

**FINDING OF NO SIGNIFICANT IMPACT
AND DECISION TO ISSUE JEFFERSON DAVIS ELECTRIC COOPERATIVE (JDEC) UTILITY RIGHT-OF-
WAY PERMIT ON
SABINE NATIONAL WILDLIFE REFUGE
3000 Holly Beach Highway
Hackberry, Louisiana 70645-5515
Cameron Parish**

The Service has undertaken a thorough review of the existing NEPA analysis (Jefferson Davis Electric Cooperative, Inc. Hurricane Laura Repair, Replacement, And Restoration Program Cameron And Calcasieu Parishes, Louisiana fema-4559-Dr-La Environmental Assessment), determining that no additional NEPA analysis is necessary for the Service's Proposed Action.

Selected Action

Alternative 2—Proposed Action Alternative: 230kV Resiliency and Redundancy

Under the preferred alternative, FEMA would provide funding for JDEC to conduct a series of projects that would replace existing system infrastructure with a single 230kV transmission line. Transmitting electrical power at higher voltages is more efficient than doing so at lower voltages. The proposed 230kV system will give JDEC the ability to serve all pre-Laura loads on their loop transmission system from a single source, either the Hackberry Meter Point or the Chalkley Meter point.

This alternative was selected over the other alternatives because:

The 138kV transmission line connecting the Chalkley 7Meter Point to Creole Bulk Point, spanning 27.5 miles, provided an additional power source in the southern region of the system. The combined 69kV and 138kV systems adequately served all pre-storm loads on both sides of the Calcasieu Ship Channel (CSC). The proposed 230kV loop transmission system eliminates the need for the Chalkley to Creole 138kV line. While the 69kV transmission line generally ran adjacent to state roads and highways, the 138kV line spanned approximately 27.5 miles of sensitive habitat, including marsh, wetlands, and waters of the United States. Following Hurricane Laura, the damaged 138kV transmission lines were removed in accordance with Louisiana Department of Natural Resources (LDNR) and United States Army Corps of Engineers (USACE) permits and were not rebuilt. The 327 H-structures and 654 poles were damaged and removed and will not be rebuilt under the Preferred Alternative.

Eliminating the need to rebuild and maintain the 138kV transmission line would benefit sensitive resources, including floodplains, marsh, wetlands, waters of the United States, and other habitats for biological resources. Proposed projects would also harden and elevate substations to improve resiliency, build redundancy to reduce downtime, and better protect from service interruptions. Projects would be designed to withstand higher winds and storm surge, support more load, increase resiliency of the coastal circuits, and allow for quicker restoration of power. This alternative would also enable JDEC to support all of Cameron Parish

from either the Hackberry or Lake Charles side of the CSC, providing a higher level of protection against future storm damage.

This alternative includes utility improvements and upgrades as well as realignment or relocation of JDEC infrastructure. Principal activities will involve removing existing emergency repair poles and associated hardware as needed; installing new utility poles, conductors, conduit routing, towers, and underground waterway crossings; and repairing and elevating substations.

This alternative was selected because it meets the purpose and needs of the Service. It allows for reliable power delivery to local communities, reducing the likelihood of storms interrupting electrical service while minimizing impacts to natural communities. The potential negative impacts of the project on the human environment are minimal and primarily short-term.

Other Alternatives Considered and Analyzed

Alternative 1—[No Action Alternative]

Under Alternative 1, the No Action Alternative, FEMA would not fund further repairs to the infrastructure, leaving the JDEC electric system in its post-storm condition with only emergency repairs performed. Areas south of the Gulf Intracoastal Waterway would continue to rely on generator power. Utilities stabilized with temporary measures would remain as they are, likely requiring more frequent repairs by JDEC.

Direct impacts from new construction activities would not occur, but there would be a range of indirect and long-term risks across environmental, public health, and community domains. Frequent emergency repairs could lead to increased access through sensitive areas like wetlands and streams, causing erosion, sedimentation, and flow impediments. Habitats, wildlife, and protected species would also face indirect impacts due to frequent access for repairs, which could disturb fauna, introduce noise and machinery, and facilitate the spread of invasive species. These disturbances could result in temporary or permanent, minor to moderate adverse effects. Air quality would be affected by continued reliance on generators, and an unreliable power supply could harm property, health, and safety. Additionally, repair workers would face increased risks of injury or death due to persistent and unpredictable repair needs; cultural resources, including historic properties and archaeological sites, would not be directly affected, but frequent emergency access could lead to long-term, minor to moderate adverse effects.

This alternative was not selected because the alternative did not fully meet the purpose and needs of the Service.

Alternative 3—69kV/138kV Repair/Resiliency

This alternative is evaluated in case adequate funding may not be available to fully complete the preferred 230kV alternative. Should this be the case, JDEC would take actions to repair and increase resiliency of the current 69kV/138kV transmission infrastructure using available funding provided by FEMA. A series of projects under this alternative (Figure 5) would repair existing 69kV and 138kV infrastructure damaged by Hurricanes Laura and Delta, with

improvements that would increase resiliency, including engineered steel poles and elevated and hardened substations. If this is not possible at all locations due to funding or technical limitations, portions of the current 69kV/138kV lines that are less vulnerable to hurricane winds and storm surges may be repaired to current codes and standards. Unlike the Preferred Alternative 2, this alternative would not allow for redundant supply from either side of the CSC. This would not be possible at 69kV due to excessive voltage drop that would occur along this line due to the distance between the source and load locations.

This alternative was not selected, because adequate funding for preferred alternative was obtained and the alternative did not fully meet the purpose and needs of the Service.

A fourth alternative, Alternative 4 (Repair to Current Codes and Standards), was considered and dismissed in PEA because it does not meet the purpose and need.

Summary of Effects of the Selected Action

A Programmatic Environmental Assessment (PEA) was prepared in compliance with the National Environmental Policy Act (NEPA) to provide decision-making framework that 1) explored a reasonable range of alternatives to meet project objectives, 2) evaluated potential issues and impacts to the refuge, resources and values, and 3) identified mitigation measures to lessen the degree or extent of these impacts. The PEA evaluated the effects associated with the three alternatives. It is incorporated as part of this finding.

Implementation of the agency's decision would be expected to result in the following environmental, social, and economic effects: short-term, temporary, negligible to minor impacts to geology, topography, soils, wetlands and waters if the U.S., floodplains and hydrology, water quality and resources, land use and planning, habitats including wetlands and essential fish habitat types, threatened and endangered species, migratory bird species, bald and golden eagles, air quality, climate change, cultural resources, low income and minority populations, hazardous materials, noise, and traffic. It may have long-term, permanent, negligible to minor impacts to geology, soils, topography, hydrology, floodplains, land use and planning, and habitats including estuarine emergent marsh and estuarine open water/mud bottom which will be limited to pole placements, new waterway crossing footprints, and new or relocated substations.

It may also have permanent, negligible to minor impacts to wetlands and waters of the U.S. limited to localized areas of pole placements, vaults, and platforms; and spread of invasive species from the movement of construction equipment and boats. Long-term beneficial impacts to public services and health and safety are expected because of the Proposed Action through improved electrical service reliability and resiliency for residents. Increased resiliency and reliability could reduce risks of heat-related illness and death by providing more reliable electricity for cooling and attract businesses and jobs through quicker power restoration following outages. All adverse impacts require conditions to minimize or mitigate impacts to the proposed project site and surrounding areas.

The lead agency had reinitiated Section 7 consultation under the Endangered Species Act to ensure continued compliance in light of new information and evolving project circumstances.

As the agency adopting the Programmatic Environmental Assessment (PEA), we concur with this decision and supported the reinitiation as a necessary and appropriate step to uphold our shared responsibilities for species conservation and interagency coordination. On 9/16/2025 USFWS Ecological Services concurred with FEMA to the “Not Likely To Adversely Effect” determination for the federally listed species in the proposed action.

FEMA is lead agency under NHPA for this project. FEMA determined that the previous effect finding is still applicable and that the revised Undertaking will result in No Adverse Effect to Historic Properties with Conditions. This effect finding will be captured in the Programmatic Agreement annual report.

Minimization and Mitigation Measures

Measures to minimize adverse effects have been incorporated into the selected action. These measures are listed in the Compatibility Determination (Appendix B) and include, but are not limited to:

1. The proposed action must comply with all state and federal environmental policies. The proposed action must also comply with other federal, state, and local permitting requirements and regulations regarding environmental and cultural resource protection. The terms and conditions of the ROW permit would allow for modification to ensure compatibility.
2. All fees/requirements of the application process must be satisfied. The Service must be reimbursed for time spent processing the ROW permit and salary and other expenditures associated with any emergency response and any follow-up requirement, including monitoring, during and after the construction period. An agreement would be finalized prior to the ROW permit being issued.
3. A special use permit outlining parameters and stipulations would be required for all maintenance activities that may significantly alter the landscape and would include provisions that ensure disturbance to wildlife and public use and impacts to habitat and other resources is avoided or minimized.
4. In the event that temporary use outside of ROW boundaries is necessary (including any needed temporary staging areas), JDEC must request and receive written approval from the refuge before conducting any activity.
5. JDEC would apply for and obtain a Pesticide Use Permit for any vegetative maintenance utilizing herbicides on the ROW before work is conducted. Use of herbicides, pesticides, or solvents would be prohibited unless otherwise approved by the refuge. No storage tanks would be used or stored on the ROW without prior approval by the refuge.
6. JDEC would install marker balls, bird diverters, and/or paint to reduce bird strikes (Ferrer et al. 2020).
7. JDEC would install transmission visibility markers/balls on the lines between each pole on the refuge to prevent risk of collision by low-flying aircraft and helicopters, given that the poles would be located in areas of frequent helicopter use for refuge management purposes.

8. The permittee would set up a construction plan to ensure construction does not interfere with other refuge operations or trust resources. The construction plan would include, at a minimum, a project schedule (e.g., mobilization, vegetation removal, and excavation), project updates, reporting emergencies (e.g., construction issues and resource damage), and strategies to avoid conflicts with recreational activities.

9. Prior to any construction activities, the project area (i.e., ROW width) would be surveyed and marked. Markings are required to stay in place until project completion to ensure no activities/impacts occur outside of the ROW area. All markers must be removed and properly disposed of upon construction activity completion.

10. Exposed soils must be redressed with “clean” soil and excavations must be refilled with adequate soil for settlement to restore the original landscape. Disturbed soil would be re-seeded using a seed mixture that must be reviewed and approved by the refuge. JDEC would be responsible for controlling annual and noxious weeds by mowing and/or spraying until the new seeding is established under plans and activities approved by the refuge.

11. JDEC would periodically, and where needed, maintain vegetation to prohibit the growth and colonization of invasive species or woody vegetation. Any maintenance on the ROW would be conducted during times that would minimize disturbance to wildlife and public access. Routine maintenance would be allowed from March 15–October 15 within the ROW. Routine maintenance activities include mowing, herbicide applications, or any activity designed to alter the current state of the vegetation.

13. JDEC would apply for and obtain a refuge Special Use Permit for all construction, repair, or maintenance activities conducted inside or outside of the ROW.

While refuges, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the Proposed Action will not have a significant impact on refuge resources and uses for several reasons, including those listed.

- The action will result in beneficial impacts to the human environment, including the biodiversity and ecological integrity of the refuge, as well as the wildlife-dependent recreational opportunities and socioeconomics of the local economy, with only negligible adverse impacts to the human environment as discussed above.
- The adverse direct and indirect effects of the proposed action on air, water, soil, habitat, wildlife, aesthetic/visual resources, and wilderness values are expected to be minor and short-term. The benefits to long-term ecosystem health that these efforts will accomplish far outweigh any of the short-term adverse impacts discussed in this document.
- The action, along with proposed minimization measures, will ensure that there is low danger to the health and safety of refuge staff, and visitors.
- The action is not in an ecologically sensitive area.
- The action will not impact any threatened or endangered species, or any Federally-designated critical habitat.
- The action will not impact any cultural or historical resources.

- The action will not impact any Wilderness areas.
- There is no scientific controversy over the impacts of this action and the impacts of the Proposed Action are relatively certain.
- The proposal is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988 because:”]
- The action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area pursuant to the Federal Noxious Weed Control Act and Executive Order 13112.

Public Review

The FEMA PEA and FONSI were published along with the draft Compatibility Determination.

The draft Compatibility Determination was made available for public review and comment for 14 calendar days; electronically on the refuge website (<https://www.fws.gov/refuge/sabine>) and on the Refuge Complex Facebook page (<https://www.facebook.com/SouthwestLouisianaComplex/>).

The draft CD document was also distributed by email to potentially interested stakeholders via refuge email list.

One comment was received regarding mitigation and monitoring costs. No edits to the documents were made in response to the comment.

Finding of No Significant Impact

Based upon a review and evaluation of the information contained in the EA as well as other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to implement decision to issue Jefferson Davis Electric Cooperative (JDEC) utility right-of-way permit on Sabine National Wildlife Refuge does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required.

Decision

The Service has decided to issue Jefferson Davis Electric Cooperative (JDEC) a utility right-of-way permit on Sabine National Wildlife Refuge. Construction on the refuge will begin as early as October 1, 2025. This action is compatible with the purposes of the refuge and the mission of the National Wildlife Refuge System. See attached Compatibility Determination.

The action is consistent with applicable laws and policies.

Assistant Regional Director Signature & Date