

# RECLAMATION

*Managing Water in the West*

FONSI NO. EC-2014-001

## Finding of No Significant Impact

Black Hills Corporation Pueblo Reservoir  
Substation, Pueblo, Colorado

Approved: \_\_\_\_\_



Jacklynn L. Gould P.E.  
Area Manager

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Date



U.S. Department of the Interior  
Bureau of Reclamation  
Great Plains Region  
Eastern Area Office

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## Introduction

This Finding of No Significant Impact has been prepared to document the environmental review and evaluation of the Black Hills Corporation, Pueblo Reservoir Substation proposed action in compliance with the National Environmental Policy Act of 1969, as amended (NEPA). Based on the following finding, the U.S. Bureau of Reclamation (Reclamation) has determined that issuance of a special use permit to allow construction and operation of an electrical substation at Pueblo Reservoir (proposed action) will not result in a significant impact on the human environment.

## Federal Action

The federal action consists of issuance of a special use permit for Black Hills Corporation (Black Hills) to build and operate the Pueblo Reservoir Substation (substation) on Bureau of Reclamation (Reclamation) property southeast of Pueblo Reservoir and Dam. The need for this project is to provide electrical power, handle increased demands for electric supply west of Pueblo, Colorado and improve reliability for facilities near Pueblo Reservoir.

Reclamation evaluated the effects of the proposed action in Environmental Assessment (EA) No. EC-2014-001, Black Hills Corporation, Pueblo Reservoir Substation.

The purpose of the proposed substation is to improve the reliability of electrical power for facilities near Pueblo Reservoir, including Pueblo Dam, Pueblo Fish Hatchery, Southern Delivery System (SDS) Juniper pump station, Pueblo West Metropolitan District (PWMD) pump station, Fountain Valley Authority (FVA) pump station, and various federal and state (e.g., Reclamation and Colorado Parks and Wildlife (CPW)) buildings and infrastructure. Under this action, Reclamation will issue a special use permit to Black Hills Corporation to construct and operate an electrical substation that provides electrical power and improves reliability for these facilities.

The proposed action is comprised of the following elements:

- Construction of a new Pueblo Reservoir Substation along the existing 115-kilovolt (kV) electric transmission line south of the Arkansas River and east of Pueblo Reservoir and Dam.
- Construction of three feeder lines that will distribute power from the substation to surrounding areas.
- Two of the proposed feeder lines will be used to serve the SDS raw water pump station (Juniper pump station).
- The third overhead distribution line will be approximately 1,426 feet long, extend from the proposed substation, and connect with an existing distribution line located to the east-southeast, providing for backup of existing underground lines in the area.
- Installing aboveground elbow cabinets along the underground portion of the distribution line.
- Connecting the distribution line to the existing bridge which crosses the Arkansas River.
- Enlarging and upgrading the existing dirt access road that extends from the existing Juniper Road west of the Reclamation Pueblo Field Office.

The proposed action was reviewed by effected entities at Pueblo Dam, including Reclamation, Pueblo Board of Water Works (PBWW), Colorado Parks and Wildlife (CPW), Southeastern Colorado Water Conservancy District, and Colorado Springs Utilities. The final Proposed Action design was refined to resolve any concerns. In addition, the Proposed Action has undergone a public review process, including filing notices to the Colorado Public Utilities Commission and through the Pueblo County 1041 permitting process. No public comments were received and no unresolved conflicts were identified during these public processes. Because there are no unresolved conflicts, the EA evaluated environmental effects by comparing the impacts of the proposed action to existing conditions.

## **Finding of No Significant Impact**

After considering the environmental effects described in the EA and the expected effectiveness of the project design measures, Reclamation determined that issuance of a Special Use Permit to Black Hills Corporation allowing them to construct and operate the Pueblo Reservoir Substation will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 Code of Federal Regulations (CFR) 1508.27). Therefore, an environmental impact statement will not be prepared. The finding of no significant impact is based on the following points and the effects of the proposed action, which are summarized in Table 1.

(a) *Have significant impacts on public health or safety?*

Public health and safety were not identified as an issue during the scoping process. No effects to public health and safety were identified with construction and operation of the substation; therefore, it is concluded that the proposed action will not pose a threat to public health or safety.

(b) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?*

The proposed action will not affect the unique characteristics of park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In addition, there will be no adverse effect on historic or cultural resources found in the area. The Colorado State Historic Preservation Office (SHPO) concurred on November 1, 2013, that a finding of no adverse effect is appropriate for the proposed action pursuant to 36 CFR 800.5(b).

(c) *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?*

The effects of the proposed action are localized and negligible to minor and generally consistent with those found in comparable projects in the same locale or setting. The proposed action has undergone a public review process, including filing notices to the Colorado Public Utilities Commission and the Pueblo County 1041 permitting process. No public comments were received and no unresolved conflicts have been identified

during these public processes. The proposed action will not result in controversial effects nor leave conflicts unresolved.

- (d) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?*

The Interdisciplinary Team conducting the analysis used scientifically acceptable methods to measure the effects of the proposed action and found that there were no substantial risks due to uncertain, unique, or unknown consequences on the human environment.

- (e) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?*

The proposed action adheres to agency regulations and policy for special use permits administered by Reclamation. The proposed action falls within the framework of this regulatory process and, therefore, will not establish any new precedents or principles for decisions involving significant effects on the environment.

- (f) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?*

The EA concluded that past, present, and reasonably foreseeable future activities, when coupled with construction of the substation will not result in any adverse significant impacts on the environment. The analyses were accurate and based on consideration of reasonably foreseeable future actions.

- (g) *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation?*

The proposed action will have no adverse effect on districts, sites, highways, structures, or objects listed in, or eligible for listing, in the National Register of Historic Places. The Colorado SHPO concurred on November 1, 2013, that a finding of no adverse effect is appropriate for the proposed action pursuant to 36 CFR 800.5(b).

- (h) *Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species?*

Potential impacts to Federally-listed threatened and endangered species and state species of concern were considered in the EA. It was concluded that the proposed action will have no effect on federally-listed threatened and endangered wildlife or plant species and a negligible effect on Colorado wildlife or plant species of concern. The effects on state species of concern – triploid checkered whiptail and swift fox – will be minimized by implementing Best Management Practices (BMPs), including conducting preconstruction surveys and implementing seasonal restrictions, as appropriate.

- (i) *Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?*

The proposed action will not violate federal, state, local, or tribal laws enacted for the protection of the environment. The proposed action meets the requirements of the Clean Air Act, the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act, and the National Historic Preservation Act.

- (j) *Have a disproportionately high and adverse effect on low-income or minority populations (EO 12898)?*

In accordance with Executive Order 12898, this project will not have a disproportionately adverse health or environmental effect on low-income or minority populations.

- (k) *Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)?*

No ceremonial or sacred sites will be affected by the proposed action.

- (l) *Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)?*

Implementation of best management practices described in Appendix A will reduce the threat of introducing or spreading noxious weeds into the project or surrounding area.

**Table 1. Summary of Direct and Indirect Environmental Effects of the Proposed Action.**

<b>Environmental Resource Evaluated</b>	<b>Environmental Effects of Proposed Action</b>
<b>General Vegetation Resources</b>	4.72 acres permanent and 15.53 acres temporary effects
<b>Potential Colorado Natural Heritage Program Tracked Rare Plant Habitat</b>	0.07 acre permanent and 3.70 acres temporary effects
<b>Wetlands and Other Waters of the U.S. and Riparian Habitat</b>	Negligible 0.007 acre temporary effect; jurisdictional wetlands avoided by BMPs; covered under US Army Corps of Engineers Nationwide Permit 12 for Section 404 Clean Water Act compliance, does not require preconstruction notification; small (0.007 acre) acreage temporary effect does not require mitigation.
<b>Federally Listed Threatened and Endangered Species</b>	No effect
<b>Wildlife Resources</b>	4.72-acre permanent loss of wildlife habitat; including overall range for mule and white-tailed deer, and swift fox; temporary displacement from 22.10 acres of mule deer, swift fox, and white-tailed deer overall ranges and 13.91 acres of

<b>Environmental Resource Evaluated</b>	<b>Environmental Effects of Proposed Action</b>
	pronghorn overall range; 0.19 acre permanent and 9.76 acres temporary effects on triploid checkered whiptail habitat and 7.33 acres temporary disturbance of bald eagle winter range
<b>Soils, Geology, Farmland, and Paleontology</b>	No effect
<b>Cultural Resources</b>	Colorado SHPO concurred on November 1, 2013, that a finding of no adverse effect is appropriate for the proposed action pursuant to 36 CFR 800.5(b)
<b>Environmental Justice</b>	No effect
<b>Visual Resources</b>	Negligible effect
<b>Hazardous Materials</b>	No effect
<b>Recreation, Ground Water Hydrology, Flood Hydrology and Floodplains, Water Quality, Aquatic Resources, Socioeconomics and Land Use, and Air Quality</b>	No effect

## **Environmental Commitments**

Appendix A, attached, describes Best Management Practices that are to be implemented as part of the Proposed Action and constitute the environmental commitments for this project.

## **Appendix A - Best Management Practices**

Below are the Best Management Practices (BMPs) for the Black Hills Corporation, Pueblo Reservoir Substation.

### ***General Commitments***

Comply with all applicable permits, regulations, and laws including but not limited to Colorado Department of Public Health and Environment, U.S. Army Corps of Engineers, and local land use permits.

### ***Wetlands, Waters, and Riparian Vegetation***

The following mitigation measures will be implemented:

- Design distribution line alignments and facilities to avoid wetland impacts.
- For 1 year after construction, monitor the construction areas to determine if appropriate native vegetation is establishing. If native vegetation is not establishing, the site will be reseeded with appropriate species.
- In the appropriate season prior to construction, survey potential construction areas with known populations of plant species of concern, to locate areas where impacts can be avoided and minimized to the extent practicable.
- During construction, wash major construction equipment before it enters the site so that noxious weeds are not spread from other construction sites.
- Use certified weed-free mulch after seeding construction areas.
- Reseed construction areas with comparable native vegetation as soon as practicable after disturbance, using seed that does not contain any State and Federally listed noxious weed seed.
- Monitor construction areas for 3 years after construction to assess if State and Federally listed noxious weeds have invaded the site. If noxious weeds are present, weed control plans will be formulated and completed.

### ***Wildlife***

Replace vegetation, including structural diversity, to reduce the long-term effects on wildlife by allowing wildlife to return to disturbed areas. Pre-construction surveys will identify wildlife use at the time of construction and allow for planning for avoidance and minimization. Imposing seasonal and/or daily restrictions on construction will enable wildlife to use important habitat, especially during breeding and other critical periods. The following mitigation measures will be implemented:

- Promptly revegetate all disturbed areas with Colorado native species that provide species diversity and food and cover for large game and wildlife habitat.
- Conduct clearance surveys in suitable habitat for state-listed species following standard protocols, as available, prior to construction.
- Conduct raptor nest surveys prior to construction and impose seasonal restrictions to surface activity within recommended buffers (generally ¼ to ½ mile) around active raptor nest sites.
- Develop construction schedules to avoid impacts to nesting migratory birds.
- If construction is scheduled to occur during the nesting season (April 1 through August 31) in areas where migratory birds may nest, a qualified biologist will conduct a nesting bird survey prior to the commencement of construction activities to determine the presence of migratory birds and their nests.

- If an active nest is detected, a buffer zone between the nest and the limit of construction will be flagged and avoided during the nesting season, or construction will be scheduled outside of the nesting season.
- Conduct pre-construction surveys for swift fox den sites within appropriate habitat within the project area. Avoid surface disturbance within 1/4 mile of active den sites while young are den-dependent (March 15 -June 15).
- Restrict pesticides for rodent control within swift fox overall range.
- Impose seasonal restrictions on construction to avoid sensitive large game winter habitat (from first large snowfall to summer green-up).

### ***Cultural Resources***

No cultural or historic resources would be adversely affected by the project; however, Black Hills will

- Develop and implement a Discovery Plan providing for details relating to: 1) methods and standards for construction monitoring; and, 2) protocols for discovery situations, including the presence of human remains.

### ***Visual Resources***

Restoring existing grades, revegetating disturbed areas, using architectural styles consistent with the area, and designing powerlines to have low visibility will minimize the visual contrast between the surrounding areas and will reduce the visibility of disturbance or new structures from observation points. Reducing airborne fugitive dust and construction lighting will reduce the area affected during construction. The following mitigation measures will be implemented:

- Revegetate and/or landscape with Colorado native plants, all disturbances associated with the construction of all facilities.
- Construct powerlines with non-specular (not shiny) wire, non-reflective and opaque insulators, and light-colored, non-reflective finished poles.
- Reclaim construction access roads and staging areas by restoring existing grade and revegetating the area of disturbance.
- Apply water with standard construction practices to control airborne fugitive dust within construction areas.
- Install baffles on construction lighting fixtures to direct light onto the construction activity only in locations where safety is a concern, scenic quality will be affected, or near occupied homes and businesses.

### ***Soils***

Proposed mitigation measures will reduce short-term and long-term losses of soil and soil productivity. Redistribution of topsoil to soil deficient areas will increase soil productivity in those areas. The following mitigation measures will be implemented:

- Minimize the area of disturbance to defined construction limits and limit the time bare soil is exposed.
- Contain soils within the construction area through temporary sediment control measures such as silt fences, sediment logs, trenches, and sediment traps.

- Remove woody vegetation prior to topsoil salvage and, to the extent possible, salvage topsoil within tree stump roots.
- Use topsoil salvage methods including windrowing topsoil at the limits of construction and pulling the soil back on slopes during reclamation.