

Draft Compatibility Determination

Title

Draft Compatibility Determination for Northern Lights Inc., Underground Powerline Project Utility Right-of-Way, Kootenai National Wildlife Refuge.

Refuge Use Category

Rights-of-way and Rights to Access

Refuge Use Type(s)

Right-of-way (ROW), Utility

Refuge

Kootenai National Wildlife Refuge

Refuge Purpose(s) and Establishing and Acquisition Authority(ies)

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as Refuge System, is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans (Pub. L. 105-57; 111 Stat. 1252).

Description of Use

Is this an existing use?

Yes, an above ground power line currently exists along the county road ROW. The above ground power line would be buried underground within the current road prism to help reduce fire risk and wildlife collisions.

What is the use?

Rights-of-way (utility). The right to use and possibly alter the landscape through construction, maintenance, and operation of water or fuel pipeline, power line, telecommunications line or tower, or other utility

Is the use a priority public use?

No

Where would the use be conducted?

The proposed underground powerline would be buried within the existing road ROW of Lions Den Road and Westside Road on the western edge of the Refuge. The underground line would be buried underneath where the current overhead line runs, within the road prism. The proposed project would be completely within the existing 50 ft wide road ROW. The total project length within the Refuge is approximately 4.1 miles (figure 1).

When would the use be conducted?

The ROW permit would be valid for 50 years after signature. The proposed construction within the ROW would start in the Spring and take approximately 8 months.

How would the use be conducted?

Onsite Preparation:

Vegetation Management Plan

Vegetation clearing would take place within the designated linear underground power line ROW parallel to Lions Den and Westside Roads. This process entails removing small trees and shrubs that may impede the operation of cable plowing equipment. Only minimal vegetation would be cleared. For ongoing vegetation management, following conversion to underground power lines, Northern Light Inc, (NLI) does not anticipate routine trimming or removal of vegetation from the ROW. Vegetation would be cleared solely when inspections or outage responses identify issues, and only around above-ground equipment such as transformers and junction huts.

Cultural Resource Monitoring

A Kootenai Tribe of Idaho representative would be present onsite to oversee ground disturbance activities, ensuring compliance with the National Historic Preservation Act and Section 106 requirements.

Underground Construction

Construction of the underground power line section would be completed prior to decommissioning the existing overhead line. Access to the project area would utilize existing roads, with all activities and equipment confined to the ROW and road prism.

Most cables would be installed by contract line crews using a cable plow and mini excavator. The cable plow allows for low-impact direct burial of cables in the planned

ROW, without trench excavation. In areas where soil conditions, rock, or steep slopes complicate plowing, cables would be installed in trenches excavated by tracked machinery. All creek and road crossings, or locations with mass wasting concerns, would be addressed via directional boring equipment. Conduit would be installed during the boring process, and cables subsequently pulled through the conduit. Bore depths at creek crossings would be sufficient to avoid disruption of the creek, maintaining ample distance from the bank. In total, nine bores (totaling 1,430 feet) would be completed. Outside of creek crossings, bore pipes would be placed at least 36 inches below roads and ditch lines.

All NLI and contractor vehicles would be equipped with a shovel, water container, and fire mats (as necessary during fire season) for placement under vehicles while working. No materials are slated for storage on federally administered lands during construction. Materials would be installed upon arrival at the site.

Transfer and Reconnection of Refuge Services

Upon completion of underground cable installation and termination into appropriate equipment, linemen would energize and test the new cable. Both overhead and underground lines would remain active until service drops are successfully transferred to the underground system. New ground-mounted transformers would generally be required; all but one Refuge meter is served by underground cable. Necessary modifications for the sole meter would be coordinated with onsite Refuge personnel.

Retirement of Overhead Line

Following transfer of all services, overhead wires, crossarms, hardware, and wooden poles would be removed. Poles would either be extracted fully or cut below ground level where removal is not feasible due to very steep terrain. All removed materials would be transported offsite for recycling or proper disposal.

Cleanup

After construction and retirement operations conclude, a final site inspection would ensure removal of all construction debris. Any further restoration work would be completed during this phase including debris removal, chipping, invasive species treatment and native plant seeding. Warning signs would be posted at intervals, as required along the route, to indicate the presence of energized underground cables.

Why is this use being proposed or reevaluated?

The ROW is being reevaluated because the above ground powerline needs to be retired and a new underground line installed to upgrade aging infrastructure, reduce the possibility of wildfire ignitions related to powerlines, and reduce wildlife habitat barriers. This change in the ROW and the construction of undergrounding the

powerline requires a reevaluation of the use's compatibility.

Availability of Resources

Administration – Service personnel and resources would be needed for the issuance of the ROW Permit to bury current above ground power lines along Old Highway 95 (Westside & Lion's Den Roads) on Refuge lands and for coordination with Northern Lights Inc. during the construction work. NLI would oversee planning, environmental compliance, implement the burying of the power line, decommission of overhead infrastructure, and cleanup. Current funding and staffing are adequate to allow the use.

Maintenance – The Refuge is not responsible for maintenance of the power line within the ROW. The utility and the County have sole responsibility for all maintenance within the ROW once the construction is completed.

Monitoring – Refuge personnel would monitor the ROW annually to ensure the ROW does not affect additional Refuge resources.

Current funding and staffing are adequate to allow the use.

Anticipated Impacts of the Use

Potential impacts of a proposed use on the refuge's purpose(s) and the Refuge System mission

This project is expected to have a positive impact on the environment and Refuge purposes over the long term. Short term, it would disturb the ground during installation of the underground cable and retirement of poles and overhead wires. Long term, the removal of the overhead line would improve the aesthetic and scenic features of the area, improve safety for avian species and mammals that risk coming in contact with overhead lines (squirrels, birds, etc.). Undergrounding the powerline is supported by the Refuge and would have an overall positive impact to the Refuge through the reduction of wildfire risk, wildlife collisions, and reduced long-term maintenance needs.

Short-term impacts

Temporary impacts to wildlife would occur during powerline construction. Heavy equipment operation would alter the movement and use of adjacent forest, creeks, wetlands, and upland fields by deer, elk, moose, small game, and migratory birds. However, it is likely that most of the wildlife is habituated to avoid the county road during daylight hours when vehicles would normally be operating. Despite the

increase in disturbance along the road during construction hours, we expect this to have a short term and limited impact on regular travel routes for wildlife.

Although there would be temporary disturbance of fish and wildlife at creek crossings during construction, aquatic resources would be protected since creek and road crossings, or locations with construction debris or disturbance concerns, would be addressed via directional boring equipment. Conduit would be installed during the boring process, and cables subsequently pulled through the conduit. Bore depths at creek crossings would be sufficient to avoid disruption of the creek, maintaining ample distance from the bank and creek bottom.

The project would be installed along an existing road prism that is previously disturbed. We do not anticipate any major concerns with cultural resources in the project area. However, construction activities would include cultural resource monitors, and should an artifact be discovered during construction, construction workers would be directed to stop work in the area and consult with the Refuge and tribal representatives prior to proceeding with construction in the area.

The impact on air quality would be short term and be impacted by the gasoline powered vehicles during construction activities at the project site. With the reduced need for vegetation management and trimming of trees, this would reduce the need to regularly trim vegetation along the existing overhead line route, reducing the number of vehicle and equipment trips to the ROW long term.

As far as impact to water and aquatic life, this project seeks to minimize impacting these sources. Rivers and creeks would be bored under so as to not disturb the water sources. Construction crews would ensure that construction methods and installation procedures do not create erosion issues that could increase typical sediment runoff. Installation would maintain any established drainages and culverts within the road prism.

Short-term impacts to Refuge staff and the visiting public would result from traffic delays or closures during the construction. Alternative routes or traffic control would be provided during construction.

Long-term impacts

Long-term impacts of the updated ROW would be negligible to wildlife since the construction project is along an existing roadway and above powerlines already exist. Furthermore, upgrading aging infrastructure below ground would reduce the possibility of wildfire ignitions related to powerlines and reduce wildlife habitat barriers and potential bird strikes.

Public Review and Comment

The draft compatibility determination will be available for public review and comment for 14 days. The public will be made aware of this comment opportunity through social media and the Refuge website. A hard copy of this document will be posted at the Refuge Headquarters (287 Westside Road Bonner Ferry, ID 83805). It will be made available electronically on the refuge website (<https://www.fws.gov/refuge/kootenai>). Please let us know if you need the documents in an alternative format by emailing fw1KootenaiNWR@fws.gov. Concerns expressed during the public comment period will be addressed in the final.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

1. The Refuge will evaluate the ROW on an annual basis to ensure that additional Refuge resources are not being impacted by the ROW.
2. Access for construction will be restricted to the ROW and the areas delineated by the Special Use Permit for a Temporary Construction Easement. Access following construction will be limited to maintenance activities.
3. Consistent with regulations at 50 CFR 25.21 (h), the Service reserves the right to modify terms and conditions of the ROW permit in the future, as necessary to ensure the continued compatibility with the use and occupancy of the land.
4. Follow the requirements of the Inadvertent Discovery Plan (attached to the Environmental Assessment) should cultural resources be discovered during construction activities.
5. No herbicides, pesticides, solvents, fuel storage tanks, or hazardous materials may be stored on the ROW.
6. All disturbed areas that contain soil and plants will be reseeded by the utility with Service-approved species and will be sprayed for weeds with Service-approved herbicides, as appropriate. The county is responsible for weed control in the ROW.
7. All vegetation removal along the road ROW will either be accomplished by mechanical means or, if herbicides are used, submitted for approval to the Refuge Manager.

8. Best Management Practices (BMPs) will be used to limit erosion and runoff during construction and maintenance.

Justification

The stipulations outlined above would help ensure that the use is compatible at Kootenai NWR. Utility ROW, as outlined in this compatibility determination, would not conflict with the national policy to maintain the biological diversity, integrity, and environmental health of the refuge. Based on available science and best professional judgement, the Service has determined that the ROW at Kootenai NWR, in accordance with the stipulations provided here, would not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose of the Kootenai NWR. Rather, appropriate and compatible ROW can help reduce wildlife access impediments (bird strikes), reduce maintenance requirements, decrease wildfire risk and improve fire safety.

Signature of Determination

Refuge Manager Signature and Date

Signature of Concurrence

Assistant Regional Director Signature and Date

Mandatory Reevaluation Date

2075

Literature Cited/References

U.S. Fish and Wildlife Service. 2011. Kootenai National Wildlife Refuge Draft Comprehensive Conservation Plan and Environmental Assessment.

<https://iris.fws.gov/APPS/ServCat/DownloadFile/173948>

Figure 1

