Western maintains that the selection of herbicides combined with these restrictions and any other conditions for use specified within the EA will reduce adverse impacts to wildlife to less than significant levels.

Response to Comment 3-16

Please see the response to Comment 3-8. Western proposes use of herbicides that are approved by the State of California, and that have low solubility in water (i.e., not easily transported in runoff) and low persistence (i.e., breakdown readily from sunlight and other natural processes), and relatively low toxicity to humans and animals. Western believes the proposed 100-ft buffer is conservative, preventing herbicides from entering Lake

Natoma, and is consistent with published maximum buffer zones (Goodrich-Mahoney, J.W., Determination of the Effectiveness of Herbicide Buffer Zones in Protecting Water Quality, Electric Power Research Institute, Report No. TR-113160, September 1999).

Response to Comment 3-17

The public health implications of herbicide use are addressed in Section 3.10.2.4, and measures to avoid adverse effects are described in Section 3.10.3. These measures include:

- Erecting signs and/or flags in areas of public access to indicate work activities are taking place;
- Protecting water sources by following all buffer zone restrictions;
- Ensuring that treated areas are posted and re-entry intervals are specified and enforced in accordance with label instructions;
- Using only herbicides that are virtually non-toxic to animals in heavy public use areas;
- Posting treated areas with any restrictions on contact with treated vegetation clearly listed;
- Ensuring that all herbicide applicators have received training and are licensed in appropriate application categories;
- Following all herbicide label and material safety data sheet (MSDS) instructions regarding mixing and application standards to reduce potential exposure to the public through drift and misapplication;
- Complying with herbicide-free buffer zones, if any, as per label instructions if using herbicides near crops for consumption;
- Never leaving herbicides or equipment unattended in unrestricted access areas;
- Closely following all equipment-cleaning standards required by the herbicide label; and

Recreation

As previously noted the Folsom-Nimbus ROW and a portion of the Folsom-Roseville ROW are located within Folsom Lake SRA. The SRA is one of the most popular units within State Parks with 2.5 millions visitors annually. Popular activities within or in close proximity to these ROWs include: bicycling, running, hiking and horseback riding along both paved and single track trails; canoeing, kayaking, rowing, sailing and fishing on Lake Natoma; swimming, picnicking and group camping along Lake Natoma, particularly at Negro Bar.

Due to the amount of recreational use within close proximity to the ROWs within Folsom Lake SRA, DPR believes the proposed action could substantially affect the quality of the recreational area for these users. Conversion of the 150-foot corridor of primarily riparian forest and woodland to grassland or shrubland would alter the natural scenery of the area. This adverse impact would not only occur in the short-term when existing vegetation is killed, but also in the long term as mature trees are replaced by grass and shrubs. The adverse impacts include the loss of enjoyment and study of native trees and vegetation, potential loss of opportunities to see and enjoy wildlife and the loss of shade along trails. Exposure to increased use of herbicides also renders the area less useable and attractive to many users (discussed under Public Health also).

Given the popularity of Lake Natoma and the paved bikepath loop around the Lake, DPR believes that WAPA needs to reach out to user and interest groups that may have concerns regarding the proposed action and have an interest in commenting on the EA. This would include the CSUS Aquatic Center, the Lake Natoma Rowing Club, the Lake Natoma Community Taskforce, the Save the American River Association, Friends of Folsom Parkways, River City Paddlers, FATRAC, Sacramento Area Bicycle Advocates, Folsom Area Bicycle Advocates and other groups.

Portions of the paved bikepath around Lake Natoma lie within the ROW and DPR has a License Agreement with WAPA for the East Natoma Bicycle Trail. As previously mentioned, DPR is currently revising the General Plan for Folsom Lake SRA that may include direction and recommendations for new public facilities in the proximity of the ROW. DPR wants to coordinate with WAPA as the General Plan process progresses.

Cultural Resources

DPR is also concerned about the potential impacts of the proposed action on cultural resources, specifically the historic mining district of site CA-SAC-308. Tailings and other features are integral elements of this site. Use of mechanical removal methods could degrade or destroy some of these features. This site has not been fully surveyed nor evaluated. DPR concurs with the restrictions proposed (p 3-72) for sites along the Lake Natoma, including CA-SAC-308. However DPR believes CA-SAC-308 needs to be thoroughly surveyed to clarify the extent and boundaries of this site.

Aesthetics

The proposed action has the potential to substantially degrade the visual quality of portions of Folsom Lake SRA, specifically along the portions of the ROW on Lake Natoma. The California State Park and Recreation Commission has provided specific direction to the Department to "work with the City of Folsom and other jurisdictions to

- In the event of a spill, immediately notifying potentially affected parties.

Western believes these measures are sufficient to avoid exposure to visitors within the Folsom Lake SRA. See also the response to Comment 3-16.

Response to Comment 3-18

As stated in the responses to Comments 3-8, 3-9, and 3-17, Western is not proposing wholesale changes in vegetation communities along all its ROWs. Of the 142 acres of transmission line ROW along the Folsom-Nimbus and eastern Folsom-Roseville transmission lines, only 42 acres lie within areas categorized as woodland, and there are many treeless areas within the woodland because of the nature of the substrate. For spans within the Folsom Lake SRA that require conversion to low-growth vegetation communities, Western would choose species consistent with DPR's management strategy. Western believes that measures taken to avoid exposure of the general public to herbicides would ensure that the Folsom Lake SRA remains useable and attractive to recreationists. In addition, the development of the bicycle path through much of the Folsom Lake SRA has already created an area devoid of native trees and vegetation; Western's believes its actions would be more in harmony with the natural ecosystem.

3-18

3-19

3-20

3-21

Response to Comment 3-19

Western published a notice of availability for the Draft EA in the Sacramento Bee and distributed the Draft EA through the State Clearinghouse.

3-22

Response to Comment 3-20

Western would appreciate the opportunity to coordinate with DPR on the General Plan.

Response to Comment 3-21

A cultural resources survey report has been sent to the SHPO and U.S. Bureau of Reclamation along with the EA. The SHPO has not indicated that they believe the site "has not been fully surveyed nor evaluated." Western believes the site is defined, and the EA specifies stringent restrictions for activities within the site boundaries, including no use of mechanical methods or nonselective broadcast herbicides at CA-SAC-308H.

Given that this site was not defined during construction of the bicycle path through the area, Western took on the responsibility of consulting with the SHPO to define the necessary recording methods for the site and performing the field recording according to the SHPO's instructions. This included a thorough GPS survey and consultation with Cindy Baker, a local historian. Western fully complied with the recording requirements stipulated by the SHPO.

Response to Comment 3-22

In areas of high scenic value, Western would weigh esthetic considerations when performing maintenance. Along bike paths, Western would consider retaining trees along the path to screen view of the ROW from park users. See also the responses to Comments 3-8 and 3-9.

preserve the immediate Lake Natoma Basin viewshed in its entirety from visual encroachment...". As previously noted, the wild character and beauty of Lake Natoma are values identified for protection. DPR believes the conversion of a 150-foot corridor from riparian woodland and forest to grassland or shrubland would negatively alter the natural scenery and given the number of visitors who enjoy this natural scenery, could be a substantial adverse impact. DPR believes that in order to assert that the impacts to visual quality would not be substantial, WAPA needs to provide some information and analysis of the existing visual quality and a simulation of the conditions following the implementation of the proposed action.

Recommendations

- Due to the lack of specific information and quantification of the existing conditions for a variety of resources and the lack of specific quantification and analysis of potentially adverse effects (all noted above), DPR does not believe that WAPA can support a Finding of No Significant Impact and that WAPA needs to provide additional data and analysis through the preparation of an Environmental Impact Statement.
- Due to the specific and special land management goals, objectives and uses of DPR managed lands, DPR recommends that WAPA provide specific and different direction for the management of vegetation in the environmental document for those portions of the ROWs that fall within Folsom Lake SRA. Folsom Lake SRA is managed to protect native vegetation, habitat and wildlife in their natural state, to protect natural scenery and visual quality and to provide high quality recreation experiences. Folsom Lake SRA and specifically Lake Natoma are heavily used regional recreation amenities enjoyed by millions of visitors annually. DPR believes that these benefits outweigh any potential cost savings of implementing the proposed action in the ROWs within Folsom Lake SRA. Due to these factors DPR recommends that WAPA implement a program of manual removal of vegetation on an as needed basis for those portions of the ROWs within Folsom Lake SRA. Use of herbicides should be restricted to the current practice of spot applications to eliminate invasive exotic species at the bases of towers and other disturbed areas. DPR would like to arrange a meeting between Gold Fields District Superintendent Jacqueline Ball, the WAPA Regional Manager and a manager from the Bureau of Reclamation to discuss this proposal.
- The EA indicates the purpose and benefits of the proposed action are to reduce the risk of wildfire and the other hazards of arcing and to control vegetation in a cost-effective manner. However, WAPA does not present any data on the extent to which wildfires have been a problem under their current vegetation management program, nor how the proposed action would be more cost-effective. DPR recommends that WAPA provide greater information on the need for the proposed action (How many wildfires have been caused due to arcing along each ROW? What is the cost of the current vegetation management program?) and how the proposed action would better meet these needs than the current program. What will the new program cost? How will it be more cost effective in the long term? In order for the public and other agencies to evaluate whether the asserted benefits justify the potentially substantial adverse impacts of the proposed action WAPA needs include more specific data and a more thorough analysis.

Response to Comment 3-23

3-22, Cont. Western has a legal requirement and obligation to maintain its ROWs to ensure the safety and reliability of its system. Western understands the quantification and analysis of potential adverse effects. However, Western believes it has established, based on best available information, that this action is consistent with a Finding of No Significant Impact, and that an EIS is not necessary.

3-23

Response to Comment 3-24

The EA does not prescribe site-specific maintenance plans; Western will develop site-specific plans on a cooperative basis with DPR and other landowners.

Response to Comment 3-25

3-24 This EA provides an evaluation of methods and management approaches to allow crews to perform ROW maintenance in the most efficient manner possible. It is not a planning document that outlines a specific program with timetable. The lack of fires along Western's transmission lines in the Sacramento Valley is the direct result of the diligence of vegetation management crews. Fires can and do occur, often with severe consequences. A 1994 wildfire in Nevada County resulting in \$3 million damage was caused by the failure of PG&E to trim trees near its transmission line (PG&E was subsequently fined \$1.97 million). In 1996, a tree limb contacting a PG&E transmission line sparked a fire that burned 2,100 acres in Sonoma County, with approximate damage and firefighting costs near \$10 million. Even without sparking fires, vegetation can cause system failure. In 1996, Oregon left more than 2,000,000 customers in 11 states without electricity. Within the past year, Western had a fire along its ROW near Cal Expo (a span included within this EA), in an area of high-growth vegetation managed by the County of

3-25

Sacramento and owned by the State. As evidenced by the Cal Expo fire, the risk of fire and system failure due to vegetation is greatest where high-growth plant species pose a continual threat to the transmission line. These are also the areas that require the most frequent maintenance. The best available information, based on cost studies performed by the Bonneville Power Administration and other utilities, is that a management approach of promoting low-growth vegetation communities results in long-term cost savings. Western does not agree that the proposed action, as applied within the Folsom Lake SRA, would have adverse impacts suggested by the DPR.



STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse

Gray Davis
GOVERNOR

June 13, 2002



Tal Finney
INTERIM DIRECTOR

Steve Tuggle
Department of Energy - Western Area Power Administration
114 Parkshore Drive
Folsom, CA 95630

Subject: Sacramento Valley Right of Way Maintenance EA
SCH#: 2002054007

Dear Steve Tuggle:

The enclosed comment (s) on your Environmental Assessment was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 7, 2002. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2002054007) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 1044 SACRAMENTO, CALIFORNIA 95812-1044
916-445-0613 FAX 916-313-3018 www.opr.ca.gov



Response to Comment 4-1

Western would pursue obtaining a lease from the CSLC where applicable.

STATE OF CALIFORNIA

GRAY DAVIS, Governor

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

PAUL D. THAYER, Executive Officer

California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-735-2929



Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

June 12, 2002

File Ref. SCH 2002054007

Mr. Dave Tuggle
U.S. Department of Energy
Western Area Power Administration
114 Parkshore Drive
Folsom, CA 95630

Dear Mr. Tuggle:

Staff of the California State Lands Commission (CSLC) has reviewed the Draft Environmental Assessment for Right of Way Maintenance in the Sacramento Valley Project. The CSLC is a Responsible Agency under the California Environmental Quality Act. Based on this review, we offer the following comments.

The State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last naturally existed. In non-tidal navigable waterways, the State holds a fee ownership in the bed of the waterway between the two ordinary low water marks as they last naturally existed. The entire non-tidal navigable waterway between the ordinary high water marks is subject to the Public Trust. The State's sovereign interests are under the jurisdiction of the State Lands Commission.

Any activities over or under State sovereign lands, such as the Sacramento, American Rivers and certain sovereign waterways in the San Joaquin Valley, may require

a lease from the CSLC. Please contact Diane Jones, Public Land Manager at (916) 574-1843 for any questions concerning our leasing requirements.

| 4-1,
Cont.

Sincerely,



Stephen L. Jenkins, Assistant Chief
Division of Environmental Planning
and Management

cc: Diane Jones
Judy Brown

>>> "Mary Maret" <mmaret@sacparks.org> 07/01/02
09:34AM >>>

I have a question about your E.A. I have read the document and am a little confused. I work on the American River Parkway and I want to be sure I understood the WAPA document correctly.

It seems like the "proposed action" differs from the "no action" primarily by adding herbicide to the mix of management tools. I noticed something about "using" other species for mitigation on page 3-15 (I'm assuming some type of planting project), but it only got a few lines and was not mentioned anywhere else. So I'm assuming re-planting is only a very minor part of the program.

Am I correct in that the EA primarily addresses the addition of herbicide?
(with some other minor exceptions).

Thanks in advance for a brief clarification,

Mary Maret

Mary Maret, Natural Resource Specialist
County of Sacramento
Department of Regional Parks, Recreation and Open Space
4040 Bradshaw Road, Sacramento 95827 phone 916\875-4918; fax 916/875-6632
e-mail: mmaret@sacparks.org

Response to Comment 5-1

Western attempted to distinctly separate the no action from the proposed action within the EA; however, the alternatives are complex in that each specifies a set of methods (e.g., manual vegetation management techniques, herbicides), as well as a management approach (e.g., establish low-growing vegetation communities). The comment is correct in stating that the no action alternative (very select and limited herbicide use in combination with need driven management - limited prioritization and planning) versus the proposed action (herbicide use in combination with proactive management -planning and prioritizing) is what Western has in mind. Re-planting under the ROW is something that Western is trying to avoid. With safety concerns (e.g., fires, electrocution), maintenance monitoring implications, and financial concerns (excessive trimming), Western tries to limit this type of activity. Although Western does have a policy on low-growing vegetation types that fall below 12 ft in height, this is more for the urban environment, but could be applicable in certain cases in upland and riparian habitats. The only real mitigation planning Western will be participating in is the establishment of a mitigation area for the Valley elderberry longhorn beetle. This will address the impacts to the elderberry by planting elderberry and other assorted native vegetation in a suitable area.

5-1

>>> "Jerald Scheinberg" <jscs@ulink.net> 06/06/02
01:21PM >>>

Mr. Steve Tuggle
Project Manager
Western Area Power Administration

Dear Mr. Tuggle:

Thank you for sending me a copy of the Western's Draft Environmental Assessment for Right-Of-Way Maintenance In The Sacramento Valley, California. I found it a complete and comprehensive document. As a former DOE employee, I commend you and your staff and contractors on it.

As a homeowner in the southern portion of Section 15 on the Folsom-Roseville Transmission Line Map (P. 1-10), I am concerned about the potential fire hazard from vegetation throughout Western's ROW . That could easily endanger homes on both sides of the ROW. I strongly recommend, as do my neighbors, that your proposal to cut growth in that entire area be approved. Within the past two years, there has been substantial additional home and commercial construction in the area, particularly along the ROW borders. The vegetation in the area dries out as the summer progresses, posing a true fire hazard.

Thank you for the opportunity to comment.

Sincerely yours

Jerald S. Scheinberg
5150 Parkford Circle
Granite Bay, CA 95746

Response to Comment 6-1

One of Western's major objectives with the implementation of the preferred alternative is to increase the safety level of its transmission system. Western believes that establishing low-growth vegetation communities along its ROWs will lower the fire hazard by reducing the opportunity for lines to come into contact with vegetation, and reducing the amount of fuel available for fires to spread.

6-1