



West-Wide Corridor DEIS  
 Argonne National Laboratory  
 9700 S. Cass Avenue  
 Building 900, Mail Stop 4  
 Argonne, IL 60434

January 9, 2008

To Whom It May Concern:

I would like to express my support for the designation of two additional energy corridors as part of the West-Wide Corridor designation process.

- a) Corridor from Garrison, Montana south past Mill Creek Substation to the Dillon, Montana area.
- b) Corridor from a point along existing 500 kV transmission lines near Townsend, Montana to the Mill Creek Substation.

The expanded use of these two corridors present major opportunities for the region and for the overall security of the western United States utility grid.

The above referenced routes are significantly less environmentally sensitive than other areas of the state. These routes run parallel to existing infrastructure currently owned by Northwestern Energy or Bonneville Power Administration which previously served the Anaconda Copper Mining Company Smelter located in Anaconda, Montana. By constructing adjacent to existing industrial infrastructure, pristine lands in other areas can remain so while still providing the avenues for upgrading and constructing the necessary electrical systems. The designation of these routes through less sensitive areas expedites any developer's potential plans, decreasing costs and timeframes.

Thank you for the opportunity to comment.

Sincerely,

*Marcin Cawojica*  
 Name

*321 Spruce Street*  
 Address

*Anaconda, Montana*  
 City, State Zip *59711*

30-001

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Thank you for the opportunity to comment.

Sincerely,

*Colleen Ferguson*  
 \_\_\_\_\_  
 Name

*705 Cherry*  
 \_\_\_\_\_  
 Address

*Anaconda MT 59711*  
 \_\_\_\_\_  
 City, State Zip

31-001



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Thank you for the opportunity to comment.

Sincerely,

Terence Caulfield  
 Name

321 Spruce St.  
 Address

Anaconda, MT 59711  
 City, State Zip

32-001



WEC\_00033

February 14, 2008

LOS ANGELES/VENTURA DIVISION  
 21900 BURBANK BLVD., SUITE 114  
 WOODLAND HILLS, CA 91367  
 MAIN 818 444 1600  
 FAX 818 348 3043

WWW.SUNCAL.COM

West-wide Energy Corridor DEIS  
 Argonne National Laboratory  
 9700 S. Cass Avenue  
 Building 900, Mail Stop 4  
 Argonne, IL 60439  
 Fax: (866) 542-5904

Re: Comment to "Draft Programmatic Environmental Impact Statement (PEIS) for the Designation of Energy Corridors on Federal Land in 11 Western States (DOE/EIS-0386)" dated October 2007.

To Whom It May Concern:

This letter is submitted on behalf of SunCal Companies (also known as SCC Acquisitions, Inc. [hereinafter referred to as "SunCal"]<sup>1</sup>), with respect to the Draft Programmatic Environmental Impact Statement (PEIS) for the Designation of Energy Corridors on Federal Land in 11 Western States (DOE/EIS-0386) prepared by the Department of Energy and Department of the Interior, Bureau of Land Management (BLM) as co-lead agencies (with other cooperating agencies, the "Agencies"). The PEIS analyzes designation of a 6000 mile long and 3500 foot wide corridor in specific locations located on federal lands throughout the western United States. As addressed here, the PEIS is deficient due to its failure to consider impacts on private lands through which the corridor would need to traverse and its failure to examine alternatives and/or to mitigate the impacts of the program.

33-001

Ketchum Ranch is a privately owned property in the community of Jacumba (the location of a hot springs and early Hollywood retreats) in eastern San Diego County. SunCal has a property interest in the 1250 acre Ketchum Ranch and an adjoining 208 acre portion of the town of Jacumba located in southeast San Diego County, California. The Ketchum Ranch is currently operated as a farming enterprise on lands designated as prime agricultural lands by the County of San Diego. Located on the Ketchum Ranch is a groundwater aquifer serving as the sole source of potable water to the area. Also located on the property is a significant natural drainage channel. The property is designated for residential and community facilities in Jacumba by the County of San Diego. Prior to issuance of the PEIS, SunCal has submitted an application to the County of San Diego for a sustainable residential and commercial development on Ketchum

<sup>1</sup> SunCal is a California corporation, with its headquarters at 4392 Morse Avenue, Irvine, California 92614 (949) 777-4000; correspondence regarding this letter should be addressed to the corporate headquarters attention: Bruce Cook, General Counsel and to the undersigned, Amy E. Freilich, Land Use Counsel, SunCal Companies, 21900 Burbank Blvd, Suite 114, Woodland Hills, California, 91367.

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Ranch which will provide the first significant new housing in Jacumba in decades and the opportunity for substantial revitalization of Jacumba.

The proposed energy corridor identifies federal lands on which the corridor would be established in the vicinity of Ketchum Ranch. Although the PEIS does not examine impacts to privately-held land, it is readily apparent that the energy corridor would have to pass through such lands to "connect the dots" between federal lands. Based on the location of the proposed energy corridor on the federal lands, it is readily apparent that the corridor, if adopted, would traverse Ketchum Ranch in an east-west direction by equidistant spacing on the north and south of an existing overhead electrical transmission line and continue across significant portions of the 208 acres across the northerly portion of the town of Jacumba. At more than 1/2 mile wide, the corridor would consume most of the land area of Ketchum Ranch and the adjoining 208 acre parcel, thereby rendering it unusable. Further, an extension of the proposed corridor would cut off the town of Jacumba from I-8, thereby significantly impacting future growth opportunities for this long-standing and historic community.

33-002

The proposed energy corridor is described in the PEIS as follows::

"A corridor width of 3,500 feet was selected by the Agencies for the Section 368 energy corridors because this width would provide sufficient room to support multiple energy transport systems. For example, assuming an operational ROW width of 400 feet, about 9 individual 500-kV transmission lines could be supported within a 3,500-foot-wide corridor. As another example, as many as 35 liquid petroleum pipelines (each consisting of a 32-inch-diameter pipe and a 100-foot construction ROW) or 29 natural gas pipelines (42-inch-diameter pipe and 120-foot construction ROW) could be supported within a 3,500-foot-wide corridor. While such development is unrealistic, these examples illustrate the capacity of a 3,500-foot-wide corridor to support multiple energy transport projects. Even with the topographic, environmental, or regulatory constraints encountered during the corridor siting process, a 3,500-foot width could be placed on most federal lands while avoiding many sensitive resources and areas. A 3,500-foot corridor width would also provide additional project siting flexibility within corridors for technical or engineering reasons or for routing project specific ROWs around important resources that may be identified during project-specific analyses within the corridors."

Placement of any one or more of these utility lines across Ketchum Ranch and the adjoining 208 acre parcel will have significant and adverse environmental impacts on either the current farming operations of the site or the future development of the site as contemplated in the

33-002  
(cont.)

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pending entitlement application for this property. As such, SunCal has a direct interest in the determinations made by the Agencies in the PEIS, and SunCal, the future residents of its project and the community of Jacumba will be injured by the PEIS program's failure to adequately examine alternatives for the utility corridor and failure to analyze the impacts of the PEIS on areas outside of federal jurisdiction.

33-002  
(cont.)

Unfortunately, while generically acknowledging the potential for certain impacts, the Agencies have failed in the PEIS to meaningfully address the direct, indirect and cumulative significant effects of this energy superhighway to the area or to provide mitigation for the effects of its comprehensive PEIS on private properties adjacent to federal lands, including Ketchum Ranch and the adjoining 208 acre parcel. In fact, the Agencies have improperly segmented their analysis, by asserting that they are merely drawing lines on maps, an action which they assert has no impact on the environment. This assertion turns NEPA on its head. In addition, the Agencies have failed to properly craft alternatives for the utility corridor and have not provided adequate reasoning for their failure to do so, despite the fact that BLM is the lead agency on two concurrent environmental analyses of alternative corridors in the region (see discussion of Powerlink and PRMP projects below).<sup>2</sup> By placing corridors in specific locations on federal lands and by developing policies to expedite construction of energy transport facilities along those corridors, the Agencies are directing those facilities onto adjoining private property without examining the true impacts to those properties or providing a reasonable opportunity for implementation of the avoidance mitigation proposed.

33-003

33-004

1. Improper Definition of Project and Improper Segmentation.

NEPA does not permit definition of a project or program in a manner that avoids analysis of the true impacts, or that allows an agency to proceed with an action that is not environmentally acceptable if that action would perforce lead to commitment to other actions that are environmentally disruptive. A prime example of this is approval by an agency of two highway segments on either side of a park, where there are no impacts where the segments are approved, but their construction will inevitably lead to construction through the park, which is unanalyzed. The approach of the Agencies in this matter is substantially similar. Here, the Agencies segment the corridor both (a) physically, by selecting a corridor alternative and evaluating only the impacts to federal lands without taking into account impacts to adjoining lands directly affected by the designation, and (b) by claiming that thorough analysis of impacts can be postponed to individual applications as the Agencies are merely drawing lines on a map, thus having no impact on the environment. Neither of these approaches comports with NEPA.

33-005

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<sup>2</sup> See Draft Environmental Impact Report DES-07-58; San Diego Gas & Electric Company Sunrise Powerlink Project SCH No. 2006091071 and the Eastern San Diego County Draft Resources Management Plan and Draft Environmental Impact Statement DES 07-02.

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The Agencies have defined the purpose and need of their action as implementing “Section 368 by designating corridors for the preferred location of future oil, gas and hydrogen pipelines and electricity transmission and distribution facilities and to incorporate the designated corridors into the relevant Agency land use and resource management plans.” (PEIS at page ES-2).

Although the Agencies acknowledge that implementation of energy transport projects would have potential adverse impacts, they conclude that “Corridor designation would have no direct impacts that may significantly affect the quality of the human environment.” (PEIS at page ES-4). This statement misses the entire point of NEPA. The corridor designation itself has the potential to affect the environment because its goal is to remove barriers to infrastructure development in the western states and to “accelerate the process of subsequently applying for energy project ROWs.” (PEIS at ES-4). As noted in the Draft PEIS, the designation of the corridor does not restrict applications outside of the corridor, “[h]owever, such an applicant would not benefit from the coordinated interagency application procedures that would be established under Section 368, any land use plans that have already been amended to contain designated Section 368 energy corridors, or environmental analyses already examined in this Draft PEIS.” (Draft PEIS at ES-4, 5). Given the clear recognition that creation of the energy corridors creates a procedural and physical superhighway for development of energy transport and given that the corridor is designated in specific locations and with a specific width in those locations, it is disingenuous for the Agencies to hide behind the programmatic document analysis and assert that they need not analyze all of the direct, indirect and cumulative impacts of the project. In fact, this is improper segmentation. NEPA requires that all reasonably foreseeable impacts be analyzed. Clearly, impacts to towns and properties in the path of the energy highway of specific physical dimensions can be foreseen and must be analyzed.

33-005  
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Further, it is not logical to conclude that placement of a utility corridor though non-contiguous federal properties can be analyzed without taking into account the impacts of those corridors on adjacent private property, or that, as the Draft PEIS concludes, the impacts on such private property cannot be adequately analyzed until after the corridor is adopted and individual utilities step forward. At that point, it is already too late –once the highway is paved, it is illogical to assert that cars won’t prefer to drive down the roadway rather than the gravel road adjacent. Similarly, once an energy corridor has been developed, it becomes the path of least resistance and future utilities will assert its designation and use as a project objective, rendering future environmental analysis perfunctory at best.

33-006

In this case, the impacts are clearly foreseeable—a 3500 foot swath of land is designated as an energy highway—the clear implication is that development of energy transmission lines will be constructed, causing physical impacts to the affected property. To duck this by asserting that such lines may not be constructed is disingenuous—if the corridor is not intended to ease future construction, then why is it being designated in the first place? This segmentation of analysis and failure to analyze the foreseeable impacts of the project violates NEPA requirements.



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2. Failure to Analyze Alternatives.

The Draft PEIS does not analyze any alternative utility corridors throughout the southern portion of California, rather focusing on only 2 alternatives, the project and no-project alternatives. The project alternative forces all utility transmission towers and below grade utilities and pipelines to cross through the Ketchum Ranch property. Ketchum Ranch and the neighboring properties are currently encumbered by a large 230+kv electric utility line. Addition of further lines requires large swaths of land to accommodate the new utilities and to provide adequate spacing between them. The Draft PEIS energy corridor proposal thus significantly expands the potential transmission lines on the property, creating visual, land use, and potential fire impacts, and raising environmental justice, socio-economic, greenhouse gas and health and safety concerns, among others, for the Jacumba community that are not addressed in the Draft PEIS and which may be unavoidable and significant. Yet, the Agencies assert, without documenting the various alternatives considered or fully analyzing and seeking to avoid impacts, that they have “adjusted corridor locations to avoid conflicts with applicable location factors to the maximum extent possible.” (Draft PEIS at ES-16) No adequate rationale is provided for this failure to analyze alternatives. This conclusory approach does not satisfy the requirements of NEPA.

33-007

By failing to take into account the impacts of the proposed corridor on private property adjacent to federal lands, the Agencies have violated a fundamental precept of NEPA, i.e., that reasonably foreseeable impacts of the project be analyzed. In light of these significant effects, many of which are unavoidable with respect to Ketchum Ranch and the town of Jacumba other than by avoidance, it was incumbent upon the Agencies under NEPA to fully analyze alternatives to the proposed energy corridor. The assertion that impacts cannot be properly ascertained until project specific applications are made flies in the face of the NEPA requirement that impacts be fully analyzed at the earliest possible time.

33-008

This is particularly improper because the Draft EIR/EIS for the Sunrise Powerlink project (“Powerlink”) circulated for public review on January 3, 2008 examines a series of alternative utility corridor right of way proposals throughout Southern California.<sup>3</sup> In the Powerlink proceeding, the CPUC is considering a series of alternative utility corridors including some that cross north of I-8 (see attached Figure 8 from Sunrise Powerlink Project). BLM is clearly aware of that proceeding as BLM is the lead federal agency for the Powerlink project NEPA analysis. Yet, the Agencies have failed to consider and broaden analysis in the Draft PEIS to include the various Powerlink alternative utility corridors.

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<sup>3</sup> The Powerlink project is SDG&E’s electric transmission line proposed to be constructed between the Imperial Valley and San Diego.



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The net effect of the Powerlink planning effort, the Eastern San Diego County Proposed Resource Management Plan, for which BLM recently circulated a Final Environmental Impact Statement and the Draft PEIS energy corridor is cumulative—it focuses all utility corridor activity in eastern San Diego County through a narrow funnel that ends at Ketchum Ranch and the town of Jacumba. In effect, the Agencies are meeting the entire energy requirement of San Diego County on the backs of long established community areas that have legislative approved planning for residential and residentially consistent land uses and where major circulation improvements exist.

33-009  
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Certainly in all of eastern San Diego County there must be areas, such as the undeveloped lands immediately to the north of interstate 8, in which there would be fewer impacts to the environment and to people than the chosen location. Where unavoidable significant impacts are or can be identified, it is incumbent upon the Agencies to identify alternatives that have lesser impacts or to mitigate those impacts, including giving consideration to spreading the extent location of the utility corridors so it is more equally borne by various communities. The Draft PEIS does neither.

3. Significant Impacts Not Analyzed in the Draft PEIS.

The energy corridor proposed in the Draft PEIS will have significant and direct, indirect and cumulative environmental effects on the Ketchum Ranch project and its residents and on revitalization of the Jacumba community. The Draft PEIS clearly and consciously defers the analysis of impacts and mitigation until specific applications are made, noting:

The Agencies have concluded that preparing a Draft PEIS at this time to examine region-wide environmental concerns is appropriate, even in the absence of on-the ground environmental impacts resulting from the designation. Actual local environmental impacts must inevitably await site-specific proposals and the required site-specific environmental review. A quantifiable and accurate evaluation of impacts at the local scale can be made only in response to an actual proposed energy project, when a proposal for an action with specific environmental consequences exists.”

33-010

However, the mere designation of a corridor and its potential inclusion of industrial facilities as described in the Draft PEIS will adversely affect the economic values, revitalization of the area and the ability to plan for new development in the short and long term.

a. Agricultural Impacts. The Draft PEIS fails to take into account the potential loss of prime agricultural land associated with the placement of a 3500 foot corridor across the Ketchum Ranch and adjoining property. The impacts of large transmission lines,

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together with the swath of property required between such lines will make farming use inefficient and further, will make it difficult to pump water and irrigate the property. Below grade pipelines may affect the ability to farm as well. Finally, construction impacts may also impede use of the property for agricultural purposes.

33-011  
(cont.)

b. Cultural. The Agencies have improperly concluded that there would be no direct impacts to cultural resources on federal and nonfederal lands from designating Section 368 energy corridors on federal land and amending land use plans. There are in fact two types of cultural resources in the vicinity, those reflective of Indian settlements and those reflective of the more recent history of the west, including stagecoach routes and the Hollywood celebrity retreat, both in Jacumba. The Draft PEIS establishes areas of tribal territory that include and surround the Ketchum Ranch site. As part of the analysis conducted for the energy corridor, information was collected on cultural resources but was not definitive or complete. The Draft PEIS also fails to analyze the implications of a corridor on the historical aspects of the town of Jacumba noted above from which the town and Ketchum Ranch draw their identities. Rather than analyze these potential impacts, as required by NEPA, the analysis is postponed and to be considered on a case-by-case basis. While the Draft PEIS states that avoidance to historical impacts is the preferred mitigation, there are no alternatives in the Draft PEIS to avoid these likely impacts. Thus, the Draft PEIS fails to properly analyze the impacts that will occur regarding the historical artifacts that exist within the site and the necessary mitigation that will be required.

33-012

c. Environmental Justice/Socio-economic Impacts. The town of Jacumba, Ketchum Ranch and the 208 acres of town property are collectively part of an area identified as having a poverty level twice the San Diego County poverty rate in BLM documents (DES 07-02; Draft PEIS page 3-171). The funneling of the energy corridor between the town and I-8 will further exacerbate the decline of this historic community and will adversely affect property values. The town is currently exploring revitalization efforts which include development of Ketchum Ranch and rehabilitation of existing hot springs and recreational facilities to attract tourists and new residents. The placement of a major energy corridor in this location will disproportionately and negatively affect this community.

33-013

The town of Jacumba has continually suffered from the lack of infrastructure improvements necessary to create an environment that will attract the type of new development that is encouraged in the San Diego County General Plan and for which an application to the County of San Diego is on record for Ketchum Ranch. Ketchum Ranch will provide the first significant new housing to Jacumba in decades and the opportunity for substantial revitalization of Jacumba and its businesses. The overhead and underground lines for electricity, oil, gas, large towers and high tension lines, easements and transformer substations that are proposed within the energy corridor are not conducive to Ketchum Ranch and the growth of Jacumba and would render the area unappealing for new development and economic revitalization of the community.

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Further, the implementation of the energy corridor will have a significant impact on the ability of the town to improve its existing public facilities and services. For example, Jacumba relies upon septic systems and ground water wells. The town lacks water and wastewater treatment facilities, trash collection, residential mail delivery and contemporary education facilities, all of which will be brought to the area by Ketchum Ranch. However, the corridor will be in conflict with some of this infrastructure, render other portions of this infrastructure development infeasible and deny the critical mass for the remainder, thereby denying Jacumba access to modern utility services.

33-013  
(cont.)

Most importantly, the fact that the community of Jacumba did not have access to the single statewide scoping session and the lack of local hearings also harmed the residents and prevented them from participating in the public process of the Draft PEIS. These impacts, including these environmental justice concerns, were not addressed in the Draft PEIS and adequate access was not provided to this rural community to be heard regarding the significant impacts of the energy corridor proposal on the Jacumba community.

33-014

d. Land Use. The proposed corridor location travels south of and parallel to I-8 through Ketchum Ranch, thereby eliminating the possibility of comprehensive planning and rendering significant portion of the property both within and adjacent to the corridor unusable between the town and the freeway. The PEIS fails to address the potential significant land use impacts of the corridor to Jacumba and to Ketchum Ranch.

Ketchum Ranch is proposed as a sustainable community consistent with the County of San Diego general plan. The planned land uses are a mix of residential, commercial, recreational, educational and business of critical mass to compliment the existing town and support the necessary infrastructure and commercial services. The plan will include lifestyle amenities and social settings to support the existing commercial enterprises of the town. The actual corridor would eliminate approximately half of the residential land uses of Ketchum Ranch and have a significant residual effect upon the balance. The corridor encompasses the entirety of the proposed elementary school site and under state setback regulations makes any other location problematic. The corridor perpendicularly crosses the main public access from I-8 to Jacumba and Ketchum Ranch and straddles the east-west roadways completely. The corridor also encompasses the main junction of all three drainage corridors and the entire length of one of the main drainage corridors through the Ketchum Ranch project.

33-015

Properties south of the corridor including the town of Jacumba are also adversely affected by the placement of this major impediment. Further, no consideration has been given to the immediately adjacent County of San Diego Jacumba airfield which is bounded by the international border to the south and Ketchum Ranch to the north, and the air travel and hang gliding that utilizes this airfield.

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e. Public Safety. The facilities associated with the energy corridor will exacerbate safety concerns to the existing residents and to surrounding communities. For example, with respect to storm water and drainage, the town of Jacumba has historically been isolated by storm events that generate runoff in excess of 30, 000 cfs. This flow is conducted within a natural drainage channel bisecting the entire width of the proposed corridor. Notwithstanding the inherent risk associated with the rupture or toppling of facilities, the access to the facilities will be hampered thereby compounding the dangers to the community and further discouraging any potential growth and economic stimulus to the area. This must be analyzed in the PEIS.

33-016

In addition, recent wildfires in San Diego County, in October 2007, made it clear that a single location for a power line was dangerous in that it created a scenario in which a fire in a single location could cause termination of power service to the majority of San Diego County. Further, the location of so many high voltage lines in one location could exacerbate the likelihood of fire outbreak adjacent to a long-standing residential community. Fire safety should be analyzed in the PEIS.

f. Sustainable Development and Renewable Resources. The PEIS fails to analyze the impact of the proposed program on greenhouse gas emissions and climate change. These impacts relate not only to the direct impacts of the energy corridor and its future transport lines, but also to the displacement of the planned community at Ketchum Ranch. SunCal's Ketchum Ranch is planned as sustainable community incorporating energy efficiency and renewable energy sources as a fundamental part of the project. It is contrary to the purpose of the energy corridor to preclude the sustainable development techniques of Ketchum Ranch for conservation and energy generation through the imposition of the energy corridor. Further, due to the availability of water at Ketchum Ranch, the community will not require importation of water. Displacement of the proposed housing to other locations will require importation of water, which also has greenhouse gas emission implications.

33-017

g. Visual Impacts. Ketchum Ranch and Jacumba lie at elevations below the adjoining I-8 highway in a broad valley bottom that is the beginning of the Carrizo Gorge, an arroyo creek channel that carves its way into a dramatic natural canyon feature. Sweeping views to the open spaces beyond the international border exist from the primary access and travelers' vantage point. The proposed energy corridor would traverse this viewshed at eye level with overhead transmission towers, interspersed with a sequence of buffers and underground easement reservations. The entire area is a part of a unique mountain-valley setting surrounded by picturesque landscape and terrain that attracted celebrities and summer vacationers in the recent past. Jacumba, including Ketchum Ranch directly, would be irreparably harmed should such a view be altered.

33-018

h. Water. The sole source of potable water to the community of Jacumba is groundwater aquifer located directly in the path of the proposed corridor. In some instances the

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aquifer is within 5 feet of the surface and the potential for contamination from underground pipelines would deny residents potable water and could create severe health and quality of life issues for the residents. The Draft PEIS fails to analyze or even discuss impacts to the water table or to the human environment as a result of the energy corridor designation which would virtually capture all of the intervening property between Interstate 8 and the town. Extremely high voltage overhead power lines are not conducive to groundwater supplies and the operation of wells and pipelines. Any intrusion into the water table may negatively impact the entire basin. Such impacts would result in severe social environmental and economic hardship to the citizens of Jacumba.

33-019  
(cont.)


4. No Mitigation is Presented for the Impacts Described.

The Draft PEIS fails to provide mitigation for the various significant effects of the project specified above, instead deferring analysis of the impacts and mitigation to a later date and proposing a "case-by-case analysis", again in violation of NEPA's requirements.

33-020

For the foregoing reasons, SunCal respectfully requests that the Agencies properly give consideration to alternative utility corridors and to the direct, indirect and cumulative impacts of the Draft PEIS project on Ketchum Ranch and the community of Jacumba and provision of mitigation for those impacts.

Very truly yours,



Amy E. Freilich  
Land Use Counsel  
SunCal Companies

Cc: Bruce Cook, General Counsel

Christopher J. Colbert  
Senior Vice President, UNE Services Company  
Senior Vice President, UNE Holdings Company

WVEC\_00034  
750 E. Pratt Street  
14<sup>th</sup> Floor  
Baltimore, Maryland 21202-3106  
410.470.5500  
CColbert@unistar.com



February 14, 2008

West-wide Energy Corridor DEIS  
Argonne National Laboratory  
9700 S. Cass Avenue  
Building 900, Mail Stop 4  
Argonne, IL 60439

Re: Draft Programmatic Environmental Impact Statement  
Designation of Energy Corridors on Federal Lands  
in the 11 Western States ("Draft PEIS")

Dear Sir/Madam:

UniStar Nuclear Energy, LLC ("UNE") applauds the work of the Departments of Agriculture, Commerce, Defense, Energy and the Interior in implementing Section 368 of the Energy Policy Act of 2005. The designation of multimodal energy transport corridors on federal lands that is under consideration in the Draft PEIS will facilitate the environmentally sound and geographically efficient siting of electric transmission facilities. The development of well-located transmission facilities, which will help alleviate the geographic disparity between energy sources and load centers in the western United States, is essential for the viability of the critically important energy projects that are being planned to meet the growing energy needs of the western United States during the next decade and beyond. UNE believes that the Draft PEIS should be approved, so that the development of these facilities can proceed.

34-001

UNE is a joint venture of Constellation Energy Nuclear Group, LLC ("CENG") and EDF Development, Inc. CENG is a subsidiary of Constellation Energy Group, Inc. ("CEG"), and EDF Development, Inc. is a subsidiary of Electricite de France ("EDF"). CEG is a Fortune 125 competitive energy company based in Baltimore, Maryland. It is one of the nation's largest energy companies, with total assets of over \$21 billion. CEG is a highly experienced nuclear fleet licensee, operator and owner - currently owning and operating five reactors at three power stations: Calvert Cliffs Nuclear Power Plant, Nine Mile Point Nuclear Power Plant, and Robert E. Ginna Nuclear Power Plant. EDF is the largest nuclear plant owner and most experienced nuclear plant operator in the world. EDF is also the largest utility in France, where nuclear power provides approximately 80% of the nation's electricity. EDF supplies electricity and related services to over 40 million customers around the world.

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UNE was formed for the purpose of developing and deploying new advanced nuclear power plants in the United States. UNE is working with AREVA NP (the world's leading supplier of nuclear reactors) and Bechtel Power Company (one of the world's leading designers and builders of nuclear plants) to develop the detailed design engineering that will form the basis of UNE's proposed fleet of advanced nuclear power plants in the United States.

New nuclear power plants will play a strategic role in meeting the nation's clean air goals and the goal of reducing greenhouse gas emissions. New nuclear power plants produce electricity without carbon emissions. They also may displace oil, gas or coal-fired generating capacity, and thus avoid the emissions associated with that fossil-fueled capacity.

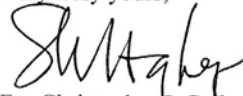
New nuclear power plants will play a strategic role in meeting U.S. clean air goals and the nation's goal of reducing greenhouse gas emissions. New nuclear power plants produce electricity without carbon emissions. In fact, numerous studies demonstrate that nuclear energy's life cycle emissions are comparable to renewable forms of generation, such as wind and hydropower and far less than those of coal- or natural gas-fired power plants. Furthermore, new nuclear power plants also may displace oil, gas or coal-fired generating capacity, and thus avoid the emissions associated with that fossil-fueled capacity.

Before any linear facility can be installed within these energy transport corridors, it will have to meet the rigorous federal, state and local permitting requirements that are already in place to protect the natural environment within the corridors and the health and safety of those who live and work in or near the corridors. These requirements will help ensure that the corridors will be used in harmony with the uses already in place on these federal lands.

34-002

UNE appreciates the opportunity to submit this letter in support of your efforts at finalizing the PEIS.

Very truly yours,



For Christopher V. Colbert  
Senior Vice President,  
UNE Services Company,  
Senior Vice President, UNE  
Holdings Company



WEC\_00035



February 11, 2008

West-wide Energy Corridor DEIS  
 Argonne National Laboratory  
 9700 S. Cass Avenue  
 Building 900, Mail Stop 4  
 Argonne, IL 60439

**SUBJECT: DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT,  
 DESIGNATION OF ENERGY CORRIDORS ON FEDERAL LAND IN 11  
 WESTERN STATES (DOE/EIS -0386)**

The Southern Nevada Water Authority (Authority) appreciates the opportunity to provide comments on the Draft Programmatic Environmental Impact Statement on the Designation of Energy Corridors on Federal Land in the 11 Western States. The Authority operates the Southern Nevada Water System and provides drinking water to municipal water agencies in the Las Vegas Valley and Boulder City. The Authority works cooperatively with the Colorado River Commission of Nevada to design, construct, and operate power supply facilities to meet the energy needs of its water pumping and treatment facilities.

The Authority supports the Department of Energy’s (DOE) designation of energy corridors in the western United States. Identification and designation of energy corridors in Nevada will help ensure needed electrical infrastructure can be constructed, while minimizing potential land use and environmental effects. Designated utility corridors in Nevada will also help facilitate the conveyance of electricity generated by renewable energy projects currently being planned.

35-001

There are two areas of concern in southern Nevada, where existing land use restrictions may preclude the proposed corridors. In the eastern Las Vegas Valley, the DOE’s proposed corridor extends through the Sunrise Mountains Instant Study Area. Although there are existing electrical transmission lines in this area, they fully occupy the current corridor through the Instant Study Area. Federal legislation would be required to release additional land from the Instant Study Area, to allow additional utility lines through this area.

35-002

The DOE has also identified a proposed corridor segment through Lake Las Vegas, located east of the Las Vegas Valley. A corridor in this area is not likely to be feasible, due to the existing residential development on the private land in this area.

SNWA MEMBER AGENCIES

Big Bend Water District • Boulder City • Clark County Water Reclamation District • City of Henderson • City of Las Vegas • City of North Las Vegas • Las Vegas Valley Water District



WEC\_00035


West-wide Energy Corridor DEIS  
February 11, 2008  
Page 2

Based upon these constraints, the Authority recommends that the DOE identify alternative corridor locations to get around the constraints of the Sunrise Mountains Instant Study Area and Lake Las Vegas corridors.

35-002  
(cont.)

If you have any questions regarding these comments or need additional information, please contact Lisa Luptowitz at (702) 862-3789.

Sincerely,

  
Kenneth A. Albright, P.E.  
Director, Groundwater Resources

KAA:LL:CB:df

- c: John Evans, Engineering Project Manager, SNWA
- Lisa Luptowitz, Senior Environmental Planner, SNWA
- Jim Salo, Colorado River Commission

WVEC\_00037

**From:** Henderson MSgt Robert L [mailto:robert.henderson@usmc.mil]  
**Sent:** Thursday, February 14, 2008 11:19 AM  
**To:** corridoreiswebmaster@anl.gov  
**Subject:** Green Path North

To whom it may concern;

Energy for the Twenty-First Century must evolve into truly renewable resources and the old methodology of building bigger grids and devastating our land by scraping and putting up huge power towers is of the past. The San Diego region is poised on the brink of a new energy future, and the path it charted determined in large part the success of its people, its economy and its ability to provide a cleaner, more secure energy supply for generations to come.

San Diego Smart Energy 2020 paves the way for a shift from reliance on fossil fuels and imported power to an array of local solutions that include energy efficiency measures with emphasis on high efficiency air conditioning systems; common-sense weatherization and conservation; the proven technology of solar photovoltaic (PV) panels, for large commercial use as well as on homes; small, highly efficient natural gas-fired power plants that generate both power and heating/cooling; adoption of smart grid procedures that improve the efficiency of the grid by monitoring and controlling the flow of electricity on a continuous basis; and the widespread institution of green building design principles. San Diego Smart Energy 2020, the strategic energy plan for San Diego County provides a working blueprint of realistic methods to reduce greenhouse gases from power generation by 50 percent over current levels by 2020 while increasing the total electricity supply from renewable energy resources and maximizing locally generated power. The plan is economically feasible for residents and businesses alike. If Mayor of Los Angeles truly wants to impact the Los Angeles Region in a positive way, he needs to look south to San Diego for the answer. Not devastating our Natural Resources and Preserves to power broker energy while using double speak of "Green" "Renewable" and "Alternative" and pushing the corporate welfare agenda. And, in closing... I am opposed to the mayor of Los Angeles and the LADWP's stated notion that the Mojave Desert is somehow Los Angeles' back yard and their resultant omnipotent attitude that allows them to think they can destroy another geographic portion of California as they did in the Owens Valley is not only narcissistic but criminal. We the people need your leadership to develop and maintain rational energy policy that is based on conservation and local generation of energy and STOP GREEN PATH NORTH. Thank you for the opportunity to comment.

37-001

Respectfully

*MSgt Henderson R.L.  
EMCTS SNCOIC  
MCCES Alpha Co.  
830-6407*

WEC\_00038



Preserving America's Heritage

February 12, 2008

Mr. Michael D. Nedd  
 Director  
 Minerals, Realty and Resource Protection  
 Bureau of Land Management  
 1849 C Street NW, MS-204 LS  
 Washington, DC 20240

***Ref: West-wide Energy Corridors Programmatic Environmental Impact Statement***

Dear Mr. Nedd:

Thank you for the opportunity to comment on the West-wide Energy Corridors (WEC) Draft Programmatic Environmental Impact Statement (PEIS). The Advisory Council on Historic Preservation (ACHP) appreciates the challenges presented by a proposed project of this scale proceeding on the ambitious schedule established under the Energy Policy Act of 2005 (EPAAct). Our comments below on the Draft PEIS are addressed to the Bureau of Land Management (BLM), which, with the Department of Energy (DOE), serves as co-lead for the purposes of review under the National Environmental Policy Act (NEPA).

Based on your letter dated July 20, 2007, to the ACHP, it is our understanding that the BLM has used the NEPA process to comply with Section 106, pursuant to 36 CFR § 800.8(c) of the regulations, "Protection of Historic Properties" (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act. In so doing, BLM is using the process and documentation for preparation of the Draft PEIS and other NEPA documents in lieu of the procedures set forth in 36 CFR §§ 800.3 through 800.6. We have reviewed the Draft PEIS and find that there are a number of issues that warrant additional clarification in order to ensure that the standards for developing NEPA environmental documents to comply with Section 106 established under 36 CFR § 800.8(c)(1) have been met.

First, the Draft PEIS is silent regarding the specific process used by BLM to comply with Section 106 and the ACHP's regulations. The Draft PEIS does not inform consulting parties and the public of the decision to substitute the NEPA process for Section 106 review per 36 CFR § 800.8(c). Accordingly, these parties presently have no clear way of knowing that the procedures used for the preparation and review of the Draft PEIS are also the vehicle for consulting about Section 106 concerns. We, therefore, recommend that BLM revise the Draft PEIS to include a clear explanation of the manner in which the NEPA process has been, and will continue to be, used to comply with Section 106 pursuant to 36 CFR § 800.8(c). Such an explanation would provide consulting parties and the public with critical information about the specific steps taken

38-001

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
 Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

WEC\_00038

by BLM to meet the requirements of Section 106, in much the same manner that compliance with the Endangered Species Act is explained at Section 1.5 of the Draft PEIS.

38-001  
(cont.)

According to this draft, the PEIS has been developed in response to a land use planning action that is the first tier in a phased approach to Section 106 compliance. Although it appears not to be specifically articulated in the Draft PEIS, BLM's letter dated July 20, 2007 makes it clear that this phased approach is being employed pursuant to 36 CFR § 800.4(b)(2). The ACHP does not object to the phased approach adopted by the Draft PEIS or the use of a programmatic environmental document. Apparently, the subsequent phase of Section 106 compliance will be triggered by an application from industry to situate an energy project within the proposed WEC. When the respective lead and cooperating federal agencies reach this subsequent phase, it is important that the PEIS provide specific, adequate, and binding direction for taking into account all types of effects to historic properties, specifically indirect and cumulative, as well as direct effects. Accordingly, it is essential that the PEIS clearly explain for consulting parties and the public how Section 106 will be completed through the subsequent tier of the phased approach.

38-002

In this phased approach, the manner in which BLM and the other federal agencies will meet their Section 106 responsibilities for the subsequent phase of the decision-making process must be clearly stated and presented. In meeting this standard, we are particularly concerned that the Integrated Operating Procedures (IOP) do not provide the requisite clarity and specificity, and may not be sufficient for meeting statutory and regulatory requirements. For example, the IOPs need to be revised so that those procedures that address statutory or regulatory requirements, are written with language that is binding and enforceable to ensure that applicants and agencies fulfill their responsibilities. In addition, one IOP references compliance with Section 106 of NHPA while yet another cites the ACHP's regulations. This treatment does not make clear the relationship between legal requirements and the actions specified under the IOPs. This is especially problematic when an IOP attempts to restate a legal requirement without reference to it or selectively identifies such requirements.

38-003

Also, the timing of the actions called for under the IOPs is not clear and may be inconsistent with the ACHP's regulations. For example, one of the IOPs in the construction section seems to provide for the inclusion of identification procedures. Such an approach appears to suggest that project construction and Section 106 identification activities for the subsequent phase will be conducted simultaneously. How is this possible when in accordance with 36 CFR § 800.1(a), federal approval of an application for use of the WEC cannot be provided until Section 106 review has been concluded?

38-004

It also is not clear how the BLM plans to conclude Section 106 review. Under 36 CFR 800.8(c), when there is an adverse effect, BLM may conclude Section 106 through a commitment in the record of Decision (ROD) or through a Memorandum of Agreement (MOA). However, BLM has determined that the designation of corridors phase of land use planning decision-making will have no "direct effect." How then will BLM conclude Section 106 review for this phase in such a way to ensure that the IOPs which are developed will be implemented, and establish a binding approach agreeable to all the signatories for the subsequent phase of the referenced undertaking?

38-005

The ACHP does not object to the use of IOPs in what appears to be an effort to establish a standard approach to Section 106 regardless of the federal land manager, because such an approach has the potential to greatly streamline the application review process. However, further refinement of the IOPs is needed so that they do indeed benefit the review process when an application is filed for use of the proposed federal corridor by providing clear and enforceable procedures. Accordingly, we recommend that, prior to issuance of the Final PEIS, the BLM, the

38-006

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DOE, and the cooperating agencies consult with the ACHP, the National Conference of State Historic Preservation Offices, the 11 State Historic Preservation Offices, the National Association of Tribal Historic Preservation Offices, the Tribal Historic Preservation Offices, Indian tribes, and other consulting parties to develop clearer and more enforceable IOPs.

38-006  
(cont.)

Since BLM has begun the process of consultation with Indian tribes, we encourage you to ensure that tribal comments are taken into account in corridor planning, and to resolve tribal concerns expressed in the scoping and throughout the NEPA process. From the Tribal Consultation Contacts as of 12/3/2007, we note that twelve tribes are listed as having "Action pending or documentation needed," nineteen tribes are listed as requesting further consultation, and three tribes requested consultation at a "higher decision-making level." It is not clear how BLM has addressed these issues. Furthermore, our review of the specific tribal comments in the Draft PEIS, despite the extreme brevity of the entries, indicates the existence of significant levels of tribal concerns about the referenced undertaking. How has BLM considered and resolved these comments and concerns?

38-008

We look forward to continuing consultation on these matters with you. Should you have any questions, please contact Nancy J. Brown at 202-606-8582, or via e-mail at nbrown@achp.gov.

Sincerely,  


J. Klima  
Director  
Office of Federal Agency Program