DECISION MEMO

USDA Forest Service
Chugach National Forest Service
Seward Ranger District

Chugach Electric Association
Section 3 Hope Feeder Electric Line Rebuild and Conversion

I. DECISION

It is my decision to approve the relocation of Section 3 of the Hope Feeder electric line as described under the proposed action incorporating the mitigation requirements. My decision to approve this project will result in a permit amendment to Chugach Electric Association (CEA) under special use authorization SEW400307.

II. BACKGROUND:

This project is from Mile 5.5 to Mile 5.8 of the Hope Highway. The project will relocate this section of the 14.4 KV Hoper Feeder Line. The need for action is based on the community of Hope and the surrounding area experiencing frequent and lengthy power outages as a result of the terrain and climate the line encounters (high winds, heavy wet snow, avalanches). This need and potential recommendations were identified in CEAs Hope Line Relocation Study (Project 121-DC-2004-19) dated January 5, 2006.

III. PROPOSED ACTION

CEA will complete the following actions in Section 3 (Mile 5.5 to Mile 5.8):

1. Relocate approximately 1500 feet of the power line to a new 40 foot wide right-of-way, and installing six to seven 34 to 50 foot poles for approximately 1500 feet.
2. The existing poles and anchors will be removed and disposed of off NFS lands and the existing right-of-way will be allowed to naturally re-vegetate.
3. Vehicular and equipment access to the line will use existing access routes, or preapproved new temporary routes.

The project area is located within Sections 22 T. 9 N, R. 1 W, Seward Meridian, in the Kenai Peninsula Borough, Alaska, on the Seward Ranger District of the Chugach National Forest.

IV. MITIGATION MEASURES

The following mitigation measures are incorporated into my decision and will be incorporated into the special use permit amendment and other applicable documents (design, construction, operating and safety).
Final construction plan and post-project construction drawings

- CEA will provide the USFS permit administrator a final drawing of project activities including access routes and applicable mitigation measures before initiating project work.
- CEA will provide the USFS permit administrator a final post-project drawing and summary of the project activities consistent with this decision.

Reducing potential spread of non-native/invasive plants

- All equipment and vehicles that access the area off the paved highway are required to be cleaned of all attached mud, dirt, and plant parts to mitigate introduction of non-native and invasive plants. Cleaning will occur at a vehicle washing station or steam cleaning facility (power or high-pressure wash) off of National Forest System lands.
- Before any equipment is brought onto National Forest System lands, an inspection will be conducted by CEA’s lead contractor, CEA project lead or CEA arborist to determine if the equipment has been adequately cleaned. Any equipment that fails this inspection must be re-cleaned and re-inspected for approval prior to operating on National Forest System lands. USFS employees may spot check any equipment coming to the project area if the USFS employee is on the jobsite when the equipment arrives.
- Any ground disturbed areas will be allowed to naturally revegetate. NO soil, fill, seed mix, or plants will be brought into the project area.

Protection of Goshawks: To prevent the disturbance of nesting Goshawks, de-commissioning of the existing line will not occur within the Goshawk nest buffers, as shown on the map, between March 1 and August 31.

Protection of Migratory Birds: No clearing of live vegetation is allowed between May 1 and July 15 to accommodate the local migratory nesting season for south central Alaska.

Brown Bear Protection: Human and pet food, garbage, and odorous attractants shall be within human eye sight and/or stored in a bear resistant manner (bear cans or lockers, inside of vehicles) and shall be removed from the site daily.
**Protection of Heritage Resources:** If any inadvertent discoveries are made during the course of the project, the USFS permit administrator must be notified immediately and all work must cease at that location until the discovery is identified and evaluated by a professional archaeologist.

V. **REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION**

This activity falls within a category of actions which normally do not individually or cumulatively have a significant effect on the quality of the human environment and, therefore, may be categorically excluded from documentation in an environmental impact statement or environmental assessment. This category of action is identified in Forest Service NEPA regulations at 36 CFR 220.6(e)(3), “Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.”

**Finding of No Extraordinary Circumstances**
The following resource conditions have been considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or an EIS pursuant to 36 CFR Part 220.6(b) (1):

i. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal Listing or proposed critical habitat, or Forest Service sensitive species.** – No federally listed threatened, endangered (nor critical habitat) or sensitive species of plants or animals were found in the project area.

ii. **Flood Plains, Wetlands, or Municipal Watersheds** – Floodplains, wetlands, and municipal watersheds will not be affected by the proposed activity.

iii. **Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas.** – There are no congressionally designated areas within the project area.

iv. **Inventoried roadless areas** - This project does not fall within an inventoried roadless area.

v. **Research natural areas** – There are no Research Natural Areas within the project location.

vi. **American Indians and Alaska Native religious or cultural sites.** - There are no known American Indian or Alaska Native religious or cultural sites within the project area.

vii. **Archaeological sites, or historical properties or areas.** The proposed action is located within the Kenai Mountain/Turnagain Arm National Historic Area. It has been determined that this action will have no effect to historic properties nor will the action detract from the designation.
I find the proposed action can be categorically excluded because it is within the scope of 36 CFR 220.6(e) (3) and there are no effects to the above extraordinary circumstances.

VI. PUBLIC INVOLVEMENT

An “Opportunity to Comment on Chugach Electric Association’s request to amend their special use permit” was published in the newspaper of record (Anchorage Daily News) on November 5, 2013. There were no comments received from the public regarding the proposal. This project has been listed on the Forest’s SOPA list.

VII. FINDINGS REQUIRED BY OTHER LAWS

Chugach Revised Land and Resource Management Plan (Forest Plan), 2002, as amended
This action is consistent with the Revised Land and Resource Management Plan, dated May 2002.

ANILCA Section 810, Subsistence Evaluation and Finding
There is no documented or reported subsistence use that would be restricted because of this decision. For this reason, no part of this activity would result in a significant possibility of a significant restriction of subsistence use of wildlife, fish, or other foods.

Endangered Species Act of 1993
There are no known federally listed threatened or endangered species of plants or animals (or designated critical habitat) in the project area.

National Historic Preservation Act of 1966
While several historic sites are located within the general vicinity of the project, no sites have been identified within the area of potential effect. As a result, the Seward District Archaeologist has reached a finding of “no historic properties affected” for this project. This undertaking is managed under the “Third Amended Programmatic Agreement among the USDA Forest Service, Alaska Region, the Advisory Council on Historic Preservation, and the Alaska State Historic Preservation Officer Regarding Heritage Program Management on National Forests in the State of Alaska.”

Floodplain Management (Executive Order 11988), Protection of Wetlands (Executive Order 11990)
The scheduled activities will not impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990.

Environmental Justice (Executive Order 12898)
I have determined that, in accordance with Executive Order 12898, the scheduled activities do not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.

Recreational Fisheries (Executive Order 12962)
Executive Order 12962 requires evaluation of “effects of Federally funded, permitted, or authorized actions on aquatic systems and recreational fisheries and document those effects...” I have determined the scheduled activities will not result in significant or adverse effects to aquatic systems and recreational fisheries of the area.

_Magnuson-Stevens Fishery Conservation and Management Act, Public Law 94-265_

The Magnuson-Stevens Fishery Conservation and Management Act require that all federal agencies consult with the National Marine Fisheries Service when any project “may adversely affect” essential fish habitat (EFH). The Forest Service has determined that the project will not adversely affect EFH.

**VIII. IMPLEMENTATION**

As required by Forest Service regulations at 36 CFR 215, a legal notice of the opportunity to comment on the proposed action was published in the Anchorage Daily News in Anchorage, Alaska on November 5, 2013. The 30-day comment period ended on December 5, 2013 and no comments were received. Therefore, pursuant to 36 CFR 215.12(e), this decision is not subject to appeal. Implementation of this action may occur immediately.

**IX. CONTACT PERSON**

For further information, contact Kathy Van Massenhove at Anchorage Supervisors Office, Chugach National Forest,
Address: 161 E. 1st Ave, Door 8, Anchorage, AK 99501
Telephone: 907-743-9542
Email: kvanmassenhove@fs.fed.us

Responsible Official

[Signature]

TERRI MARCERON
Forest Supervisor

2/6/2014
Date