



**DECISION NOTICE AND
FINDING OF NO SIGNIFICANT IMPACT
LINE 63 RE-ROUTE PROJECT
U.S. FOREST SERVICE
ANGELES NATIONAL FOREST
SANTA CLARA/ MOJAVE RIVERS RANGER DISTRICT
LOS ANGELES, CALIFORNIA**

DECISION

Based upon my review of the Line 63 Re-Route Environmental Assessment (EA), I have decided to implement the Proposed Action, which would re-route 2.27-mile-long (approximately 12,000 linear feet) segment of the Line 63 pipeline with an additional segment of approximately 2,000 linear feet (LF) of Horizontal Directional Drilling (HDD). The location of the Line 63 segment proposed for re-route is approximately one mile east of Interstate 5 (I-5) and approximately 1.5 miles northwest of Lake Castaic between existing pipeline Mile Posts (MP) 37.6 to 40.3.

During rain storms in the winter of 2004-2005, several landslides occurred in the Angeles National Forest (ANF) that damaged, affected or otherwise threatened the integrity of segments of the Line 63 Pipeline. The EA examined alternatives to address the legal complaint filed by the United States Environmental Protection Agency (USEPA) against Line 63's operator, Pacific Pipeline System (PPS) for a crude oil release that flowed into nearby Pyramid Lake in 2005. In 2010 a Consent Decree Order was issued by the USEPA that outlined Tasks to be completed by PPS prior to oil being placed in this section of Line 63. The Proposed Action addresses a requirement of the Consent Decree Order by re-routing a portion of Line 63.

Both the re-route and the HDD are intended to address and avoid a large number and concentration of geohazards located along Line 63 between MP 37.6 to 40.3. A significant section of the proposed re-route is west and upslope from where Line 63 is currently located, and will be located within the existing Line 2000 ROW. The proposed re-route was selected based on a combination of factors: the absence of geohazards; avoidance of higher-ranked geohazards; avoidance of narrow ridges with steep downslopes; near a limited number of lower-ranked geohazards when avoidance was not possible; minimizing river and stream crossings; accessibility and constructability of the route; and re-routing the segment into an Angeles National Forest (ANF) designated utility corridor.

The first approximate 0.5-mile of the Proposed Action alignment is located parallel to and within the existing previously-disturbed Line 2000 ROW beginning at the south end of the Osito Canyon slide. This segment contains a geohazard named specifically Appendix A of the Consent Decree, referred as the Landslide Wedge, located at MP 37.7. The remaining 1.77 miles would be comprised of approximately 1.50 miles of previously-disturbed terrain along current Line 2000 ROW and 0.27 miles of previously-undisturbed terrain.

All the design features and environmental commitments for the Proposed Action described in the EA Section 2.3 will be implemented. Design features include, but are not limited to: protecting the Old Ridge Route and other historic resources, avoiding and minimizing effects to sensitive and other biological resources, minimizing stream crossings, minimizing the potential for water quality effects, reducing and minimizing visual effects and restoring disturbed areas. Both the design features and environmental commitments are intended to avoid adverse environmental effects. Environmental commitments include a combination of best management practices (BMPs), avoidance, minimization and mitigation measures that reduce or eliminate potential adverse environmental effects. These include, but are not limited to: air quality BMPs, water quality BMPs including erosion and sediment control, avoidance of wetlands and streams, timing of activities to avoid special status species, minimization measures to prevent spread of noxious weeds, compliance with the Forest Service Habitat Restoration Plan for temporary and permanent vegetation effects, compliance with the Forest Service Construction Requirements, avoidance of cultural and historic resources, compliance with the Proposed Action Fire Prevention Plan and Transportation Plan (a complete listing of environmental commitments is located in Attachment 1 of this DN/FONSI).

DECISION RATIONALE

The Forest Service analyzed the project in response to PPS's application for an amendment to their current pipeline authorization. The current Line 63 alignment traverses areas that are considered geologically hazardous, which renders placement of oil in the pipeline potentially hazardous to the public and the environment. The Purpose and Need of the Proposed Action is to implement requirements of the 2010 USEPA Consent Decree and return the flow of oil through Line 63, and allow for the continued safe operation of PPS facilities on ANF lands. The Proposed Action accomplishes the Purpose and Need by re-routing the pipeline away from significant geohazards and minimizing environmental effects in the short and long-term.

Environmental Documents

The following documents were read or reviewed, and considered as part of the decision making process for the Line 63 Re-Route Project:

- An environmental analysis was conducted and documented in *Line 63 Re-Route Environmental Assessment* dated April 2015. A complete list of references consulted for this analysis is located in the EA, Section 7.1 References.
- All documentation included in the project file for the Line 63 re-Route Project was considered. This includes numerous resource specialists' reports, and the draft and final Biological Assessment and Evaluation. A complete list of specialists' reports and studies is located in the Table of Contents for the EA and these reports are appended to the EA.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the ANF National Forest Schedule of Proposed Actions and updated periodically during the analysis. People were invited to review and comment on the proposal through a Scoping Notice which took place from February 19, through March 21, 2014. In addition, 140 Scoping Letters were sent to interested parties including federal, state and local agencies, NGOs, Native American tribal representatives, organizations and individuals. These letters referenced a website that contained a description of the proposed project activities as well as potential environmental impacts. Five response letters were received during the Scoping Notice period. Three were from other utility operators in the vicinity requesting notification and coordination prior to project commencement, one from the South Coast Air Quality Management District (SCAQMD) related to air quality emissions and monitoring, and one from the Fernaldo Tatavium Band of Mission Indians. A matrix of scoping comments and responses is located in Table 6.2-1 of the EA. The draft EA was published on October 22, 2014. Only the SCAQMD requested an opportunity to review the draft EA a copy of which was made available to them on Tuesday October 7, 2014, following a meeting at their offices on Thursday, August 14, 2014, to review and discuss the draft document. The EA lists agencies and people consulted in Section 6.0.

FINDING OF NO SIGNIFICANT IMPACT

Based on my review of the *Line 63 Re-Route Environmental Assessment*, as summarized within the *Decision Notice* and incorporated by reference, and based on other documentation including the project file, and the *Angeles National Forest Plan*, I have determined that implementation of the Proposed Action will not have a significant effect on the quality of the human environment. Therefore an environmental impact statement (EIS) will not be prepared.

The following findings include my consideration of the context and intensity of impacts (40 CFR 1508.27), and support my determination that there will not be a significant effect on the human environment:

Context

This project is a site-specific action that by itself does not have international, national, region-wide, or statewide importance. The discussion of the intensity factors that follows applies to the intended action and is within the context of local importance in the area associated with the Line 63 Re-Route Project (re-route between MPs 37.6 and 39.8 and increasing burial depth between MPs 39.9 and 40.3). The project will disturb approximately 2.25 miles along a pipeline that runs approximately 116 total miles. In this context it is a relatively small, localized repair to a much larger, regional facility.

Intensity

The following evaluation is organized around the 10 factors of intensity described in NEPA implementing regulations (40 CFR 1508.27). Application of design standards environmental commitments and mitigation measures of the Proposed Action contained in the EA and appendices and authorized by my decision are considered in this evaluation (see EA Sections 2.1 and 2.3 and Appendix A, D and L).

1. The analysis considered both beneficial and adverse effects of the Proposed Action. My finding of no significant impact is not biased by the beneficial effects of the Proposed Action as described in this decision and the EA, impacts from this project are both beneficial and adverse. The adverse effects of the Proposed Action in terms of meeting purpose and need are summarized in Section 5.0 of the EA. The adverse effects are not significant in context of the project as a whole. Chapter 3 of the EA contains a complete discussion of the effects.
2. There will be no significant adverse effects on the health and safety of the public. Re-routing the pipeline will improve health and safety of the public by removing it from known geohazards and burying it deeper. Placement of the pipeline in an existing alignment also reduces effects from future long-term maintenance operations by co-locating it. While re-route activities are occurring, use of National Forest System land and roads may be restricted and local residents and the public may experience noise, traffic or visual effects during construction activities. These effects will be temporary (EA Section 3.0-3.14 and Chapter 5.0).
3. There will be no significant adverse effects on unique characteristics, or ecologically critical areas such as historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, viewsheds or other resources with implementation of Environmental Commitments as described in Section 2.3.1 Chapter 3.0 of the EA.
4. The effects on the human environment are not likely to be highly controversial. This is based on the result of public involvement during the Scoping Notice period during which five comment letters were received. Only one of the five comments (from the SCAQMD) needed to be resolved either through project design clarifications and modifications, or application of design standards and mitigation measures.
5. The possible effects on the human environment are not highly uncertain nor do they involve unique or unknown risks (see EA Chapter 3). Both methods of construction, trenching and directional drilling, have been used by the pipeline industry for many years, including recent projects by PAALP in the same area.
6. The decision is not likely to establish a precedent for future actions with significant effects. Re-routing the existing pipeline to an ANF designated utility corridor and outside known geologic hazards is not precedent-setting.
7. The actions to be implemented by this decision are not related to other actions with individually insignificant, but cumulatively significant impacts. Cumulative effects are discussed throughout EA Chapter 4.0.
8. The decision will have no significant adverse effect on districts, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will it cause loss or destruction of significant scientific, cultural, or historical resources. Although access to project work areas would be via a portion of the historically significant Old Ridge Road (ORR), the ORR surface would be protected from damage from heavy equipment with a layer of dirt, steel plates, rubber pads, or other approved method. Additionally, implementation Environmental Commitments CULT-1, CULT-2, CULT-3, CULT-7 and UNV-3 during construction of the Proposed Action will reduce the potential for adverse effects to cultural, historic and paleontological resources to occur.

9. The decision will not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. Special status and threatened and endangered species may be present in project activity areas. As part of the project design and the environmental commitment measures, including pre-construction surveys, timing of activities and monitoring as needed, potential for adverse effects to the special status of threatened and endangered species has been avoided or minimized (EA Section 3.0-3.14).

10. The action will not violate Federal, State, or local laws or requirements imposed for the protection of the environment. Applicable laws and regulations were considered in the EA and documented for each individual resource area (e.g. Section 3.1.2 Air Quality Regulatory Framework, or Section 3.2. Biological Resources Regulatory Framework). Wetlands and waters regulated under the Clean Water Act have been avoided to the maximum extent feasible and only small portion of onsite wetlands and waters will be affected. These effects are temporary during construction only and affected areas are to be fully restored to their pre-existing conditions (EA Section 3.2.3.1).

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

Endangered Species Act. A Biological Evaluation/Biological Assessment (BE/BA) was prepared, and concluded that the project would have no effect on the California condor or any other Federally- listed species. The California condor may use the airspace over the proposed Area of Effect when traveling between suitable habitats; however, these activities will not be adversely affected by the proposed Project. There is a minimal presence of suitable foraging, roosting, nesting, or critical habitat within the proposed Area of Effect. The implementation of the Avoidance and Minimization Measures and Best Management Practices will avoid potential effects.

National Forest Management Act. This decision is consistent with the Angeles National Forest Land Management Plan (LMP). The project contributes to LMP Goal 4.1a – Administer Mineral and Energy Resource Development while protecting ecosystem health, by ensuring safe and continued operation of a key regional oil pipeline that has been in place since 1963. The EA recommended many measures to limit short term impacts from construction.

The project has incorporated and is compatible with land use zones, program strategies and tactics, and place based desired conditions from Part 2 of the LMP. The project occurs within “Developed Areas Interface (DAI)” land use zone which includes developed sites and community infrastructure. The level of human use and infrastructure is typically higher than in other zones. Permissible DAI activities include oil and gas exploration and development, and major utility corridors. The proposed action is within a LMP geographical Place, “I-5 Corridor” that serves as a scenic transportation gateway for tourism in southern California, as well as a major utility corridor (i.e., electricity, fiber optics, natural gas, crude oil, and water) for conveyance to the greater Los Angeles metropolitan area. Table 484 of the LMP identifies the I-5 (Tejon Pass) Corridor as an approximately 9,544-acre “Designated Utility Corridor” with two 500 KV (kilovolts) and three 220 KV overhead electrical corridors; four fiber optic lines; Interstate Highway 5; the California Aqueduct; and seven oil and gas pipelines, along a 27.1 mile

stretch. Table 2.1.3 of the LMP indicates “Major Utility Corridors” is a suitable use within the “Developed Areas Interface.” The proposed re-route would be located within this major utility corridor and is therefore consistent with the goals and desired conditions in the LMP.

The Proposed Action is anticipated to achieve a Moderate scenic integrity level within three years of project completion and requires Forest Supervisor’s approval for application of the first exception of Standard S10, which allows for a drop of one SIO level (See EA Section 3.12.3). The Forest Supervisor has approved the one level SIO drop, and therefore the successful implementation of the Proposed Action would not result in adverse effects to visual resources. Additionally, the Proposed Action includes Environmental Commitments (VR-1 through VR-18) that are intended to reduce potential effects to visual and aesthetic resources.

LMP Standard S6 will be incorporated throughout the project and restoration activities, requiring that seeds will be locally collected when available and all BMP’s will be free of noxious weeds. With the proper implementation of specific design features BIO 1 – BIO 11, the project will be consistent with a number of wildlife standards found in the LMP, including S11, S12, S24, and S28. By incorporating these design features, the project will avoid, minimize and mitigate negative long-term effects on threatened, endangered, proposed, candidate or sensitive species and habitat.

Clean Air Act. A general conformity analysis for the activities associated with this project was conducted. As described in Section 153(b) of Part 93 of Title 40 of the Code of Federal Regulations (CFR), the purpose for the general conformity determination is to demonstrate that the Project complies with the Clean Air Act. The total direct and indirect emissions associated with construction activities were estimated and compared with de minimis thresholds specified in 40 CFR 93(b)(2). The total estimated emissions of VOC, NOx, CO, PM10, and PM2.5 for the Project are less than the general conformity de minimis threshold emission rates. Therefore, the general conformity requirements do not apply to these pollutants, and the Project is exempt from a conformity determination.

Clean Water Act. A Storm Water Pollution Prevention Plan (SWPPP) has been developed for this project, which has adopted site specific design features and BMP’s for the protection of water quality, in accordance with Region 5 Forest Service Handbook 2509.22, Chapter 10. This SWPPP is designed to ensure compliance with Federal and State water-quality objectives and legal requirements. No new roads, trails, or landings will be constructed. All temporarily disturbed areas will be revegetated as specified in the habitat restoration plan. The project is in full compliance with the Clean Water Act.

Migratory Bird Treaty Act. The project requires survey and monitoring by a qualified biologist for activities occurring during the migratory bird nesting season. Where species of concern (including threatened, endangered, proposed, candidate, and sensitive species) and other species identified by biologist as being in danger of population decline or habitat loss are confirmed to be nesting, protective buffers will be established to avoid disturbance to nesting birds. Some project activities may be postponed until after nesting season, or until young birds have successfully fledged. The project is consistent with a 2008 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service intended to promote the conservation of migratory birds, as well as LMP, Part 3, Appendix H.

National Historic Preservation Act. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district site, building, structure, or object that is included in, or eligible for inclusion in the National Register. The requirements of Section 6 of the National Historic Preservation Act of 1966 has been met by following the stipulations and applying standard protection measures included in the *Programmatic Agreement Among USFS Forest Service Region 5, Pacific Southwest Region, the California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Undertakings on the National Forest of the Pacific Southwest Region (2013)*. No National Register eligible or listed heritage resources will be affected by the project.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This draft decision is subject to the pre-decisional objection process described in 36 CFR 218, Subparts A and B. Planning for this project began under prior regulations (36 CFR 215) which have been replaced with 36 CFR 218. Objections will be accepted from individuals and entities who have submitted substantive formal comments on the project during the opportunities for public comment. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment period.

Objections must be submitted within 45 days following the publication of a legal notice in the Los Angeles Daily News. The date of this legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt.

Objections must be submitted to the reviewing officer: Thomas Contreras, Forest Supervisor, USDA Forest Service; Attn: Line 63 Re-Route Project; 701 North Santa Anita Avenue, Arcadia, CA 91006. Ph. (626) 574-5216. Objections may be submitted via mail, FAX (626-574-5235), or delivered during business hours (M-F 8:00am to 4:00pm). Electronic objections, in common (.doc, .pdf, .rtf, .txt) formats, may be submitted to: objections-pacificsouthwest-angeles@fs.fed.us with Subject: Line 63 Re-Route Project.

Objections must include: 1) name and address (and telephone if available); 2) signature or other verification of authorship; 3) identification of the lead objector when applicable; 4) name of the project, the name and title of the responsible official, and the name of the national forest on which the proposed project will be implemented; 5) A description of aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and 6) A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity(ies) for comment.



Implementation Date if no objections are filed within the 45-day time period, implementation of this decision may occur on, but not before, the 5th business day following the close of the objection filing period. If objections are filed, implementation may occur immediately once all concerns and instructions identified by the reviewing officer have been addressed and the objection is resolved.

CONTACT

For additional information concerning this decision, contact: Evy Rimbenieks, Project Manager at Santa Clara/Mojave Rivers Ranger District, 33708 Crown Valley Road, Acton, California 93510, phone number (661) 269-2808 extension 230.

Wilburn M. Blount

Date

District Ranger, Santa Clara/Mojave Rivers RD

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