

# THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

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In the Matter of Determination of Substantive  
Compliance with the Montana Major  
Facility Siting Act for Western Area Power  
Administration's Proposed Rebuild of the  
Wolf Point, MT to Williston,  
ND Transmission Line in Montana

CONCLUSIONS AND  
FINAL DETERMINATION

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## DEPARTMENT CONCLUSIONS

1. The need for replacement of the Western Area Power Administration (Western) Wolf Point to Williston 115-kV transmission line is based on reliability of service. The age of the existing transmission line, its higher than average rate of forced outages compared to other Western transmission lines, and the increasing likelihood of customer service interruptions if no action is taken demonstrate the need for line replacement based on reliability of service (Section 75-20-301(1)(a), MCA). Benefits of the proposed line would be its higher level of reliability through a reduced rate of forced outages, and the ability to maintain generation levels at Fort Peck Dam under single contingency outage conditions on the 230-kV system. The Department's analysis indicates that these benefits of line rebuild at 230-kV design standards, together with annual loss savings and increased flexibility for future system needs, are reasonably likely to outweigh the increased cost of rebuilding at the higher design voltage of 230 kilovolts.
2. The nature of the probable environmental impact that would result from the proposed rebuild of the Wolf Point to Williston 115-kV transmission line has been identified in the Department's supplemental environmental assessment and the Western environmental assessment for the proposed project (Section 75-20-301(1)(b), MCA).
3. Reasonable system alternatives to solve the electrical problems occurring in the Wolf Point, Montana area were considered in Western's environmental assessment for the 115-kV Wolf Point to Williston transmission line. Reasonable location alternatives were also considered. The information evaluated by the Department indicates that none of the system or location alternatives examined for the proposed line would have less impact on the environment and

the citizens of Montana than Western's proposed rebuild of the 115-kV transmission line (Section 75-20-301(1)(c), MCA).

4. None of Western's 115-kV Wolf Point to Williston transmission line will be built underground because the cost of underground construction can exceed the cost of overhead construction by a large factor and the duration of outages for underground lines typically exceeds that for overhead line (Section 75-20-301(1)(d)(i), MCA).
5. Western's proposed rebuild of its 115-kV Wolf Point to Williston transmission line to 230-kV design standards is consistent with regional plans for expansion of the Western transmission system serving Montana. Line upgrade to 230-kV will provide flexibility for future system needs when transformers within the substations are upgraded to accommodate operation at 230 kilovolts. (Section 75-20-301(1)(d)(ii), MCA).
6. Western's rebuild of its 115-kV Wolf Point to Williston transmission line will serve the interest of utility system economy and reliability. Information evaluated by the Department indicates that the value of the savings from reduced outages plus the value for increased reliability of service is reasonably likely to exceed to cost of the proposed project. (Section 75-20-301(1)(d)(iii), MCA).
7. The Department evaluated the use of public land for siting of portions of Western's Wolf Point to Williston transmission project and determined that the use of public land was not as economically practicable as the use of private land and that use of public land was not compatible with a finding of minimum adverse environmental impact for the proposed project (75-20-301(1)(h), MCA).
8. The Department shall monitor construction of the Montana portion of the Wolf Point to Williston transmission line rebuild project to ensure that the substance of environmental specifications developed by Western and the Department is carried out, that reclamation and re-vegetation efforts are successful, and that mitigating measures identified by Western and the Department are implemented.

9. The proposed rebuild by Western of the Montana portion of a 115-kV transmission line between Wolf Point and Williston complies with the substantive standards of the Major Facility Siting Act and the Administrative Rules adopted by the Board, if Western rebuilds, maintains, and operates the transmission line in compliance with the following:
  - (A) Prior to the start of construction, Western shall obtain any necessary water quality decision, opinion, order, certification or permit as required by Section 75-20-216(3), MCA.
  - (B) Western shall rebuild the Wolf Point to Williston transmission line project in Montana within a 200-foot-wide construction right-of-way and shall operate the transmission within a 100-foot-wide right-of-way along the existing line except for two segments proposed for relocation. The two segments are shown in Figure 2-1 (Reroute Map Structure 71/2 – 72/7) and Figure 2-2 (Reroute Map Structure 104/8 – 108/4) of the Western EA. In addition line location may vary from proposed locations for new structures where Montana DOT determines that adequate safety clearance along Highway 2 would not be maintained. For the two segments proposed for relocation, the line shall be constructed within 250 feet of locations depicted on the referenced figures. For any structure relocations that may be necessary for adequate safety clearance along Highway 2, the structures shall be located no more than 250 feet from the existing line in a manner that minimizes impacts to existing land use, unless otherwise approved in writing by the Department.
10. If Western rebuilds, maintains, and operates the Montana portion of its 115-kV Wolf Point to Williston transmission line in compliance with the requirements of the conclusions stated herein, the Department finds that:
  - (A) The probable environmental impact from the rebuild, operation, and maintenance of the facility will be minimized (Section 75-20-301(1)(c), MCA).

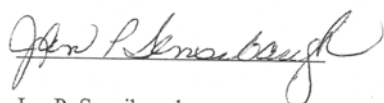
(B) The Montana portion of the Wolf Point to Williston transmission line project represents the minimum adverse environmental impact considering the state of available technology and the nature and economics of the various alternatives (Section 75-20-301(1)(c), MCA).

11. If Western rebuilds, maintains, and operates the Montana portion of its Wolf Point to Williston transmission line project in compliance with the conclusions stated herein, then environmental impacts specified in the Administrative Rules of Montana 17.4.609(3)(d) and (e) have been properly considered and the facility will represent the minimum adverse environmental impact considering the state of available technology and the economics of the various alternatives (Section 75-20-301(1)(c), MCA).
12. If Western rebuilds, maintains, and operates the Montana portion of its Wolf Point to Williston transmission line in compliance with the requirements of the conclusions stated herein, the location of the transmission line will conform to applicable state and local laws and regulations (Section 75-20-301(1)(e), MCA).
13. If Western rebuilds, maintains, and operates the Montana portion of its Wolf Point to Williston transmission line project in compliance with the requirements of the conclusions stated herein, then the effects of the facility on public health, welfare, and safety can be minimized (Section 75-20-301(2)(d), MCA).
14. If Western rebuilds, maintains, and operates the Montana portion of its Wolf Point to Williston transmission line project in compliance with the requirements of the conclusions stated herein, the facility will serve the public interest, convenience, and necessity. The EA and state supplement describe and the department has considered: the basis of need for the facility, the nature of impacts associated with this project, benefits to the state and the applicant, effects of the economic activity resulting from the proposed facility, and the effects of the proposed facility on the public health, welfare, and safety (Section 75-20-301(2), MCA).

## DEPARTMENT DETERMINATION

The portion of Western's proposed Wolf Point, Montana to Williston, North Dakota transmission line project that is located within Montana complies with the substantive standards of the Montana Major Facility Siting Act if Western rebuilds, maintains, and operates the Montana portion of this transmission line and associated facilities in compliance with the Findings of the Department herein stated. The Montana portion of Western's proposed Wolf Point to Williston transmission line project complies with the substantive standards of the Montana Major Facility Siting Act only if Western rebuilds, maintains, and operates the transmission line in compliance with the Findings of the Department herein stated.

Dated this 19<sup>th</sup> day of November 2003.



Jan P. Sensibaugh  
Director  
Montana Department of Environmental Quality