

## **Appendix L. Response to Comments**

### **INITIAL SCOPING**

Public involvement for the proposed action has involved several public meetings at which GTC and/or USFS personnel were present to answer questions from interested members of the public. A briefing was held on February 10, 2000 for elected officials and authorities of Rabun County to notify them that GTC was considering several alternative locations for a new substation and several alternative routes for a transmission line in Rabun County. On March 21, 2000, an open house meeting was held at the Clayton Elementary School to which the public was invited to receive information on the proposed action. A public hearing was held on August 31, 2000 at the Rabun County Civic Center to answer questions and address concerns of the public concerning the proposed action. Open house meetings were also held on October 2, 2001 and May 14, 2002 at the Forest Service office in Clayton to provide additional information to the public as the planning process for the proposed action evolved.

A scoping letter was mailed by the USFS on November 2, 2001 to interested government agencies and interested individuals and organizations, including adjacent landowners. The scoping letter and maps were also made available on the Forest's website ([www.fs.fed.us/conf/sopa/nepa\\_docs.htm](http://www.fs.fed.us/conf/sopa/nepa_docs.htm)). The scoping letter informed interested parties of GTC's application for a special use permit, briefly described the proposed project, and allowed for a 30-day period to solicit responses from those interested in commenting. A total of 73 replies were received from the public during the scoping period. These scoping replies, combined with an additional 52 comments received prior to and following the scoping period, were analyzed for content by the Forest Service Interdisciplinary Team (IDT). Issues were then developed to be addressed in the EA (refer to Section 2.2 of the EA). A summary of public responses from earlier efforts by GTC in the year 2000 to solicit public input was also reviewed and used to help refine the issues developed.

### **30-DAY COMMENT PERIOD**

Upon completion of the draft EA for the proposed North Burton Transmission Line and Substation, a legal notice notifying the public of the availability of the draft EA for comment was published in *The Clayton Tribune* on August 8, 2002. Copies of the draft EA (without the complete appendices) were mailed to those who responded during scoping. Copies of the draft EA were also made available to the public at various locations, including the USFS offices in Clarkesville, Clayton, and Gainesville, and complete copies of the draft EA (with all appendices) were also made available for viewing at these locations and at the public libraries in Clarkesville and Clayton. A total of 56 replies (in the form of letters and e-mails) were received during the 30-day comment period (August 9 to September 9, 2002) (copies and documentation in Project File). It should be noted that a majority of these replies were actually received in response to a letter sent during the same time period by HEMC to their electric cooperative members asking for support for the proposed action. Since it was unclear to which solicitation (the draft EA or the HEMC letter) several letters were replying, and all 56 replies were received during the comment period, all replies received were considered as responses to this proposed action.

All letters received during the comment period were then reviewed for content. The comments within these replies are addressed in depth in this appendix if: (1) they are questions of fact and are specific to the project, or (2) they present new information that needs to be considered. If the answer to a question was available in the draft EA, only the fact that the answer was available is identified.

Other comments, such as those that did not apply to the specific alternatives in the draft EA, those that are statements of opinion, those that are outside the scope of this analysis or decision, and those that were requests for more information, may only be addressed briefly or may not be addressed at all.

Having considered all the comments received, it was decided not to revise the EA. The majority of the comments in the replies received were determined to be statements of opinion. Some changes were made to the EA, primarily as a result of internal (USFS personnel) review of the draft EA. None of these were considered significant changes to the EA and do not warrant another public comment period.

## **RESPONSE TO COMMENTS**

A summary of the comments received is listed below, along with the response to each comment. The names of those who submitted the comment are also listed. Most of the comments were received from several different commentors. Comments of similar content were combined if the response would be the same. Comments are not always listed exactly as they were submitted, but may be paraphrased as needed for a better understanding of the comment or may be summarized to shorten the comment while still retaining the intent.

### **NEPA and Special Use Permit Process:**

1 - COMMENT: The USFS should determine the “need for the project”, or the USFS should reject the special use permit application because GTC has not conclusively demonstrated that this project is necessary.

(Comment submitted by: Alexander, Bentley, Gatins, Geiger, Groves, Martin, Nelson, P. Patton, Ponder, and Woodard)

RESPONSE: Under the Code of Federal Regulations (CFR) Title 36, Part 251, the USFS is required to provide a “brief” discussion of the purpose and need for the proposal, which has been done on pages 1 and 2 of the EA. The USFS role in this process is to examine only the application for a special use permit, and the determination was made by the USFS under 36 CFR 251.54(d) and (e) that the application submitted by GTC includes the necessary technical and financial capability statements and evidence, and that it meets the necessary USFS screening criteria. The USFS is not required by NEPA regulations (40 CFR 1500 et seq.) or the USFS special use permit regulations (36 CFR 251.54) to prove or disprove the applicant’s stated need. It is not the role of the USFS to determine if the power needs of Rabun County warrant the construction of the substation and related transmission line. This comment also relates to an issue determined to be non-significant by the IDT, as discussed on page 11 of the EA.

The USFS and GTC have “referred” the application to the U.S. Secretary of Energy for consultation as per 36 CFR 251.54(f)(2) (proposed transmission lines larger than 66 kilovolts).

2 - COMMENT: The preparation of the EA by a third party is unlawful, a conflict-of-interest, biased, inadequate, or unreasonable.

(Comment submitted by: Alexander, Bentley, Berrier-Colborn, Gatins, Groves, Martin, Nelson, J.S. Patton, P. Patton, Ponder, and Woodard)

RESPONSE: Although many of the responses associated with this comment are considered statements of opinion, it is well settled in law that a party other than the implementing agency may prepare and submit an EA for NEPA purposes. There are no conflict-of-interest provisions in statute, regulation or practice that would restrict the USFS or RUS from accepting the EA on the grounds suggested. Council on Environmental Quality (CEQ) regulations (40 CFR 1506.5) state that if a Federal agency permits an applicant to prepare an EA, the agency, in addition to assisting the applicant by outlining the types of information required, shall make its own evaluation of the environmental issues and take responsibility for the scope and content of the EA. The USFS is fulfilling its responsibilities for this project by having the USFS IDT actively involved in the planning process for the proposed action. This comment also relates to an issue determined to be non-significant by the IDT, as discussed on page 12 of the EA.

3 - COMMENT: The USFS should have considered other alternatives to the proposed action in more detail.

(Comment submitted by: Berrier-Colborn, Gatins, Jones, Martin, Nelson, J.S. Patton, P. Patton, Van Cott, and Woodard)

RESPONSE: This comment relates to concerns that other methods of power transmission should be used, or at least analyzed in detail in the EA. These include alternative energy solutions, an underground alternative, and upgrading the existing system. However, the USFS role in this process is to examine only the application for a special use permit and determine how the various alternatives considered in detail would impact NFS lands. It is not the role of the USFS to determine what the best methods are to address future energy needs of Rabun County. Therefore, this issue is beyond the scope of the decision to be made by the USFS. This comment relates to an issue determined to be non-significant by the IDT, as discussed on page 14 of the EA. The EA also addresses these concerns on pages 17 through 20 by a summary of other alternatives considered, and documents reasoning why these alternatives were not considered in detail.

4 - COMMENT: This project warrants a full EIS. The EA does not meet the letter or spirit of NEPA law, including “context” and “intensity” standards (Forest Service Handbook (FSH) 1909.15), and the EA contains technical violations of the CEQ regulations and standards (40 CFR Part 1500).

(Comment submitted by: Alexander, Berrier-Colborn, Gatins, Geiger, J.S. Patton, P. Patton, Ponder, Winslett and Woodard)

RESPONSE: This comment relates to an issue determined to be non-significant by the IDT, as discussed on page 10 of the EA. It was determined through preliminary analysis that the level of impacts, as a result of the proposed action, were such that an EA was warranted rather than an EIS. An EA was then prepared to determine if significant impacts would result from the proposed action. This EA develops a comprehensive design for the proposed substation and

associated transmission line that exceeds the minimum regulatory requirements of NEPA and NFMA. Based on the findings of the EA, the mitigation measures GTC would be required to implement if a FONSI is issued would minimize the potential risks of this project to an insignificant level. This is consistent with NEPA practice and USFS policy that states that if no significant impacts are identified, a FONSI is to be produced. If significant impacts that were not mitigated had been identified, then an EIS would have been required.

As outlined in 40 CFR 1508.27, a determination of “significance” requires consideration of both “context” and “intensity”. Significance varies with the setting of a proposed action, so “context” could refer to the effects for society as a whole, the affected region, the affected interests, or the locality. For instance, in the case of a site-specific action such as the proposed transmission line, significance would logically depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant. “Intensity” refers to the severity of impact. The CFR regulations cited describe ten factors to be considered to determine intensity, each of which were considered by the IDT during preliminary analysis and during preparation of the EA. There is no separate test for context and intensity as implied by the comment. The EA was prepared using the 40 CFR 1508.27 definition of significance to determine impacts and weigh the effects of the Proposed Action Alternative.

5 - COMMENT: The special use permit, if approved, should be for a term less than 30 years. (Comment submitted by: Gatins and Woodard)

RESPONSE: Although this comment is beyond the scope of the decision to be made, the USFS is specifically authorized to permit special uses for periods “not to exceed thirty years” (36 CFR 251.53(g) and section 7 of the Act of April 24, 1950, 16 U.S.C. 580d). Under 36 CFR 251.56(b)(1), “each special use must specify its duration and renewability”, and may provide for a term longer than 30 years, if the special use permit “provides for revision of terms and conditions at specified intervals to reflect changing times and conditions.”

6 - COMMENT: The determination of issues (significant and non-significant) in the EA is invalid and unreasonable. (Comment submitted by: Bentley, Geiger, Morgan, Nelson, J.S. Patton, P. Patton, Ponder, Winslett, and Woodard)

RESPONSE: Issues that were raised during the scoping process but do not have a bearing on the decision to be made are considered to be **non-significant issues**. They are considered non-significant because they may have been decided by laws and regulations not to be valid concerns, or they may be clearly outside the scope of the decision to be made. This does not mean that they are not important, but only that they are not relevant to reaching a decision about the specific proposed action. This comment relates to several issues determined to be non-significant by the IDT, as discussed on pages 10 through 15 of the EA.

7 – COMMENT: The purpose and charter of the Forest Service are violated by this EA and its consideration of the special use permit application.

(Comment submitted by: Berrier-Colborn and Ponder)

RESPONSE: This comment relates to an issue determined to be non-significant by the IDT, as discussed on page 12 of the EA. There was a concern that the proposed project is not consistent with the purpose of the USFS for managing National Forest System lands. This comment also refers to concerns from those generally opposed to using NFS lands for projects such as transmission lines. However, the special use permit application is an established method for dealing with requests for projects of this nature on NFS lands. Transmission line corridors are a consistent and compatible use of NFS lands if no other viable options, such as exclusive use of private lands, are available. Any of the alternatives considered, including those not considered in detail, would require crossing NFS lands to some extent. The proposed action, if approved, would not set a precedent and is considered an established use of NFS lands. Therefore, this comment does not have a bearing on the decision to be made.

8 – COMMENT: The proposed mitigation measures and enhancements found in the GTC special use application are not contained in the EA, except for mention of the bike trail.

(Comment submitted by: Gatins, Van Cott, and Woodard)

RESPONSE: This comment is beyond the scope of the USFS decision. Although GTC may have offered additional mitigation measures and enhancements in the special use permit application, these had no bearing on the environmental effects analysis and mitigation measures found in the EA. The EA does include a Proposed Mitigation Plan (pages 60 through 69), which describes those mitigation measures deemed necessary by the IDT to implement the proposed action without causing significant effects.

If the decision is made to give GTC a special use permit for construction, operation and maintenance of a substation and transmission line as proposed, the USFS is authorized and required to establish Aterms and conditions<sup>≡</sup> in special use permits (36 CFR 251.56). These would include requirements that GTC carry out the purposes of NEPA, NFMA, and the MUSYA, taking into consideration feasibility and other relevant factors to otherwise protect the public interest. Any “enhancements” provided for in the special use permit would be dependent upon the effects of the powerline on existing Forest resources, such as the bike trail, and any mitigations or reparations needed to maintain these resources for the benefit of the public.

9 – COMMENT: The public was not given an opportunity to comment on the terms and conditions, including inspection and audit provisions, of the special use permit if approved.

(Comment submitted by: Fischer, Gatins, Meluskey, Richardson, and Woodard)

RESPONSE: The first point to be made in addressing this comment is that a special use permit has not yet been approved or prepared for this project. Secondly, although the USFS is authorized and required to establish Aterms and conditions<sup>≡</sup> for special use permits, there is no requirement that such terms and conditions be the subject of a public comment period.

10 – COMMENT: Significant factors are present which will influence the decision to be made for the proposed project, including the ongoing deliberations concerning the Rabun County moratorium, the Governor’s Energy Task Force, issues related to decisions made by the Acting Forest Supervisor for the Chattahoochee National Forest, and the need for the RUS to conduct an independent analysis of this proposed action.  
(Comment submitted by: Alexander, Bentley, Berrier-Colborn, Gatins, Nelson, P. Patton, and Ponder)

RESPONSE: Rabun County Moratorium – Comments related to this subject concern the fact that the Rabun County Commission passed an ordinance prohibiting the installation of powerlines in the County for a period of three years. However, a Georgia Superior Court judge ruled the ordinance to be unconstitutional. An appeal of this decision is pending before the Georgia Supreme Court, with oral arguments held on September 17, 2002. Regardless of the outcome, the ordinance would not apply to Federal lands. Therefore, at present, this issue is not relevant to the decision to be made. This subject was also addressed in the EA by identification as a non-significant issue by the IDT (EA, page 11).

Governor’s Energy Task Force - This issue is beyond the scope of the decision to be made by the USFS. The role of the USFS is to examine only the application for a special use permit, and the environmental impacts that could result from selecting the Proposed Action Alternative. The USFS is specifically authorized to issue special use permits to use and occupy National Forest System lands for systems and facilities for transmission of electric energy by 36 CFR 251.53(k)(4) and the Federal Power Act of 1935, as amended, 16 U.S.C. 791a, et seq. The Governor’s Energy Task Force will not change Federal law, and therefore has no bearing on the decision to be made.

Acting Forest Supervisor Decisions - This issue is beyond the scope of the decision to be made. Under USFS practices and procedures, acting authorized line officers are empowered to make agency decisions. USFS line officers are familiar with the NEPA process, CEQ regulations implementing NEPA in 40 CFR Part 1500, the National Forest Management Act, and the special use permit regulations in 36 CFR Part 251.

Rural Utilities Service – The USFS officially recognized the Rural Utilities Service (RUS) as a cooperating Federal agency for the environmental review process for this project by letter on July 18, 2002 (project file). This designation was made in accordance with CEQ regulations for implementing the NEPA process as it pertains to cooperating Federal agencies (40 CFR 1501.6). To satisfy RUS requirements for environmental review, RUS agreed to rely on the USFS environmental review process for the proposed North Burton Transmission Line and Substation project. As per this designation, RUS will be involved in the NEPA process for this proposed project, and will base a decision for financing a loan application from GTC for the proposed project upon the findings of the EA and the subsequent decision by the USFS.

In response to apparent confusion about cooperating agencies in some comments received, GTC is not a cooperating agency for the proposed North Burton Transmission Line and Substation project.

## Physical Resources:

1 - COMMENT: The EA does not adequately address impacts to soil and water quality, including mitigation measures, from clearing and construction of the transmission line and construction of access roads.

(Comment submitted by: Alexander, Georgia Department of Natural Resources, Nelson, and Woodard)

RESPONSE: Soil and water quality impacts were identified as significant issues for this project by the IDT (EA, pages 5 through 7). A brief summary of the erosion and sediment control measures proposed are discussed on pages 27 and 28. The existing status of the soil and water resources are discussed on pages 32 through 34, with reference to more detailed information found in the Biological Field Survey Report (Appendix A). Appendix A includes a discussion and listing of soils found in the project area, a table of proposed BMPs, and effects analysis on pages 3-2 to 3-7. Sections 4 and 5 of Appendix A primarily focus on the water resource, with a detailed discussion of methodologies and evaluations used to determine the presence of wetlands in the project area (Section 4), and a stream and watershed assessment and effects analysis (Section 5). The EA also includes effects analysis for the soil and water resources on pages 44 through 48. The "Summary of Proposed Mitigation Plan" begins on page 60 of the EA and includes a listing of mitigation measures proposed for the soil and water resources (pages 60 through 69). The EA also includes a discussion of potential impacts on private property that would be affected by the Proposed Action Alternative (pages 70 through 72), including a description of potential water crossings located on private property within the corridor.

The detailed information contained in the EA and appendices, as outlined above, is considered an adequate assessment of the soil and water resources that would be affected by this proposed action. Proposed mitigation measures, including development of an Erosion and Sediment Control Plan and adherence to Georgia BMPs, would meet accepted standards for a project of this scale. The special use permit, if approved, would include this direction as "terms and conditions" authorized and required under 36 CFR 251.56. These could include requirements that GTC is to: 1) comply with soil and water quality standards; 2) comply with standards for environmental protection and siting, construction, operation and maintenance; 3) protect lawful users of adjacent lands; 4) cause the least damage to the environment, taking into consideration feasibility and other relevant factors; and 5) otherwise protect the public interest.

The Proposed Action Alternative corridor crosses 14 streams and four wetland areas that are potentially under the jurisdiction of the U.S. Army Corps of Engineers (ACOE) (Section 4 of Appendix A). Only two of the streams and two of the wetlands would be impacted as a result of construction or access. In addition, the proposed new access roads and improvements to existing access roads would cross 22 potentially jurisdictional streams and four potentially jurisdictional wetlands. Implementation of Forest-wide erosion protection standards and guidelines and Georgia State BMPs would maintain existing water quality and minimize erosion and sedimentation. The Proposed Action Alternative also would lead to improvement of existing culverts and stream crossings on existing USFS roads that would be used as access to the proposed transmission line. Improvements would include the replacement of failing culverts and improvements to existing culverts that are not failing but are in need of repair.

2 – COMMENT: The proposed project, especially the substation, would severely impact Timpson Creek and runoff into Lake Burton.

(Comment submitted by: Alexander, Nelson, P. Patton, Ponder, and Woodard)

RESPONSE: The primary point of emphasis for potential impacts to Timpson Creek would be the construction of the proposed substation site in the area between Timpson Creek and U.S. 76 highway (EA, Figure 10). A description of the proposed clearing plan for the substation is found on page 26 of the EA, with proposed mitigation measures listed on page 60. Timpson Creek is identified as “Water 30” in Appendix A, page 4-15.

By spanning the slope of Glassy Mountain above Timpson Creek for a distance of approximately 1,500 feet (refer to EA, Figure 5), most of the forest cover along this portion of the proposed transmission line corridor would remain undisturbed, and no access roads or other disturbance would be needed along the corridor on this slope. This would significantly reduce the amount of potential erosion and sedimentation into Timpson Creek from the slope of Glassy Mountain (EA, pages 6 and 16).

Based on the findings of the EA and BE, it has been determined that Timpson Creek can be adequately protected by application of erosion and sediment control measures and Georgia BMPs. In addition, a National Pollutant Discharge Elimination System (NPDES) Permit, which regulates the discharge of storm water from land-disturbance activities of five acres or more, and smaller parcels within developments of five acres or more (Georgia Soil and Water Conservation Commission 1997) would be required. This Permit, which is actually the permit which requires an Erosion and Sediment Control Plan, would also require daily measurements of rainfall on the construction site, weekly inspections of established BMPs, and measurements of the total suspended solids (TSS) (i.e., sediment from construction activities) that are introduced into streams adjacent to the construction site after certain levels of rainfall. This monitoring would help reveal inadequate BMPs or excessive change in turbidity, and would result in timely measures taken to correct the problems.

3 – COMMENT: Disagree with buffer requirements for streams, including the width and effectiveness of the proposed stream and wetland buffers.

(Comment submitted by: Alexander, Gatins, Ponder, and Woodard)

RESPONSE: The stream and wetland buffers described in the EA and the BE are consistent with the State of Georgia standards. The Georgia Department of Natural Resources, Division of Water Resources, has reviewed the EA and did not comment on the need for any additional buffer requirements. Streams and wetlands that would be crossed by the proposed transmission line would be spanned by the actual lines, which would result in no impacts. There are no poles proposed to be placed within a buffer zone next to streams or wetlands.

The proposed buffer zones, as described throughout the EA, include a 50-foot buffer distance from the top of stream banks on each side of streams and a 30-foot buffer distance around the perimeter of wetland areas. No ground-disturbing activities would take place within these buffers, as vegetation within the buffers would be cut by hand and would remain where it falls. If cut vegetation falls in a stream channel, it would be removed and placed at the top of the stream bank. A double row of Type C silt fence, with woven wire reinforcement, would be

installed at each buffer boundary, and would be supplemented by hay bales in critical areas. These measures would result in minimal impacts to water quality.

4 – COMMENT: EA is inadequate in analysis of water supply impacts.  
(Comment submitted by: Berrier-Colborn, P. Patton, and Ponder)

RESPONSE: The primary point of emphasis in response to this comment is that all sources of water supply, including streams and springs, would be adequately protected by the proposed mitigation measures (EA, pages 62 through 63). No ground disturbing activities would take place within the buffer zones of streams and wetlands, including springs. Any vegetation removal required would be felled by hand, and any vegetation falling into a stream channel would be removed to the top of the stream bank.

The EA identifies water quality as a significant issue on pages 5 and 6, including concerns for the protection of streams, wetlands, floodplains, springs, and the possible impacts to the entire watershed(s) from the proposed action. Concerns regarding the future maintenance of the transmission line, if approved, which focus on the possible use of herbicides and effects to water supplies, are addressed by the fact that no herbicides are proposed here for transmission line maintenance (EA, page 13). Effects analysis for the water resource is discussed on pages 46 through 48. The EA also provides an in-depth discussion of methods used and identification of jurisdictional waters and wetland areas in Section 4 of Appendix A.

5 – COMMENT: GTC should have obtained an NPDES permit before it applied for a Special use Permit from the Forest Service.  
(Comment submitted by: Alexander)

RESPONSE: It would not be reasonable for GTC to try to obtain a NPDES Permit before a special use permit was approved to actually allow construction of the proposed substation and transmission line. If a special use permit is approved, a NPDES Permit would be obtained for the construction of the Proposed Action Alternative and the conditions of the permit would be followed.

6 – COMMENT: The road analysis is not consistent with FSM 7712.13, and may not dovetail with the roads analysis policy currently under development by the Chattahoochee National Forest.  
(Comment submitted by: Alexander, Berrier-Colborn, and Gatins)

RESPONSE: This comment relates to concerns that the ongoing revision of the Forest Plan for the Chattahoochee National Forest would not be consistent with approving the special use permit. However, the IDT agreed that the revision of the Forest Plan would have no impact on the decision of whether to grant the special use permit.

This EA was prepared in accordance with FSM 7712.3, which emphasizes road actions associated with Forest Plan implementation. The FSM describes project planning as an interdisciplinary effort that requires individuals responsible for transportation analysis to work closely with other functional specialists and line officers. The FSM states that a key factor of

project planning is area transportation analysis, which tiers to the Forest Plan and examines the access needed to serve the resources on a defined area. Area transportation analysis develops access management objectives, road management objectives, and off-highway travel management objectives. The IDT complied with this guidance in preparing the EA. A discussion of “Road Enhancement, Construction, and Maintenance” is located on pages 29 through 31 of the EA. Environmental consequences associated with soil and water impacts from proposed road work are addressed in the EA on pages 44 through 48, and mitigation measures associated with proposed road work and soil and water resources are discussed on pages 60 through 63.

7 - COMMENT: Methods to evaluate visual impacts are unacceptable and measures to protect visual quality are insufficient.

(Comment submitted by: Alexander, Jones, Nelson, and Woodard)

RESPONSE: Visual impacts are an important consideration in the EA. Visual quality was identified as a significant issue for this project by the IDT (EA, page 5). Other references to visual quality found in the EA include a discussion of scenic classification systems and other visual methodology used by the USFS on pages 34 through 36, potential environmental consequences to the visual resource are discussed on pages 48 and 49, and mitigation measures for visual quality are outlined on pages 64 and 65. Several of the “Figures” contained in the EA help to give the reader an adequate visual perspective of the proposed project.

The question of whether the proposed transmission line would be seen from area roads and highways, private lands, or nearby residential communities was addressed by employing several techniques, which then led to designing the transmission line to minimize the visual impact of the project, as follows: 1) Pole configuration throughout the corridor would consist of either a three-pole design or a one-pole design. The three-pole design would allow for shorter poles, but would require a slightly wider management area (the area within the corridor). The one-pole design would allow for a narrower management area, but would require taller poles. Because of concerns over the visual quality in certain areas and because of technical considerations during construction of the transmission line, some areas, such as the north side of Glassy Mountain, call for shorter poles and a wider management area rather than having a narrower management area and taller poles; 2) Poles are proposed to be constructed of weathering steel, which turns to a deep brown color after a period of being exposed to weather and would blend with the natural background of trees; 3) Subcanopy vegetative cover throughout the corridor would be left standing where possible, except at pole locations. Tree removal within the corridor would be done in a manner where most of the subcanopy shrubs within the corridor would be left standing (Figure 3, ‘Proposed Clearing Method’). All vegetation would be removed at pole locations and for new access roads; and 4) Approximately 1,500 feet of the north side of Glassy Mountain would be spanned by placing two, three-pole structures near the top of the mountain and one, three-pole structure at the bottom of the mountain on the north side of Timpson Creek (Figure 5). This would minimize tree removal on this section of the transmission line, thereby minimizing the impact on the visual quality of the area.

8 – COMMENT: Although the corridor of U.S. Highway 76 is not considered scenic, Glassy Mountain is scenic.

(Comment submitted by: Fischer and Meluskey)

RESPONSE: Although this comment could be considered a statement of opinion, both U.S. Highway 76 and the lands comprising Glassy Mountain have various scenic qualities and titles. U.S. 76 is part of the “Southern Highroads Trail” or “Southern Highroads Scenic Highway”, which is a scenic driving route designated by the State of Georgia Legislature composed of specific highways in north Georgia, along with highways in South Carolina, North Carolina, and Tennessee ([www.southernhighroads.com](http://www.southernhighroads.com)). U.S. 76 is also shown as part of the “Lookout Mountain Scenic Highway” on the current Chattahoochee National Forest foldout map.

The response to the previous comment (Comment #7) gives a summary of visual quality citations found in the EA. This includes an explanation of the USFS visual resource classification system, or Scenery Management System (EA, pages 34 through 36). The area of Glassy Mountain as viewed from U.S. 76 is classified as Scenic Class 1 (EA, Figure 15), which is the class of highest public value due to scenic attractiveness and visibility. This designation identifies this portion of U.S. 76 as a primary travel way of regional importance. In the discussion of “Alternatives Considered but Eliminated” (EA, Section 3.3), part of the reasoning for not considering Alternative Corridors A, B and C was due to GTC consultation with the Georgia Department of Transportation (GDOT) and the improbability of obtaining the necessary permits for constructing a transmission line along U.S. 76 due partly to the scenic qualities of this highway (EA, pages 20 through 23). The location of the proposed substation was also chosen based upon a location outside of the U.S. 76 right-of-way to avoid the need to obtain scenic highway road right-of-way permits from the GDOT (EA, pages 24 through 25).

Based on the proposed design and mitigation measures for the construction of the substation and transmission line, none of the present Scenic Class designations, including the area on the north side of Glassy Mountain, would be expected to change. However, the existing Scenic Integrity could be compromised. The current assessment of the areas involved at the proposed substation site and along the proposed transmission line corridor is one of “Moderate”. A moderate (partial retention), or slightly altered, Scenic Integrity refers to landscapes where the valued landscape character “appears slightly altered”. Noticeable deviations must remain visually subordinate to the landscape character being viewed. The view created by the powerline would be a noticeable deviation, moving the Scenic Integrity Level to Low, or Very Low. In that case deviations would strongly dominate the valued landscape character. The Landscape Character goal for Scenic Class 1 in this area would be Natural Appearing, which would have a Scenic Integrity Objective of High. This cannot be reached with the construction of a powerline through this area. The EA (pages 26 through 27) describes the measures that would be taken during construction of the substation to maintain visual quality. Due to the proposal to span the north slope of Glassy Mountain, overall visual quality would be maintained by minimizing the amount of tree removal necessary, and the poles on either end of this span would not be seen by the majority of the Scenic Class 1 viewing area (EA, pages 64 and 65).

9 - COMMENT: Air quality impacts from the proposed transmission line and substation must be studied and reconciled with Clean Air Act standards.

(Comment submitted by: Gatins and Nelson)

RESPONSE: Air quality was not determined to be an issue by the IDT for this proposed project, and therefore was not addressed in the EA. Comments related to possible air quality effects from the proposed transmission line and substation, including effects from the loss of vegetation (due to increased carbon dioxide levels) and effects from charged particles around the transmission line, were considered to be non-significant and not relevant to the decision to be made.

### **Biological Resources:**

1 – COMMENT: Methods to mitigate impacts to vegetation are inadequate.

(Comment submitted by: Nelson)

RESPONSE: The possible effects to vegetation from the proposed transmission line were identified as a significant issue on page 7 of the EA. Mitigation measures for PETS, locally rare species, MIS, and old growth include several references to proposed measures to mitigate impacts to vegetation (EA, pages 65 through 66). Effects analysis in the EA was also based on a study of the vegetation communities found in the project area (Section 6 of Appendix A).

As discussed in the EA, the proposed project would impact the existing vegetation to varying degrees within a corridor approximately seven miles in length. The width of the corridor would be 75 feet for the majority of the corridor length, with an exception being a width of 120 to 150 feet on the north side of Glassy Mountain (EA, page 16). This translates to an area of approximately 60 acres that would be impacted to varying degrees within the proposed corridor. Several techniques would be employed to minimize impacts to vegetation within this corridor during construction of the proposed substation and transmission line. In upland forested areas within the management area (corridor), canopy trees would be left standing where possible. For example, tree removal within most of the management area would be done in a manner where most of the subcanopy and shrub species directly under the transmission line would be left standing. The farther away from the transmission line, the taller the trees are that would be left. The majority of the understory would be left undisturbed. Removal of only the trees directly under the transmission line, at pole locations, and along new access road locations would result in minimal impacts to vegetation.

2 – COMMENT: The proposed project would destroy valuable habitat. Proposed mitigation measures for wildlife and fisheries are insufficient and unacceptable.

(Comment submitted by: Alexander, Fischer, Meluskey, Nelson, P. Patton, and Ponder)

RESPONSE: This comment is addressed in depth in the EA, beginning with listing and discussion as a significant issue by the IDT on pages 7 and 8. The current status of wildlife and fisheries, including an explanation of the management indicator species (MIS) concept, is discussed on pages 38 and 39, and potential effects to MIS, PETS, and locally rare species are discussed on pages 49-52. Proposed mitigation measures for these species are discussed on pages 65-68. Section 2 of Appendix A (Biological Field Survey Report) to the EA contains

specific discussion for each species considered, including habitat, current status, and impacts from the proposed project. The Biological Evaluation (Appendix E) to the EA also contains a description of existing habitat in the project area, PETS species considered and evaluated, and a summary of determination of effects and rationale.

The Proposed Action Alternative would have minimal effects on the MIS for this project (Appendix A, page 2-26). The Chattahoochee National Forest also maintains a list of Proposed, Endangered, Threatened, and Regional Forester Sensitive (PETS) species. Based on the findings of the Biological Evaluation (BE), implementation of the Proposed Action Alternative would have no negative effects on Federally-listed or Regional Forester sensitive PETS species within the project area (Appendix E, page BE-10).

3 – COMMENT: The EA suggests that leaving understory or subcanopy intact is possible, but subcanopy will not survive without a protective overstory.  
(Comment submitted by: Nelson and Woodard)

RESPONSE: The proposal to leave as much understory or subcanopy intact as possible within the transmission line corridor (EA, pages 26 and 27) would address several concerns, including issues related to vegetation, visual quality, and wildlife habitat (EA, pages 5,7 and 8). In addition, as documented in the Biological Evaluation of the Proposed Action Alternative (Appendix E, page BE-9), AClearing of only canopy trees and spanning sensitive areas would assist in maintenance of suitable habitat for PETS plants throughout the corridor.≡

Although there may be existing understory or subcanopy plant species within the proposed corridor that would be detrimentally affected by removal of the overstory, many species considered to be primarily subcanopy species in this area would actually thrive with the removal of canopy trees, including species such as red maple (*Acer rubrum*), dogwood (*Cornus florida*), and sourwood (*Oxydendrum arboreum*) (Silvics of North America, Agriculture Handbook 654, Volume 2). Based on the average width of the proposed transmission line corridor (75 feet), and the proposal to leave progressively taller trees from the middle of the corridor to the edges, there would still be varying amounts of shading throughout the day on understory and subcanopy species within the corridor.

4 – COMMENT: The rationale of leaving downed trees to preserve animal habitat is flawed.  
(Comment submitted by: Nelson and Woodard)

RESPONSE: The statement of leaving downed trees is first listed in the EA as a mitigation measure as part of the significant issue for wildlife and fisheries on pages 7 and 8. As documented in the Biological Evaluation of the Proposed Action Alternative (Appendix E, page BE-9), “Clearing of only canopy trees and spanning sensitive areas would assist in maintenance of suitable habitat for PETS plants throughout the corridor. Leaving downed trees in place and allowing the understory to continue to develop would keep erosion and sedimentation concerns to a minimum.” As discussed on page 56 and 58 of the EA, although leaving downed trees would be considered a mitigation measure for viable habitat, the cumulative effect of losing standing trees would be lessened due to the large number of similar trees that would still be available along the edges of the transmission line corridor and throughout the area surrounding the corridor. Trees that fall naturally or that are felled and left

in place are commonly referred to as “down woody debris” as these trees deteriorate over time, and do provide foraging habitat for certain species, including woodpeckers, and denning habitat for smaller animal species.

5 – COMMENT: Center-line stakes were moved by GTC by more than 500 feet, and new areas were not surveyed or addressed that may contain PETS.

(Comment submitted by: Groves and Ponder)

RESPONSE: The new alignment was surveyed by ecologists and botanists and those results are reported in the final draft of the Biological Field Survey Report (Appendix A). As documented in Appendix A and in the Biological Evaluation (Appendix E), construction of the Proposed Action Alternative would not adversely impact any PETS species. To establish a baseline for the Biological Field Survey Report and the BE, ecologists and botanists traversed the Study Area and potential project areas to survey the forest, note the habitat characteristics for the forest, and identify any listed botanical species throughout the survey area. Based on a local botanist’s recommendation, the proposed transmission line was shifted to the east to avoid sensitive forest communities, and a preliminary substation site was abandoned to avoid conflicts with locally rare and sensitive species. By shifting the substation east approximately 1,700 feet, the transmission line would not impact a forest dominated by basswood (*Tilia americana*), sugar maple (*Acer saccharum*), and yellow buckeye (*Aesculus flava*). This forest community contained several of the listed plant species that were identified. Since the substation was shifted 1,700 feet to the east, this in turn caused the transmission line to shift approximately 1,350 feet as well. Also, this shift caused the proposed transmission line to extend nearly perpendicular to the slope, as compared with the preliminary alignment that paralleled the grade on the north face of Glassy Mountain.

6 – COMMENT: The subject of migratory songbirds is neglected in the EA. Since migratory songbirds are in decline, the USFS should have consulted with the U.S. Fish and Wildlife Service (USFWS) on migratory songbirds and outlined specific protection measures in the EA. The Migratory Bird Treaty Act (MBTA) may have been violated.

(Comment submitted by: Alexander, Berrier-Colborn, Gatins, Groves, P. Patton, Ponder, and Martin)

RESPONSE: As previously mentioned, the EA (including Appendices A and E) addresses MIS, PETS, and locally rare species in detail and finds that the proposed action would not significantly affect any species considered. By using the MIS concept, the full range of animal and plant species, including migratory birds, that may be found in the project area habitats are adequately represented and considered during effects analysis.

Technically, the USFWS does not conduct “consultations” for the Migratory Bird Treaty Act. Consultation is a legal term associated with the Endangered Species Act of 1973. The USFS is only required to consult with the USFWS when a proposed action results in a “may affect” determination regarding proposed, threatened, endangered, or listed species or critical habitat.

In accordance with Executive Order (E.O.) 13186 of January 10, 2001, the USFWS is currently working with the USFS (and other Federal agencies) on a Memorandum of Understanding (MOU) to address the requirements of this E.O. regarding the responsibilities of Federal

agencies to protect migratory bird populations. The MOU between the USFWS and USFS is currently being prepared at the national level.

7 – COMMENT: The proposed project will have negative effects on the Cerulean Warbler. (Comment submitted by: P. Patton and Ponder)

RESPONSE: Concerning specific comments about the Cerulean Warbler, this species is currently on the Forest's locally rare list but is not Federally listed. The USFWS is currently conducting a status review of this species to potentially list it as threatened under the Endangered Species Act.

Based on information contained in Appendix A, this species is a very rare breeder in north Georgia, and is not known to breed within the proposed project area. The Chattahoochee-Oconee National Forest has been conducting bird counts by species at fixed locations since 1991, and counts for the Cerulean Warbler are concentrated in the central portion of the Chattahoochee National Forest. Three fixed bird point locations within a 5-mile radius of Glassy Mountain have not tallied any Cerulean Warblers since the counts started in 1991, and only two Cerulean Warblers have been tallied on the Tallulah Ranger District since 1991 (at a point approximately 11 miles east of Glassy Mountain). However, the presence of this species within the proposed project area is presumed during migration. The primary area of mature hardwoods in which this species would be found is located on the north face of Glassy Mountain. Since the proposed transmission line in this location would span, or be above, the existing tree canopy, there would be no impact to this species or habitat.

8 – COMMENT: Old growth analysis is inadequate in that field surveys did not use criteria found in USFS Regional guidelines, and other potential locations of old growth within the corridor were not surveyed. (Comment submitted by: Bentley, Berrier-Colborn, Gatins, Groves, Martin, Nelson, P. Patton, Ponder, and Woodard)

RESPONSE: This comment is addressed in depth in the EA, beginning with its identification as a significant issue by the IDT on page 7. The methodology followed for the old growth analysis for this project is discussed on pages 39-41. Potential effects to address the old growth issue are discussed on pages 53 and 54, and pages 68 and 69 list mitigation measures to address old growth. Old growth is also addressed in Appendix A to the EA (Biological Field Survey Report, page 6-3, and in more detail in Appendix H to Appendix A, pages 1-5).

To establish a baseline for the Biological Field Survey and the BE, ecologists walked the entire proposed transmission line and collected diameter-at-breast-height (DBH) data for different trees within the corridor. These ecologists referred to the Region 8 old growth guidelines document *A Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Regions: Report of the Region 8 Old-Growth Team* (USFS Old-Growth Publication 1997). They determined that the only true potential for an old growth community stand would be on the north face of Glassy Mountain. This preliminary assessment was based on size, species makeup, and evidence of past disturbance. Based on this assessment, a registered arborist was retained to conduct an old growth assessment within the project corridor on the north face of Glassy Mountain. The arborist also surveyed an area of

chestnut oak trees identified in comments and found that it did not meet 3 of the 4 USFS criteria. The surveys of potential old growth are consistent with USFS criteria and guidelines.

Based on site-specific conditions identified in the EA and the Biological Field Survey Report (Appendix A), there is a possibility that the portion of the Proposed Action Alternative corridor assessed qualifies as “potential old-growth forest,≡ as defined by the USFS old growth document, but this area does not qualify as old growth at this time. The field surveys done as required to prepare the BE and old growth analysis have provided an opportunity to avoid impacts to the potential old growth area.

## **Cultural Resources:**

1 – COMMENT: Disagree with EA treatment of archaeological and historic resources, including important aspects of local history.

(Comment submitted by: Bentley, Berrier-Colborn, Gatins, Geiger, Nelson, P. Patton, Ponder, Winslett, and Woodard)

RESPONSE: Although this comment relates to an issue determined to be non-significant by the IDT (page 10 of the EA), archaeological and historic resources were still addressed in detail in the EA. Discussion of archaeological and historic resources is contained in the EA on pages 41 and 42 (documentation of surveys and literature review completed for this proposed project), page 54 (effects to cultural resources from the proposed action), and page 69 (proposed mitigation measures for cultural resources). In addition, the findings of archaeological and historic resources surveys and findings are included in Appendices F, G, H, I and K to the EA.

This comment relates to concerns regarding the impacts to historical and archaeological sites from the proposed substation and related transmission line. This issue has been addressed by conducting multiple Phase I intensive archaeological surveys on National Forest System land and private properties within the project area. The surveys revealed no sites that are eligible for inclusion in the National Register of Historic Places (NRHP). If sites are identified in the future, the sites would be avoided or impacts otherwise mitigated. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, 16 U.S.C. 470f, requires Federal agencies to take into account the effects of their undertakings on properties included or eligible for inclusion in the NRHP. This has been done for the proposed action. A report of the site specification was transmitted to the Georgia State Historic Preservation Officer (SHPO) in accordance with 36 CFR Part 800, the Advisory Council on Historic Preservation regulations for protection of historic properties. As described in Appendix F, the EA includes a AReport of No Effect on Historic Resources, North Burton 115 kV Transmission Line and Substation.≡ This report complies with 36 CFR 804(a)(1) regarding the identification and evaluation of historic property and the criterion for applying Section 106 and determining eligibility. The report concludes that Athere are no [historic property] resources within the Area of Potential Effect.≡ There is no other evidence that the so-called Old Hiwassee-Clayton Postal Road, or the so-called Turn Jones property, or the alleged site of a lynching meet any criterion for listing on the NRHP or for nomination to the NRHP by the Georgia SHPO. This determination is consistent with 36 CFR 800.4(a)(1).

## **Socioeconomic Environment:**

1 – COMMENT: The EA is inadequate in addressing socioeconomic issues, and a social impact assessment should be required.

(Comment submitted by: Alexander, Gatins, Nelson, and Woodard)

RESPONSE: This issue was derived from concerns over the impacts of the transmission line on areas of the surrounding community, including churches, cemeteries and burial grounds, schools, playgrounds, retirement facilities, and farms. This issue also includes concerns over impacts to tourism and the local economy, and effects on the social, cultural, and rural character of the area. In this process, the USFS must make a decision on whether to grant a special use permit to GTC based on how the action on National Forest System land would impact the natural and human environments. This issue does not have a bearing on the decision to be made. This comment is related to an issue determined to be non-significant on NFS lands by the IDT (EA, page 15), although the existing socioeconomic environment of the project is addressed on pages 42 and 43 and the potential environmental consequences are discussed on pages 54 through 56.

2 – COMMENT: The economics of the proposed action were questioned, including the lack of a comparison of cost/benefit for the alternatives considered.

(Comment submitted by: Fischer, Meluskey, and Nelson)

RESPONSE: This comment relates to an issue determined to be non-significant by the IDT, as discussed on page 12 of the EA. The special use application submitted by GTC disclosed the estimated cost of the preliminary alternatives considered by GTC, including upgrading the existing system, alternatives using new facilities with various line/substation combinations, and an underground alternative. This comment also involves concerns that GTC has chosen the least expensive route for the transmission line without regard to other issues, such as environmental and human health issues. The purpose of the EA, however, is to document the impacts to the natural and human environments by each alternative considered in detail, without regard to how much each alternative would cost to implement. The USFS will use the EA to determine environmental impacts on National Forest System land in deciding whether to issue the special use permit. The USFS screening criteria for special use permits (FSH 2709.12, section 12.2) do not consider the costs of the alternatives presented.

3 – COMMENT: The issues of human health and health risks associated with transmission lines as addressed in the EA are unacceptable and insufficient.

(Comment submitted by: Berrier-Colborn, Jones, Nelson, Ponder, and Woodard)

RESPONSE: This comment also relates to a significant issue identified by the IDT for this subject (page 9 of the EA). The primary concern associated with this comment involves electric and magnetic fields, otherwise known as “EMF’s”. EMF’s are a natural byproduct of the use of electricity and are encountered by people every day from a variety of sources. Lights, motors, television sets, powerlines, coffee makers, hair dryers, and all other devices that use electricity produce EMF’s. Although GTC and other power producers continue to fund research concerning EMF’s, over the past 25 years numerous studies and more than 20

scientific review panels have concluded that no cause-and-effect relationship can be established between EMF's and harmful health effects to humans.

The Proposed Action Alternative would be implemented according to all Federal, State, and local codes and regulations. Designs used by GTC for materials, construction, and operation of transmission lines would conform to these regulations and established safety codes.

4 – COMMENT: Mitigation measures for recreation are unacceptable and insufficient.  
(Comment submitted by: Alexander and Nelson)

RESPONSE: This comment was derived from concerns over the impact of the Proposed Action Alternative on recreational resources, such as existing biking and hiking trails. The possible impact to recreation from the proposed transmission line was identified as a significant issue on page 9 of the EA. A short description of the existing recreation resource is located on page 43 of the EA, with effects analysis on pages 55 and 56. A mitigation measure which deals with the possible impacts to the Stonewall Falls Mountain Biking Trail is discussed on page 69 of the EA, with Figure 22 of the EA showing the proposed relocated route for the bike trail.

This comment would be addressed by minimizing impacts to existing biking and hiking trails and by rerouting some biking trails that may be impacted. Also, the visual quality of areas that are used for recreation would be preserved using the shortest pole structures possible, clearing as little vegetation as possible, and using pole structures that blend with the natural background.

5 – COMMENT: Outdated material was used for environmental justice evaluations, including using 1990 census blocks instead of the 2000 Census data.  
(Comment submitted by: Alexander and Gatins)

RESPONSE: The 2000 Census blocks were not available when the analysis was completed. A site specific survey of conditions on the ground was completed to verify the data in the Census block information summaries. Appendix J in the EA used both the Census block and site specific surveys to document the EA conclusions on environmental justice. Other information concerning environmental justice can be found in the EA on pages 58 through 59.

6 – COMMENT: The Forest Service should be responsible for limiting population growth in the area.  
(Comment submitted by: Alexander and Martin)

RESPONSE: This comment was addressed in the EA as a non-significant issue on page 15, and it is beyond the scope of the decision to be made by the USFS. The role of the USFS is to examine only the application for a special use permit and the environmental impacts on NFS lands that could result from selecting the Proposed Action Alternative. It is not the role of the USFS to assess potential increases in population growth in Rabun County that may result from the proposed project.

7 – COMMENT: The EA is inadequate in the way it analyzes impacts of the proposed action on private lands.

(Comment submitted by: Alexander, Jones, and Nelson)

RESPONSE: This comment is related to a non-significant issue previously identified by the IDT (EA, pages 10 and 11). Specifically, private land concerns relate to: 1) the proximity of the proposed substation and transmission line to private property that is not directly impacted by the management area, 2) the impacts on property values, 3) the rights of private landowners, and 4) the decision to place portions of the transmission line on private property rather than locating it wholly on public land. The EA contains a section on “Private Property Information” (EA, pages 70-72) that describes private land concerns in detail. Although the USFS considers private property concerns very important, the EA focuses on the effects of the proposed action on National Forest System lands. This comment would be addressed by limiting the visual impacts to the surrounding area by hand-clearing vegetation in environmentally sensitive areas and by using pole structures that blend with the natural background.

### **Other Comments:**

1 – COMMENT: The EA is inadequate because there is no mention of the use of strobe lights on Glassy Mountain and there is no mention of strobe light impacts on migratory songbirds.

(Comment submitted by: Gatins, Ponder, and Woodard)

RESPONSE: The proposed action would not require flashing lights on any proposed poles to be located on Glassy Mountain. The Federal Aviation Administration (FAA) of the U.S. Department of Transportation is authorized to establish standards for marking and lighting structures to promote aviation safety. Those FAA standards are entitled: “Obstruction Marking and Lighting” and are compiled in FAA Advisory Circular, AC 70/7460-1K, (effective August 1, 2000). Chapter 2, Section 20 of this circular describes the standard for “Structures To Be Marked and Lighted” as “Any temporary or permanent structure, including all appurtenances, that exceeds an overall height of 200 feet (61 meters) above ground level (AGL) or exceeds any obstruction standard contained in 14 CFR Part 77, should normally be marked and/or lighted.” The proposed transmission line would not be considered an obstruction to air navigation under the above citation (14 CFR 77.23), which defines obstructions as “[an] object...would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces: (1) A height of 500 feet AGL at the site of the object, or (2) A height that is 200 feet AGL or above [an] established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet. Rabun County does not have a municipal airport.

2 – COMMENT: This project would allow illegal ATV use of the powerline corridor and access roads.

(Comment submitted by: Gatins and Nelson)

RESPONSE: The IDT addressed this comment in the EA by identifying illegal ATV use as a significant issue (EA, page 9), and would primarily deal with this issue through the installation of gates that would control access to the roads associated with the powerline.

3 – COMMENT: There is no mention of how Georgia Power or leaseholders on Lake Burton would be affected by the decision to be made.

(Comment submitted by: Gatins)

RESPONSE: This is beyond the scope of the decision to be made. There is no requirement in the USFS special use permit regulations (36 CFR Part 251) to provide such information or address in the EA.

4 - COMMENT: Opposed to any logging for commercial purposes.

(Comment submitted by: Geiger and Winslett)

RESPONSE: This issue includes concerns from those generally opposed to using National Forest System lands for activities specifically authorized by the Multiple-Use Sustained Yield Act (MUSYA), including development projects such as transmission lines. Although the trees along much of the proposed corridor would be left in place after felling, there would be some salvage of felled trees where access would allow removal with no adverse environmental impacts. Removal of trees for the proposed substation site and transmission line corridor would be consistent with other special use permits that involve vegetation removal. The material to be removed that is of merchantable size is normally sold to the applicant (permittee) for them to dispose of as they deem necessary. Disposal of merchantable material in this manner is not considered a commercial logging project by the USFS, but is regarded as removal of trees for another purpose. The special use permit application is an established method to make requests for activities on National Forest System land. The USFS is expressly authorized to issue special use permits to use and occupy National Forest System lands for utility systems and related facilities for the transmission of electric energy by 36 CFR 251.53(k)(4) and the Federal Power Act of 1935, as amended, 16 U.S.C. 791a , et seq. This comment does not have a bearing on the decision to be made.

5 – COMMENT: Concern over the use of herbicides on National Forest System lands.

(Comment submitted by: Nelson and P. Patton)

RESPONSE: This issue was derived from concerns regarding the use of herbicides in the transmission line corridor, primarily for maintenance purposes. However, GTC intends to use only manual and mechanical vegetation removal during the construction, operation, and maintenance of the Proposed Action Alternative substation site and transmission line corridor. No herbicides would be used (EA, page 31). Based on this information, the IDT determined that this was a non-significant issue (EA, page 13), and therefore does not have a bearing on the decision to be made.

6 – COMMENT: Noise impacts are ignored.  
(Comment submitted by: Nelson)

RESPONSE: Noise impacts from the proposed transmission line project, including noise during construction and noise from the line itself when operating, would be insignificant. The noise from construction activities would be short-term, and would only be heard in the immediate vicinity of clearing and construction activity. Studies conducted by the electric transmission industry have shown that noise is not noticeable and is insignificant from transmission lines that are less than 600 kilovolts in size.

7 – COMMENT: Effects analysis of the powerline on roadless areas is inadequate.  
(Comment submitted by: Nelson)

RESPONSE: An area identified as the “Worley Ridge Georgia Mountain Treasure” was the basis for this issue being identified as a non-significant issue by the IDT (EA, pages 13 and 14). Even though the Forest Service does not recognize the Wilderness Society designation of the Worley Ridge area as “roadless”, this area would still not be affected by the Proposed Action Alternative as stated in the EA.

The comment also alluded to labeling other areas along the proposed transmission line corridor as “roadless”, but no designated roadless areas recognized by the USFS would be affected, and this comment is therefore considered a statement of opinion.

8 – COMMENT: No consideration of impacts to cave systems or subsurface passageways.  
(Comment submitted by: Nelson)

RESPONSE: This comment is considered beyond the scope of the decision to be made. There would be no known impacts to cave systems or subsurface passageways from construction of the proposed substation and transmission line.