

FINDING OF NO SIGNIFICANT IMPACT

Issuance of a Permit under section 10(a)(1)(B) of the Endangered Species Act to National Grid

The U.S. Fish and Wildlife Service (Service) proposes to issue an Incidental Take Permit (ITP) to National Grid (NG) in association with the implementation of a Habitat Conservation Plan (HCP) for the endangered Karner blue butterfly (KBB) and the state-listed frosted elfin (FE).

As part of our evaluation of whether to issue an ITP, the Service is required to analyze the impacts of permit issuance in accordance with the National Environmental Policy Act of 1969 (NEPA). To comply with NEPA, the Service prepared an Environmental Assessment (EA) that evaluates the potential direct, indirect, and cumulative effects of the proposed action (issuance of an ITP with implementation of the HCP), a no action alternative, and issuance of an ITP with a modified mitigation strategy. The HCP covers operations, maintenance, and construction activities associated with electric and natural gas facilities in portions of Albany, Oneida, Schenectady, Saratoga, and Warren Counties, New York and includes a conservation strategy that avoids, minimizes, and mitigates the impacts to KBB and FE. The duration of the ITP is 50 years.

Following a comprehensive review and analysis of the HCP and consideration of the findings presented in the EA, the Service has selected the proposed action as the preferred alternative because it provides the most conservation value to the covered species in the context of NG complying with the requirements of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The environmental impacts of the proposed action have been fully considered, and the environmental consequences have been shown to be minor and insignificant to the human environment, in consideration of the context and intensity of the project (40 CFR 1508.27). The majority of HCP-covered activities are associated with operations and maintenance of existing rights-of-way (ROWs) and structures. Given the existing nature of the facilities and current routine maintenance and operations of the facilities, we expect no new impacts from these covered activities. However, there will be some reconstruction and new construction activities that are incorporated into the HCP, mostly small segments of ROWs that may be expanded or new ROWs created within the covered lands. These activities have the potential for negative impacts on visual, vegetative, and wildlife resources, depending on where they occur. During reconstruction and new construction activities, short-term negative noise and traffic impacts will occur. These impacts are not considered significant (40 CFR 1508.27) because public health and safety will not be adversely impacted, controversy is not anticipated, project activities do not involve high levels of uncertainty or unknown risks, most effects will be localized and short-term in nature, cumulative effects are minimal, and cultural resources will not be impacted. In addition, NG will conduct site-specific environmental analyses for all construction activities with the appropriate state and, if applicable, Federal agencies.

Implementation of the proposed action is expected to result in conservation of the KBB within the lands covered by the ITP while meeting the needs of NG. Environmental consequences anticipated under the two action alternatives would be similar except the proposed action alternative concentrates KBB mitigation efforts in strategic locations.

A notice of availability for the draft EA and ITP application was published in the *Federal Register* on October 19, 2011. Two letters were received during the 60-day public comment period. Neither provided substantive comments that require changes to the draft EA, draft HCP, or other response.

Based on review and evaluation of the attached EA and supporting documents, We have determined that this action is not a major Federal action which would significantly affect the quality of the human environment, pursuant to the provisions of section 102 (2)(c) of the NEPA. Therefore, the preparation of an Environmental Impact Statement on the proposed action is not warranted.



Acting Regional Director
Northeast Region

12 July 2012
Date