

**DECISION NOTICE
And
FINDING OF NO SIGNIFICANT IMPACT**

Southern Electric Generating Company
Transmission Line Right-of-Way
Amendment to a Special Use Permit
USDA FOREST SERVICE
REGION 8
NATIONAL FORESTS IN ALABAMA
TALLADEGA RANGER DISTRICT

DECISION

Based on the results of the analysis in the Gaston-Yellow Dirt Road 230kVTL Environmental Assessment (EA) completed for this project, it is my decision to select Alternative #2, which will amend the Special Use (SU) Permit to allow the authorizing of a five year plan for the replacement of 9 (nine) structures in the existing powerline easement.

This decision involves only the portion of the proposed transmission line that would be located within the boundaries of the Talladega National Forest. This decision will authorize Southern Electric Generating Company's request for an amendment to their existing Special Use Permit.

Alternative 2 would include:

- Replacement of 9 existing transmission towers going across approximately 3.6 miles of the Gaston-Yellow Dirt Road 230kV transmission line from US Highway 21 to Clay County Road 308, Horn Valley Road,
- Improvement of 3.3 miles of access roads, including widening width to 20' with necessary tree trimming and removal,
- Installation of 3 gates,
- Maintenance of 1 ford crossing (Swept Creek) in access roads,
- Installation of a bridge to cross West Fork of Hatchet Creek,
- Installation of 0.48 acres of stone fill in wetlands for access road,

- Maintenance/improvement to surface of Skyway motorway (NFSR 600-1) to improve access,
- Replacement of two culverts by the Forest Service,
- Temporary rerouting or closure of the Pinhoti Trail to access structure 86,
- and construction of temporary access to structure 86 including removal of approximately 50 trees which will be sold to Alabama Power Company, when access construction is completed the area will be rehabbed.

DECISION RATIONALE

The EA for the proposed action of the Gaston-Yellow Dirt 230kVTL and the Forest Plan document the environmental analysis and conclusions upon which this decision is based. This Action has been developed in compliance with the Forest Plan, specifically Goal 11 and Chapter 2 – Special Uses. The 2004 National Forest in Alabama Revised Land and Resource Management Plan provides for a multiple use management framework in which special uses are administered “to best meet public needs”. The predominate use is for public roads and utility rights-of-way. The proposed project complies with standards and guidelines specified in the Forest Plan that are applicable to this type of use.

I selected the proposed Action Alternative #2 because it accomplishes the project objectives and meets the purpose and need for action by improving power reliability and quality plus providing capacity for projected future growth.

The proposed transmission line is consistent with the management direction and multiple use management framework described in the National Forest in Alabama Revised Management Plan (2004).

The list of mitigation measures displayed in the Environmental Assessment, Chapter 2- Alternatives will be applied when implementing this project to avoid and/or minimize environmental impact. A comparison of these alternatives can be found in the EA beginning on page 8.

OTHER ALTERNATIVES CONSIDERED IN DETAIL

In addition to the selected alternative, I considered one other alternative in detail, the No Action Alternative.

No Action Alternative #1

Under the No Action Alternative only maintenance of the existing structures would occur along with routine herbicide application, occasional mowing and felling of dead trees along the right-of-way. This alternative is analyzed in detail in the Southern Electric Generating Company, Gaston Yellow Dirt 230kVTL Special Use Permit (September 2012) as the proposed action.

PUBLIC INVOLVEMENT

- ID Team members met on April 1, 2013 to discuss this issue, this included district personnel, SO specialist and Alabama Power Company employees.
- This proposed action has been listed in the Schedule of Proposed Actions since July, 10 2013. The public scoping period for the proposal to amend the SU permit was initiated by mailing the scoping letter to our NEPA mailing list on July 10, 2013 with the official scoping period from July 10 to July 19, 2013. No comments were received.
- The public request for comments on the proposal to amend the SU permit was published in the Daily Home on August 9, 2014 establishing the official 30 day comment period for the draft EA. A request for comments was also published in the Clay Times-Journal on August 14, 2014. To-date no comments have been received on this proposed action.

The public notice/scoping was conducted to provide information and solicit public comments and suggestions regarding the proposed project. No comments were received.

Issues

No issues were identified.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

After considering the environmental effects described in the EA, I have determined these actions will not have a significant effect on the quality of the human environment considering the context and intensity of the impacts (40 CFR 1508.27), and an Environmental Impact Statement (EIS) will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety, (see EA pages 46).
3. There will be no significant effects on unique characteristics of the area, (see EA pages 48-50).
4. The effects on the quality of the human environment are not likely to be highly controversial. Because there is no known scientific controversy over the impacts of the actions (see EA, Chapter III Environmental Consequences).
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. Projects of a similar nature have been completed on the Forest such that environmental consequences of this project are well understood. (See EA, Chapter III Environmental Consequences).
6. The action is not likely to establish a precedent for future actions with significant effects, because there are no significant effects from the proposed actions and these actions have been carried out in similar projects in recent years.
7. The possible cumulative effects of the proposed actions have been analyzed with consideration for past and reasonably foreseeable future activities on adjacent private and public lands. The context and intensity of cumulative impacts over space and time will not be significant. (See EA, Chapter III Environmental Consequences).
8. The proposed actions will not adversely affect any sites listed, or eligible for listing, in the National Register of Historic Places, nor will they cause the loss or destruction of significant scientific, cultural, or historical resources. This is based on findings of site-specific cultural resource surveys of the project area (see SHPO clearance letter).
9. Implementing this decision will not adversely affect threatened or endangered species, or result in loss of any other species' viability, or create significant trends toward Federal listing of the species under the ESA. This determination is based on site-specific surveys, the

Biological Evaluation for the Gaston-Yellow Dirt 230kVTL project on the Talladega Ranger District of the Talladega National Forest (See EA Chapter III, pages 8-49).

10. The actions will not violate federal, state, or local law or requirements imposed for the protection of the environment. Carrying out the proposed actions in a way that is consistent with the standards and guidelines, management requirements, and design criteria established in the Forest Plan will ensure this. No historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic river, or ecologically critical areas will be impacted. Riparian areas will be protected by application of the Forest Plan Standards and design criteria as specified in the EA Chapter 2. There are no known significant irreversible resource commitments or irretrievable loss of timber production, wildlife habitats, soil production, or water quality (40 CFR 1508.27(b)(10)).

11. My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

NFMA Significance – This decision is consistent with Forest Plan Goal 11 and Chapter 2 – Special Uses, to evaluate special-use applications to determine if they are in the public interest, cannot be accommodated on private land, and comply with the Forest Plan, laws, regulations and statutes. Special uses are administered to compliment other resource values.

ESA/NHPA – This decision meets the requirement of the Endangered Species Act and the National Historic Preservation Act (see EA – Biological Evaluation and State Historic Preservation Office report).

Executive Order 12898 (2/11/94) directs that federal action be considered for potentially disproportionate effects on minority or low-income communities. There is no evidence to believe that minority or low-income groups will be adversely or disproportionately affected by implementation of this action (see EA - pages 47-48). I have determined that the project is reasonable and feasible (see EA - pages 2-7).

IMPLEMENTATION DATE

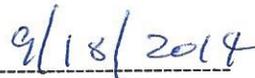
This document represents the approved final decision notice of the USDA Forest Service for the Amendment to the SEGCO Special Use Permit. No comments were received during the scoping period and no comments were received during the 30-day comment period. Therefore pursuant to 36 CFR 218.5, none have standing to object. This project is approved for implementation and project work may begin at the discretion of the Forest Supervisor, National Forests in Alabama.

CONTACT

For additional information concerning this decision, contact: Gloria Nielsen, District Ranger, Talladega National Forest, 1001 North Street, Talladega, Alabama 36264 (telephone: 256-362-2909 ext. 121 or email: glorianielsen@fs.fed.us)



Acting Forest Supervisor



Date

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