

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

**North Burton 115 kV Transmission Line  
And  
North Burton Substation**

**USDA Forest Service  
Chattahoochee-Oconee National Forests  
Tallulah Ranger District  
Rabun County, Georgia**

**Background**

The Georgia Transmission Corporation (GTC) submitted a Special Use Permit application on August 20, 2001 to the United States Department of Agriculture, Forest Service, Chattahoochee-Oconee National Forests (CONF). The application requested authorization to construct, operate and maintain a 115 kilovolt (kV) electric transmission line across approximately 6 miles of National Forest System (NFS) land within the CONF administered by the Forest Service in Rabun County, Georgia. In addition, GTC requested authorization to construct, operate, and maintain an associated electrical substation.

In response to the filing of the Special Use Permit application, the Forest Service initiated the National Environmental Policy Act (NEPA) process, and subsequently issued a Draft Environmental Assessment (EA) on August 9, 2002. Following a public comment period, a Final EA has now been completed.

**Purpose and Need**

The purpose of this action is to respond to GTC's special use permit application for authorization to cross Federal lands.

GTC is a not-for-profit cooperative owned by 39 Electric Membership Corporations (EMCs) in Georgia, one of which is Habersham EMC. GTC is authorized and empowered pursuant to the Official Code of Georgia Annotated 46-3-201 to construct electric transmission facilities, and GTC is responsible for providing the transmission of electrical power to those 39 EMCs. The northeastern portion of Habersham EMC's service territory serves consumers in Rabun County, Georgia. GTC and Habersham EMC have a statutory obligation to provide reliable electricity to customers in this service territory.

The southwestern portion of Rabun County is experiencing both residential and commercial growth, including the Lake Burton and Germany areas, and development along the Highway 76 and 441 corridors west and south of Clayton. As a result, for the past three years Habersham EMC has experienced an average 13.2 percent increase per year in electricity demand in this area, including a ten percent load growth per year on the existing Burton Substation. This demand has created several problems, including distribution circuit overloading, voltage drop problems, and the inability to sectionalize on circuits at the Burton Substation. Based on studies of the existing electric transmission network, GTC and Habersham EMC concluded that the network could not adequately provide reliable electric power to their customers and that construction of the 115 kV transmission line and associated substation would address this transmission need.

Federal authorization is needed to allow the conveyance of electricity, via a 115 kV transmission line and associated substation, across NFS lands. The Final EA documents the detailed analysis of the Proposed Action Alternative and a No Action Alternative, and also documents in summary five other alternatives considered but eliminated from detailed analysis.

## **Decision**

Based upon my review of the Final EA, including the discussion of the alternatives considered, the issues associated with this proposal, and the environmental effects analysis, I have decided to approve the Proposed Action Alternative for implementation. GTC is hereby authorized to construct, operate and maintain a 115 kV transmission line across approximately 6 miles (involving approximately 60 acres) of the Chattahoochee National Forest (Final EA, Figure 4). Construction, operation, and maintenance of a substation on approximately eight acres of NFS land is also authorized. A special use permit will be issued to GTC for this use of NFS lands.

The transmission line will follow a route beginning at a point near the intersection of Stonewall Road and Old Highway 441 south of Tiger, Georgia on the east end, thence in a northwesterly direction through NFS land to the Crunkleton Ridge area. The transmission line will cross a combination of NFS and private lands through the Crunkleton Ridge area and will then cross the Bridge Creek Road corridor to the eastern side of Glassy Mountain. The transmission line then traverses the northeastern portion of Glassy Mountain before terminating on the west end at the new substation site, which will be on NFS land located between Timpson Creek and U.S. Highway 76 west of Clayton, Georgia.

This Alternative is fully described in Chapters 3 and 4 of the Final EA, and includes the following activities:

1. Final surveying of the approved right-of-way (ROW), including structure (pole) locations and approximately 3,700 feet of new access road (Final EA, Figure 14). The majority of the transmission line ROW will be approximately 75 feet in width to accommodate primarily single-pole structures. The exceptions to this width will be on the north and east sides of Glassy Mountain, where the ROW width will be 120 to 150 feet due to the use of three-pole structures on sections of the route with steeper slopes and longer spans.

2. Clearing of vegetation within the ROW and new access road. Clearing of vegetation will be done in a manner where most of the subcanopy and shrubbery directly under the transmission line will be left in place, and progressively taller trees will be left from the center of the ROW to the edges. This will result in a “V-shaped” corridor appearance, rather than the “U-shaped” appearance typical of conventional utility corridors. The ROW along the north slope of Glassy Mountain will not be cleared of vegetation, but will only require selective removal of specific trees and vegetation, primarily at the pole sites located at the top and bottom of this slope. The transmission line in this location will span this slope for a distance of approximately 1,500 feet from top to bottom, resulting in the line being approximately 40 feet above the ground at the top of the slope to approximately 130 feet above the ground along the slope to the bottom pole structure on the north side of Timpson Creek.

3. Installation of the transmission line, including poles and guy wires, conductors, and overhead transmission and shield (grounding) lines. The poles will be of various heights, and will be made of a steel material that weathers to a brown-colored appearance. The majority of the transmission line will use a one-pole configuration, which attaches four wires in a vertical alignment on each pole (Final EA, Figure 11). The lower three of these wires will transmit electricity and the top wire will be a non-energized ground wire to shield the transmitting wires from lightning strikes. The one-pole design will result in variable pole heights depending upon ground elevation, with a maximum pole height of 120 feet.

On the north side of Glassy Mountain, a three-pole configuration will be used, which places three energized wires in a horizontal alignment across three poles and two non-energized, shield wires attached at a higher level on the poles over the energized wires (Final EA, Figure 12A). The three-pole design will result in a minimum pole height of 60 feet. Another section of the transmission line on the east side of Glassy Mountain will also involve use of the three-pole configuration to span the steep slope down to the Bridge Creek Road area.

4. Construction of the substation site, which will be located on NFS land between U.S. Highway 76 and Timpson Creek west of Clayton, Georgia (Final EA, Figure 9). The substation site design will incorporate one access road leading to the cleared substation site (Final EA, Figure 10). Mitigation measures will be strictly enforced around the perimeter of the substation site to minimize erosion and sedimentation during and after construction activities. A visual barrier of vegetation will be retained and developed along the Highway 76 right-of-way as per the design.

5. Routine maintenance, including the vegetation within the ROW and all equipment and facilities associated with the transmission line and substation site, will be the responsibility of GTC. ROW maintenance will be limited to conventional methods, including manual and mechanical vegetation removal. Maintaining the planned corridor appearance using a combination of low-growing plant species, shrubs, subcanopy trees and progressively taller trees will be emphasized. ROW maintenance using herbicides is not approved by this decision.

6. Existing roads will be used to access the majority of the ROW and pole locations for construction activities and long-term operation and maintenance of the transmission line (Final EA, Figure 13). These include Stonewall Road and existing road on the north side of Glassy Mountain. These roads will be improved as required, including grading, gravelling, and installation of drainage structures. The Forest Service will develop an access management plan to determine future access to these roads, including proper closure of access roads as needed to prevent illegal access. The Forest Service and GTC will have the responsibility to monitor and implement this plan.
7. All construction, operation, and maintenance activities will conform to an Erosion and Sedimentation Control Plan, including the transmission line ROW, the substation site, existing access roads, and construction and maintenance of the new access road. The Erosion and Sedimentation Control Plan will be an appendix to the special use permit. The special use permit will also outline the responsibilities of the Forest Service, the Rabun County Erosion Control Officer, and GTC to monitor and implement this Plan.
8. All mitigation measures described in Chapter 7 of the Final EA are part of this decision. Some key mitigation measures include:
  - a) Approximately 1,500 feet of the north side of Glassy Mountain would be spanned by placing a three-pole structure near the top of the slope and a three-pole structure at the bottom of the slope on the north side of Timpson Creek (Final EA, Figure 5). By spanning this slope, impacts to the natural resources of this specific area, including the rich plant communities, will be substantially minimized. Other benefits of spanning this slope include: (1) no additional access roads will be required, (2) tree removal within the ROW will be held to a minimum and trees will be selectively removed only as needed for span clearance, (3) the impacts on the visual quality of this slope as viewed from Highway 76 will be minimized, and (4) sedimentation and erosion from this slope will be substantially minimized.
  - b) The substation site design will incorporate a number of features to minimize effects to the visual quality in the immediate area and minimize soil and water quality impacts. A retaining wall will act to stabilize the slope between the substation site and Highway 76. A wooden privacy fence will also be installed along the highway and substation site boundary as a visual barrier, along with a combination of existing and planted shrubbery and trees. The vegetation to be planted will utilize a variety of native plant species which will be selected based on their suitability to the growing conditions of the site, screening value, and aesthetic appeal.
  - c) The selected alternative will have minimal impacts to a waterfall (a.k.a, Sweatman Falls) located on the north side of Glassy Mountain. This waterfall is located approximately 375 feet from the center of the transmission line ROW and is not located near any existing or proposed new access roads. The aesthetic and visual qualities of this waterfall will be protected due to the distance from the ROW and to the transmission line design that will span this slope without requiring clearing of existing vegetation.

- d) Within the project area along the transmission line ROW, a buffer of 50 feet will be adhered to on either side of stream crossings as measured from the top of the stream banks. A buffer of 30 feet will be established around the perimeter of wetland areas. Vegetation within these buffers will be selectively cut by hand as needed and remain where it falls. No soil-disturbing activities will take place within these buffers. Installation of silt fence at the buffer edges will also mitigate construction activities.
- e) Vegetation removal during ROW clearing will be done in such a manner that most of the subcanopy and shrub species directly under the transmission line will be left standing (Final EA, Figure 3). Progressively taller trees will be left on either side of the transmission line from the center of the ROW to the edges. This V-shaped corridor appearance will help mitigate for visual effects and wildlife habitat impacts.
- f) Poles used along the transmission line will be made of weathering steel, which turns a deep brown color after a period of being exposed to weather. This will result in the poles blending into the natural background of trees and minimizing visual impacts.
- g) The North Burton transmission line has been designed with large spaces (minimum of eight feet) between wires and long insulators (approximately four to five feet) between poles and wires (Final EA, Figure 12B). These features will minimize the possibility of a large bird coming in contact with more than one wire simultaneously or with a wire and a pole simultaneously and being electrocuted.
- h) The long span along the north side of Glassy Mountain will also have technical requirements that provide additional mitigation for large avian species. Horizontal spacing between the three energized wires on this span will be between 12 and 18 feet. There will be a vertical distance of 18 feet (rather than the typical 10 feet) between the three energized wires and the two non-energized wires above. Insulators between poles and wires will be eight feet in length (rather than the typical four feet).
- i) A portion of the Stonewall Falls Mountain Bike Trail will be relocated to avoid impacts from the transmission line ROW. A relocated route results in fewer ROW corridor crossings than the existing bike trail (Final EA, Figure 22). The Forest Service will make a final and separate decision regarding the relocated route and trail design at a later time, which will be funded from a trust account established by GTC.
9. Monitoring measures will be incorporated into the terms and conditions of the special use permit. Activities associated with construction, operation and maintenance of the transmission line will be monitored and inspected to ensure that mitigation measures are being applied properly and that these measures are effective in protecting the natural resources of the area. GTC will fund monitoring and permit inspection costs associated with the construction and maintenance of the line as performed by the Forest Service or by contractors hired by the Forest Service. GTC will remain responsible for the maintenance of the line and will not transfer maintenance responsibilities to another entity without Forest Service approval.

## **Rationale for the Decision**

I have decided to authorize this project for the following reasons:

- The Proposed Action Alternative will allow GTC to provide stable and reliable power to southwestern Rabun County, thus meeting their obligation under the law. The Final EA documents the significant issues identified for this project, and this alternative will either directly address these issues or will satisfactorily address these issues by using mitigation measures during project implementation to minimize environmental impacts to an insignificant level.

- Although the No Action Alternative would result in no adverse environmental effects on NFS lands, including maintaining the existing visual quality, it would not address the basic issue of providing stable and reliable power to the service area in question. Authorizing a special use on NFS lands will have some unavoidable environmental impacts on the natural resources of the Forest and is a very difficult decision to make. However, it is not feasible to construct this transmission line in a location that would not use some portion of NFS lands. Although some citizen comments supported this position, proposing alternatives such as upgrading existing facilities or conservation measures to render the problem moot, I became convinced by the analysis that none of these proposed solutions were practicable either technically or economically.

- While it is feasible to construct this transmission line in a location(s) that would use more private lands and less NFS lands, there would be similar environmental impacts on non-Federal lands and many more private residences and property owners would be affected. Preliminary analysis clearly showed that locating the line primarily on private lands (Alternative Corridors A, B and C) would affect private property values (in some cases severely) and would have environmental impacts as compared to locating the line mostly on NFS land. I have determined that allowing the transmission line to be constructed partially on NFS lands will reduce the overall impacts to the citizens of Rabun County and is in the public interest. Given the demonstrated need for this transmission line and the lack of suitable alternatives on private lands, I have decided to authorize this project.

- Although public comments show that there is significant objection to this transmission line for a variety of reasons, other very similar transmission lines currently exist in the general area, with similar visual and environmental impacts. Thus this decision does not set a precedence nor does it significantly alter the use patterns or development potential of private land in Rabun County; it merely adds a measure of stability and reliability to the existing power grid.

## **Rationale in Relation to Other Alternatives Eliminated from Detailed Study**

In addition to the Proposed Action Alternative, it is also important to discuss how the approved action relates to other alternatives not considered in detail. The Final EA contains a detailed summary of these alternatives in Chapter 3.3.

Following a request from Habersham EMC to address the need for increased power supply and reliability issues, GTC analyzed several electrical system alternatives. These included upgrading the existing system, modifying the existing system, installing an underground transmission line, and three other alternative systems using various new transmission line and substation combinations. Each of these alternative systems were evaluated and compared based on the length of time the system would be effective, reliability, environmental impacts, impacts to private property and communities, and the cost to implement each system. This analysis helped GTC and Habersham EMC to determine that an overhead 115 kV alternative was merited to address the electrical needs of this area.

After reaching the conclusion that an overhead 115 kV system was merited, GTC then analyzed several 115 kV transmission line and substation site alternatives. In general, each of these alternatives would tap into an existing transmission line, identified as the “Terrora-Dillard 115 kV Transmission Line”, and would be routed in a westerly direction to a terminus in the Timpson Cove vicinity northeast of Lake Burton. GTC initially studied three alternatives, identified as Alternative Corridors A, B and C, which primarily used existing public road right-of-ways, predominantly private lands, and some NFS lands (Final EA, Figure 6). After disclosing these alternatives to the public in the early part of 2000, there was significant opposition and public concerns about the impacts of these alternatives on the communities of Clayton and Tiger. In general, these concerns related to the rural and visual character of these communities, the proximity of the transmission line to homes, potential impacts to property values, the local agricultural economy, historic properties and places, cultural and environmental resources, tourism, and scenic values.

Primarily as a result of the public opposition to Alternative Corridors A, B and C, GTC evaluated three other alternatives, identified as Alternative Corridors D, E and F. These alternatives used predominantly NFS lands and some private lands, with Alternative Corridors E and F using NFS lands almost exclusively (Final EA, Figure 7). After evaluation of these alternatives, GTC concluded that Alternative Corridors E and F were physically, geographically and economically infeasible, especially in regard to potential impacts to protected plant species and historical sites. GTC determined that Alternative Corridor D was the most practicable, economical, and least overall impacting to the environment and community.

It is important to note that regardless of the preferred alternative corridor route selected, the North Burton transmission line would have required crossing NFS lands at some point along each route or any other route analyzed and would have required a special use permit.

GTC then submitted the special use permit application for the North Burton 115 kV transmission line, with Alternative Corridor D identified as their preferred route. Their application also included a detailed discussion of the original electrical systems, other corridor alternatives and

substations evaluated, and their detailed reasoning of why they did not prefer these alternatives. Since this is within GTC's purview, and their reasoning is supported by consultation and review of this project by the Department of Energy, I have deferred to their technical expertise on the determination of need and the best means to meet this need.

When a special use application is received, Forest Service policy and the Land and Resource Management Plan direction for the Chattahoochee-Oconee National Forests require the Forest Service to evaluate if the need for the use can reasonably be met on non-National Forest System lands. After reviewing the original alternative corridor routes (A, B and C) analyzed by GTC, it appears that the visual, cultural, social, economic and wildlife resources as well as land uses in these predominantly non-NFS land routes are all affected to greater or similar levels as those in the selected alternative. While it is feasible to construct this transmission line predominantly on non-NFS lands, passing an increased burden of impacts on to non-NFS lands simply to avoid locating the use on NFS lands is not reasonable in this case. Therefore, it is reasonable to authorize this use on the National Forest.

### **Other Alternatives Considered in Detail in the Final EA**

In addition to the selected alternative, I also considered a No Action alternative in detail, which is discussed below. Five other alternatives were considered in the Final EA, but were eliminated from further analysis for various reasons and were not considered in detail. A more detailed discussion of these alternatives can be found in the Final EA in Chapter 3.

#### **No Action Alternative**

Consideration of a No Action Alternative (Final EA, Chapter 3.2) is required under NEPA regulations. Under the No Action Alternative, the Forest Service would not authorize GTC to construct the proposed North Burton 115 kV transmission line and substation across National Forest System lands under their jurisdiction. To evaluate the effects of this alternative, it was therefore assumed that this alternative would not allow the proposed transmission line to be built. The potential impacts associated with the project (as identified in the Final EA) would not occur, including both potential negative and positive effects.

### **Public Involvement**

The following opportunities for public involvement and comment have been provided for this project as per NEPA guidelines:

- An Open House conducted by Forest Service personnel was held on October 2, 2001 at the Forest Service office in Clayton, with the primary objective to provide information to the public about the proposed transmission line project, and the special use permit and NEPA processes to be followed in evaluating the GTC special use permit application. General information concerning this project was also made available for public review on October 4, 2001 on the Chattahoochee-Oconee National Forest's internet site ([www.fs.fed.us/conf](http://www.fs.fed.us/conf)),

including a briefing paper, a question and answer document, information about the special use and NEPA processes, and a public comment form.

- The Chattahoochee-Oconee National Forests prepare a “Schedule of Proposed Actions”, which lists all proposed natural resource management actions on the Forests. The Schedule is revised on a quarterly basis and mailed to a broad list of interested individuals, groups, and media. This project has been listed on the Schedule as “Project 05-118, Georgia Transmission Corporation Powerline”. The Schedule is also available for review on the Forest’s internet site at [www.fs.fed.us/conf/sopa/planning.htm](http://www.fs.fed.us/conf/sopa/planning.htm).

- On November 2, 2001, the Forest Service issued a Scoping Letter to interested individuals and organizations, local and absentee landowners in the vicinity of the proposed transmission line route, and interested local, state and federal government agencies. This letter informed recipients of GTC’s special use permit application, briefly described the proposed project, and allowed for a 30-day period (November 7 to December 7, 2001) to solicit comments from interested parties.

- Another Open House conducted by Forest Service and GTC personnel was held on May 14, 2002 at the Forest Service office in Clayton, with the primary objective of updating the public on the status of the planning process for the proposed project and permit application.

- The Draft Environmental Assessment was made available for a public comment period of 30 days as per NEPA requirements from August 9 to September 9, 2002. A legal notice summarizing the proposed project and notifying the public of the availability of the Draft EA for comment was also published in *The Clayton Tribune* (published weekly in Clayton, Georgia) on August 8, 2002. The Draft EA was also made available to the public on the Forest’s internet site.

## **Response to Comments**

All responses from the public during the scoping period and as a result of the open houses were analyzed for content by the Forest Service interdisciplinary team (IDT), from which significant and non-significant issues were identified (EA, Chapter 2) and addressed in the North Burton EA. A summary of public responses from earlier public involvement efforts by GTC was also reviewed and used to help refine the issues developed. Significant issues were addressed by consideration of the Proposed Action and No Action Alternatives and effects analysis.

Responses received during the 30-day comment period for the Draft EA were also analyzed for content by the IDT. Comments that were specific to this project and based on questions of fact or that presented new information that needed to be considered were addressed in depth in Appendix L to the Final EA. Other comments, such as those that did not apply to this specific project, were considered statements of opinion, or were outside the scope of this analysis, were addressed only briefly or not at all in Appendix L. I have reviewed Appendix L in reaching my decision.

## **FINDING OF NO SIGNIFICANT IMPACT**

I have reviewed the EA titled “Proposed North Burton 115 kV Transmission Line and North Burton Substation”. It has been determined that the actions proposed by the Proposed Action Alternative, with the mitigating measures and management requirements applied, are not major Federal actions, either individually or cumulatively, and will not have a significant effect on the quality of the human environment. Therefore, the preparation of an environmental impact statement (EIS) is not necessary. This determination is based on the following factors found at 40 CFR 1508.27(b):

1. Both beneficial and adverse effects have been considered. The proposed actions will not have a significant effect on the quality of the human environment.
2. Public health and safety are minimally affected by the proposed actions.
3. Based on field review and surveys, the geographic area included within the transmission line route contains no unique characteristics, such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas.
4. The effects of this action on the quality of the human environment are not likely to be highly controversial based on new or unusual methods, tools, or quantities of activities being approved, although this is a controversial project based on the need for and location of the transmission line.
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.
6. The actions in this decision will not set a precedent influencing the approval of future projects with significant effects or represents a decision in principle about a future consideration.
7. The possible cumulative impacts of the Proposed Action Alternative have been analyzed with consideration for past and reasonably foreseeable future activities in the transmission line ROW and on adjacent National Forest System and private lands. The approved actions of this project are not related to other actions, and will not result in cumulatively significant impacts affecting the natural resources of this area.
8. The approved actions will not adversely affect any sites listed, or eligible for listing, in the National Register of Historic Places. The loss or destruction of significant scientific, cultural, or historical resources will not be caused by this decision. This determination is based on the findings of site-specific cultural resource surveys of the transmission line ROW, substation site, and affected areas (Final EA, Appendices F, G, H, I and K), and concurrence by the State of Georgia Historic Preservation Office as per Section 106 of the National Historic Preservation Act.

9. Implementing this decision will not adversely affect endangered or threatened species or critical habitat, will not result in the loss of any other species' viability, and will not create significant trends toward Federal listing of any species under the Endangered Species Act of 1973. This determination is based upon the findings of the Biological Field Survey Report (Final EA, Appendix A), and of site-specific inventories of the transmission line ROW, substation site, and affected areas as documented in a Biological Evaluation (Final EA, Appendix E).
  
10. None of the approved actions will lead to violations of Federal, State, or local laws, rules, regulations, and zoning ordinances imposed for the protection of the environment.

## **Findings Required By Other Laws and Regulations**

### **National Forest Management Act**

This decision is consistent with the National Forest Management Act (NFMA) of 1976 regarding the effective management, use, and protection of the natural resources of the area affected by this project.

### **Forest Plan Consistency**

I have determined that all actions of the selected alternative will be consistent with the management requirements of the Land and Resource Management Plan (Forest Plan) for the Chattahoochee-Oconee National Forests, as amended (36 CFR 219.27). This includes the general standards and guidelines of the Forest Plan and the specific goals, objectives, and management direction for lands within Management Area 16 as designated by the Forest Plan.

### **Special Use Requirements**

As per CFR regulations, all special use permit applications must be screened to ensure that the use meets specific minimum requirements prior to official acceptance of the special use permit application. These requirements include the initial screening criteria as listed in 36 CFR 251.54(e)(1)(i-ix), and second-level screening criteria as listed in 36 CFR 251.54(e)(5)(i-v). The special use permit application submitted by GTC met all criteria, including consistency with the laws, regulations, orders, and policies establishing or governing National Forest System lands, with other applicable Federal law, and with applicable State and local health and sanitation law.

### **Vegetative Manipulation**

Actions involving vegetative manipulation will meet the following applicable requirements of 36 CFR 219.27(b):

1. Be best suited to the multiple-use goals established for the area, with potential environmental, biological, cultural, aesthetic, engineering, and economic impacts, as stated in the regional guides and forest plans, being considered in this determination.
  
2. Avoid permanent impairment of site productivity and ensure conservation of soil and water resources. Mitigation measures previously discussed in this decision document were designed to achieve these goals.

3. Be chosen after considering potential effects on residual trees and adjacent stands.
4. Provide the desired effects on water quantity and quality, wildlife and fish habitats, recreation uses, aesthetic values, and other resources yields. The desired effects for each of these factors are described in the Final EA.

### **Department of Energy Consultation**

Any proposal for the authority to construct and maintain an electric transmission line greater than 66 kV and associated facilities must be referred to the Secretary of Energy for consultation as per the requirements of 36 CFR 251.54(f)(2). The Department of Energy's letter of review for this proposal resulted in the determination that this transmission line will upgrade and enhance current and future electric reliability in the service area in Rabun County, Georgia, as well as current and future electric loads in such service area (project file).

### **Cooperating Agency**

In accordance with 40 CFR 1501.6 regulations, the Rural Utilities Service (RUS) acted as a cooperating Federal agency for the North Burton 115 kV Transmission Line and Substation project, with the Forest Service serving as the lead agency. RUS' action related to this project is providing financing assistance to GTC for the cost of construction of the transmission line and GTC's portion of the substation.

RUS, as a cooperating agency, conducted an independent evaluation of the Final EA prepared by the Forest Service and concurs with its scope and content. RUS concurs with the Forest Service on the proposed action alternative of constructing the substation and transmission line as described in the Final EA.

The Final EA addressed a number of alternatives, including a no action alternative, various electrical alternatives, alternative routing corridors, and an alternative substation site. RUS' no action alternative would be to not provide financing assistance to GTC for this project. RUS has concluded that the proposed action alternative of constructing the transmission line and substation as described in the Final EA is an acceptable proposal for meeting the needs of Habersham EMC to adequately serve its members in the project area and meet projected load growth.

Fifty-six parties filed comments on the Draft EA during the 30-day comment period. The Forest Service took the lead in compiling and addressing these comments. RUS has reviewed all comments received and believes that the Forest Service has adequately addressed the comments as appropriate in the Final EA.

Based on its review of the Final EA and consideration of the proposed mitigation plan included therein, RUS has concluded that the project would not have a significant impact to the human environment. Therefore, RUS has determined that this finding of no significant impact fulfills its obligations pursuant to RUS' Environmental Policies and Procedures (7 CFR 1794) for its action related to the project. Since RUS' Federal action would not result in significant impacts to the quality of the human environment, RUS will not prepare an environmental impact statement for its action related to this project.

RUS is satisfied that the environmental impacts of the proposed project have been adequately addressed and, therefore, finds no reason why RUS assistance to finance the cost of the project should not be considered.

### **Project Implementation and Appeal Rights**

This decision is subject to administrative appeal pursuant to Forest Service regulations at 36 CFR Part 215.7. Any written notice of appeal of this decision must be postmarked or received within 45 days after the date this notice is published in *The Clayton Tribune* (published weekly in Clayton, Georgia). Appeals must be fully consistent with 36 CFR 215.14, "Content of Notice of Appeal", including the reasons for appeal. The Notice of Appeal should be sent to: USDA Forest Service, ATTN: Appeals Deciding Officer, 1720 Peachtree Road, N.W., Suite 811N, Atlanta, GA, 30309-9102.

If no appeal is received, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of the appeal disposition.

### **Contact Person**

For additional information concerning this decision contact Blaine Boydstun, North Burton Project IDT Leader, at: U.S. Forest Service, P.O. Box 1960, 200 Hwy. 197 North, Clarkesville, GA, 30523, or phone (706) 754-6221, or by email at [bboydstun@fs.fed.us](mailto:bboydstun@fs.fed.us).

For more information concerning the Forest Service appeal process, contact John Petrick, Forest Planner, at: U.S. Forest Service, 1755 Cleveland Highway, Gainesville, GA, 30501, or phone (770) 297-3000, or by email at [jpetrick@fs.fed.us](mailto:jpetrick@fs.fed.us).

*/s/ Andrew Colaninno*

*2/11/03*

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ANDREW COLANINNO  
Acting Forest Supervisor  
Chattahoochee-Oconee National Forests

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Date