



WEC\_00070

DOUG SUTHERLAND  
Commissioner of Public Lands

February 13, 2008

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

**SUBJECT: Comments on the West-wide Energy Corridor Draft DEIS**

Thank you for the opportunity to provide comments on the West-wide Energy Corridor DEIS. Below are our comments specific to the Department of Natural Resources (DNR) Rights of Way management.

DNR comments on PEIS presented at the Federal Energy Corridor Meeting Seattle, Wa. January 10<sup>th</sup>, 2008 and memorialized below for consideration.

1. GIS mapping of designated Federal Corridors is only represented on Federal lands and stops prematurely prior to being sited through checkerboard ownership. The GIS mapping needs to extend and be contiguous across Cascades when traversing through State and private lands to allow for management of these lands in anticipation of being encumbered by the corridor. DNR requests that the energy corridor mapping continue its projected path by adding to the GIS layers showing a congruent line through checkerboard state and private ownership (connecting the dots) between the federal lands. 70-001
2. DNR submitted at the meeting a DNR example map of the downloaded energy corridor GIS layer over DNR lands. This map demonstrates the problem of corridor pathways as non-congruent, abruptly starting and stopping between checkerboard ownership of Federal, State, and other non-federal lands. See attached.
3. DNR requests that the width of the energy corridor +/- 3,500 be available or designated on the GIS map layer so State can plan for the appropriate corridor width size encumbrance adjacent to our ownership. 70-002
4. DNR requests to Argonne GIS contractor to send DNR a smaller scale map size of corridor area through cascades with more overall physical and property bound features. They have not done this yet. Please follow up.
5. DNR state trust lands must be compensated fair market value for any energy corridor easements across our lands. DNR expresses concern that communication networks be established with corridor applicants and non-federal stakeholders in a systematic manner to facilitate coordination of administrative and operational logistics. Non-federal stakeholders need to be kept in the loop as this corridor designation process continues. 70-003

Please call me at (360) 902-1697 if you have any questions, or contact me by e-mail at [daniel.walters@dnr.wa.gov](mailto:daniel.walters@dnr.wa.gov).

Sincerely,

Daniel Walters  
DNR, Property and acquisition specialist

See map below of non-congruent corridor path

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NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

February 13, 2008

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: Comments from the New Mexico Energy, Minerals and Natural Resources Department (EMNRD)

Dear Sirs:

Thank you for this opportunity to comment on the proposed energy corridor designations. The New Mexico Energy, Minerals and Natural Resources Department (EMNRD) supports the goals of facilitating the development of energy corridors to improve reliability, relieve congestion and enhance the capability of the national grid to deliver energy. EMNRD especially supports assisting the development of renewable resources for electricity by developing electric transmission lines that will take these "new" products to market. Unfortunately, the current Programmatic Environmental Impact Statement (PEIS) related to the corridor designations will not assist New Mexico in meeting those goals.

71-001

71-002

Briefly stated, EMNRD has the following concerns:

- 1. Supplemental work must be done on the PEIS to assure compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA);
2. New Mexico's renewable energy resources are not adequately considered in the proposed corridors; and
3. The cumulative impacts on environmentally sensitive areas have not been fully analyzed.

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71-005

New Mexico's significant wind and solar resources are driving the need for strategically placed energy corridors to meet in-state electricity demand as well as export demand for clean energy to other states having renewable portfolio standards requirements, such as Arizona. New Mexico is ranked 1st among all states in percentage of electricity retail sales from wind power (7.3%, 2006 U.S. Department of Energy report). New Mexico wind power is already being exported to

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Arizona, provided by the Aragonne Wind (Phase I) 90-MW wind farm, with the Aragonne Wind (Phase II) 110-MW wind farm soon to follow.

New Mexico now has a total of 496 MW of wind capacity producing “green power”, making New Mexico the 10<sup>th</sup>-ranked state for developed wind power capacity. This capacity will continue growing, with an additional 210 MW planned for construction. The wind farms are located in the eastern half of the state where the best wind resources are located. Another boom in renewable energy development is anticipated for concentrating solar power technology, utilizing world-class solar resources available in the southwest part of the state.

The State of New Mexico from the Governor through each agency is committed to the development of New Mexico’s enormous renewable energy resources and we believe it is vital that the transmission system develop the capability to deliver power from these newly developed resources to growing load centers in the Southwest. New Mexico is diligently working toward developing renewable energy resources and getting those products to the market. The creation of federally designated routes should help in meeting the State’s goals, but the draft PEIS presents several problems.

NEPA and ESA concerns

The basic purpose of these laws, NEPA and the ESA, is to make certain that decisions to be made by federal agencies are based on complete information. That premise has been rejected in the approach of the federal agencies to the PEIS. Instead the PEIS contains pages and pages of rationale defending the position the corridor designation will have no direct impacts that may significantly affect the quality of the human environment. At a fundamental level that approach ignores the effect of the incentives built into a corridor designation.

71-006

These incentives include the following: coordinated right-of-way efforts among the federal agencies, uniform operating rules, one federal point-of-contact for communications, accelerated processing to avoid delays, and required changes to land use management plans of the agencies to include the designated routes. Considering only the last incentive, it is obvious no future analysis of the environmental impacts conducted during the review of a land use management plan will be able to consider a true “no action” alternative, because the change to the management plan is required by the determination of designated corridors. Therefore, since a complete analysis of cumulative impacts is not being done now in the programmatic phase it will not be done later in the process. The current designation process is pre-empting the decision-making for future actions by the agencies that will directly impact the environment.

71-007

Another major flaw in saying there is no environmental impact is that there is neither consideration of impacts on adjacent lands nor any consideration of the cumulative impacts of these energy corridors and other activities in the areas of the proposed routes. It is easy to “connect the dots” from one link in the designated corridor to the next and find that the route leads through areas that citizens of this state want to protect. The federal designations will provide the incentives that make these routes the most likely based on expense and time considerations, but do not reflect the impacts of the decisions on the surrounding areas. Citizens of this state objected to the proposed corridors at your public meeting in Albuquerque on January 24, 2008. They expressed concern for the land and other resources in the areas between corridor segments. They expressed particular concerns about the town of Placitas, the Pueblo of Santa

71-008

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Ana and areas in the Organ Mountains. Ignoring these concerns at this time is likely to mean failure for the entire process. We urge you to prepare a supplement to the PEIS that considers alternative routes and analyzes foreseeable impacts, to make that available for comment, and thereafter designate corridors based on the information gathered. 71-009

#### Encouraging renewable energy resources

The draft PEIS incorporates some, but not all, of the corridors recommended by EMNRD in the previous Scoping Process comments (tracking number 80027). EMNRD submitted an energy corridors map with those comments showing recommended corridors. That map is attached again in support of both the earlier and current comments. EMNRD believes these recommended corridors are important for the development of renewable energy resources. We believe corridor 81-213 may be the most effective in aiding the development of new solar and wind resources in New Mexico, and that is the only route that will directly serve that purpose. Much of that corridor is also supported by regional planning efforts considering transmission facilities. Corridor 81-213 is well located to facilitate future development of solar and geothermal resources in the Southwest and South-Central regions of New Mexico and may assist the development of wind resources by providing a way to move the power west. Other corridors are needed to develop wind energy in other parts of eastern New Mexico. 71-010

The PEIS wind resource map for New Mexico (FIGURE 2.2-4) indicates too small a resource area for wind energy, which is placed only in the South-Central part of the state. The generally accepted wind resource map, produced by TrueWind Solutions for the National Renewable Energy Laboratory in 2003 (attached as EMNRD Map 1), indicates windy areas of commercial potential throughout virtually the entire eastern half of the state. This mapping should be reflected in the designation of federal land for energy corridors. 71-011

EMNRD's energy corridors map (attached as EMNRD Map 2) recommends a corridor in the north that is not included in the PEIS. There is very little federal land along the path of this recommended corridor to the Northeast, but the limited focus of the EIS fails to deal with any assistance that federal land management agencies could provide to help the wind energy developers get their electricity to market. There is federal land along the state-proposed path in the Northwest so there is an opportunity to designate segments of the corridor in the PEIS that could assist wind development. 71-012

EMNRD's energy corridors map also recommends a corridor in the West-Central region that is not included in the PEIS. This corridor represents a path for transmitting wind power from eastern New Mexico to loads further west. We urge the federal agencies to reconsider this general path for a designated corridor, considering a path along Interstate Highway 40 and any existing facility corridor, while avoiding sensitive areas such as national monuments and wilderness areas. 71-013

#### Protecting sensitive areas

The draft PEIS does not sufficiently protect sensitive areas on either federal land in the corridors or on tribal, state, or privately owned lands adjacent to the corridors. In no situation is there an attempt to analyze the cumulative impact of additional transmission lines. For example, corridor 71-014

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81-272, the major north-south corridor in the State, runs through the Sevilleta National Wildlife Refuge. While an interstate highway also runs through the same area, there are a number of concerns that maximizing the use of this corridor may impact endangered wildlife species and important scientific research projects. These impacts should be thoroughly evaluated before the refuge is designated as an energy corridor for multi-modal use. The route also runs along the Rio Grande River which is one of the most endangered rivers in the country. Along the way are state wildlife refuges. One of these contains the endangered Pecos sunflower. Impacts on these areas are not considered in the PEIS and this is evidence of the problem of not considering the cumulative impact of the designations.

71-014  
(cont.)

Further south, the designated route runs through a Proposed National Conservation Area (NCA) east of Las Cruces in the Organ Mountains. The NCA status has been supported by local governments in the area, but the PEIS does not address any impact there.

71-015

The PEIS should seriously examine the impacts to federal, tribal, and state sensitive areas. It is not helpful to designate routes on federal lands that will logically lead into areas of specific concerns to New Mexico and its citizens. This includes parks, monuments, wildlife management areas, refuges, migratory bird habitats, migratory paths for large game animals, breeding areas, wetlands, and riparian areas. It is better to analyze the impacts on these areas before designating corridors on federal lands that may never be used because of the impacts on adjacent lands.

71-016

Conclusion

Again, EMNRD agrees with the goal of designating corridors that will assist in improving energy distribution in the West and encouraging the development of renewable energy resources. We have serious concerns with the lack of environmental analysis at this level and fear it will cause problems in the future. We request that the federal agencies analyze the cumulative impacts of the proposed corridors on both federal and adjacent lands to accurately portray the entire picture in a supplement to the PEIS. Then, after comments on the supplement, a decision can be made on the designated corridors. EMNRD is eager to work with you on this effort so the citizens of New Mexico can have the environmental and other impacts of the energy corridors fully evaluated.

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71-020

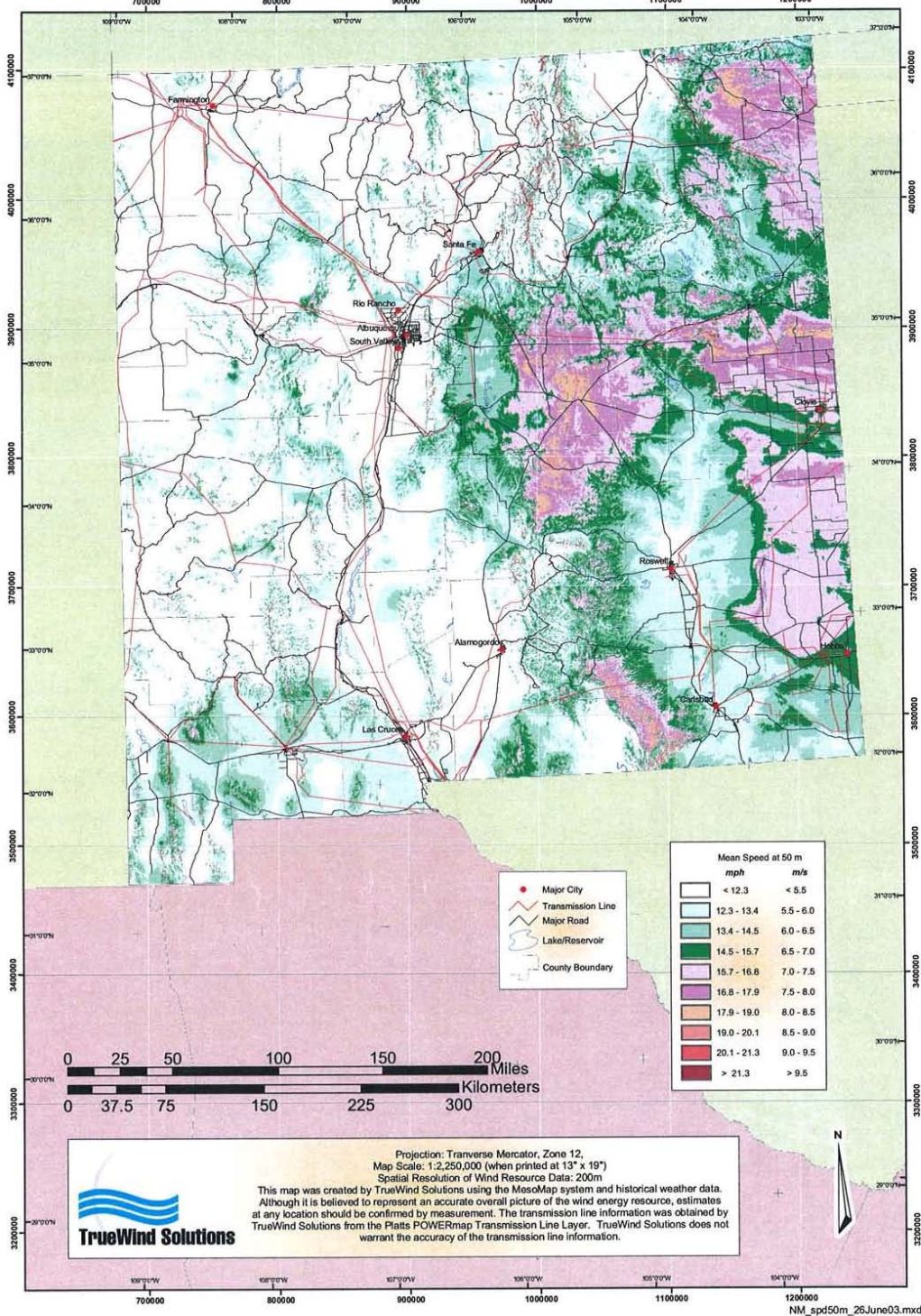
Sincerely,

  
Joanna Prukop  
Cabinet Secretary

enclosures

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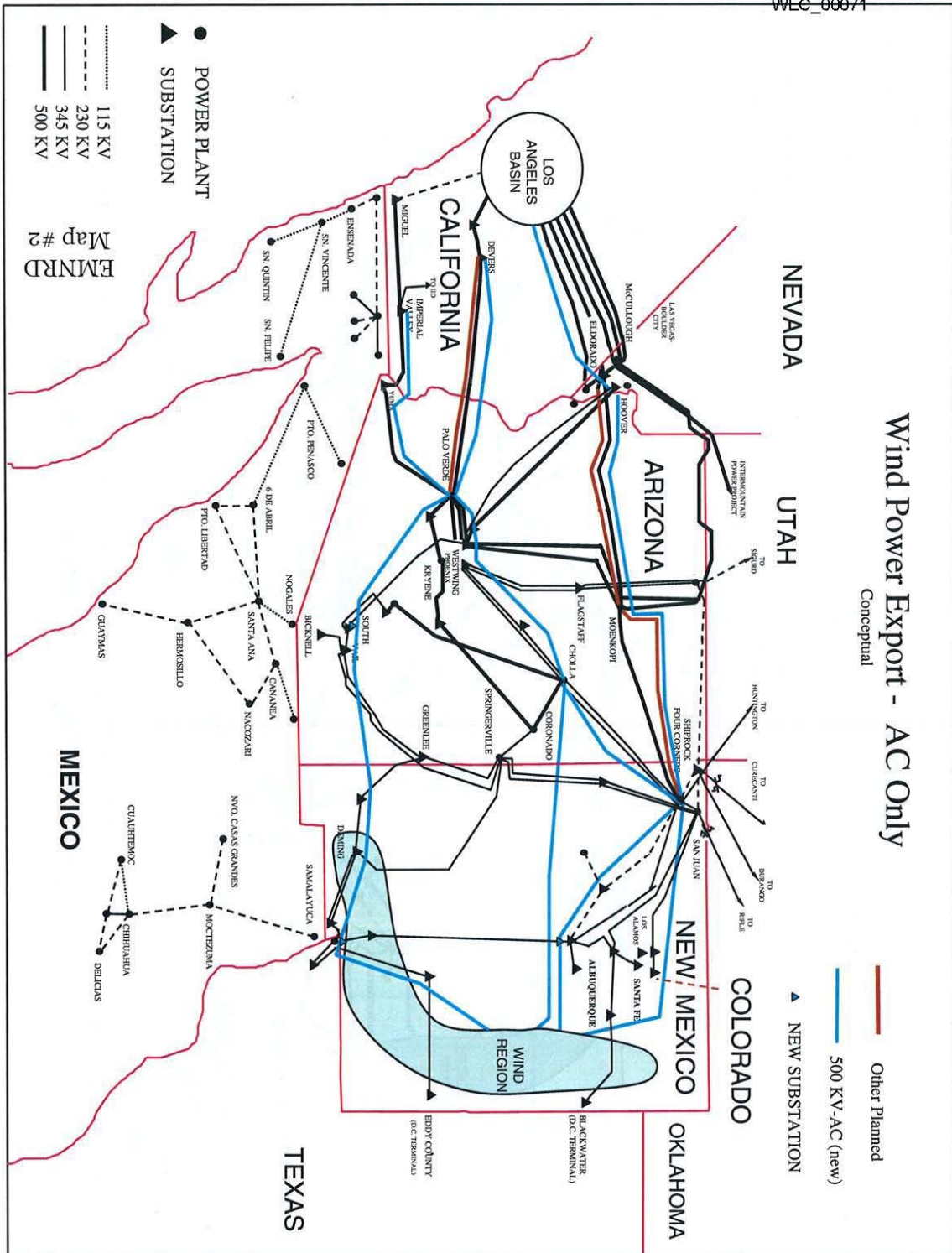
# Wind Speed Map of New Mexico at 50 meters



EMNRD  
Map #1

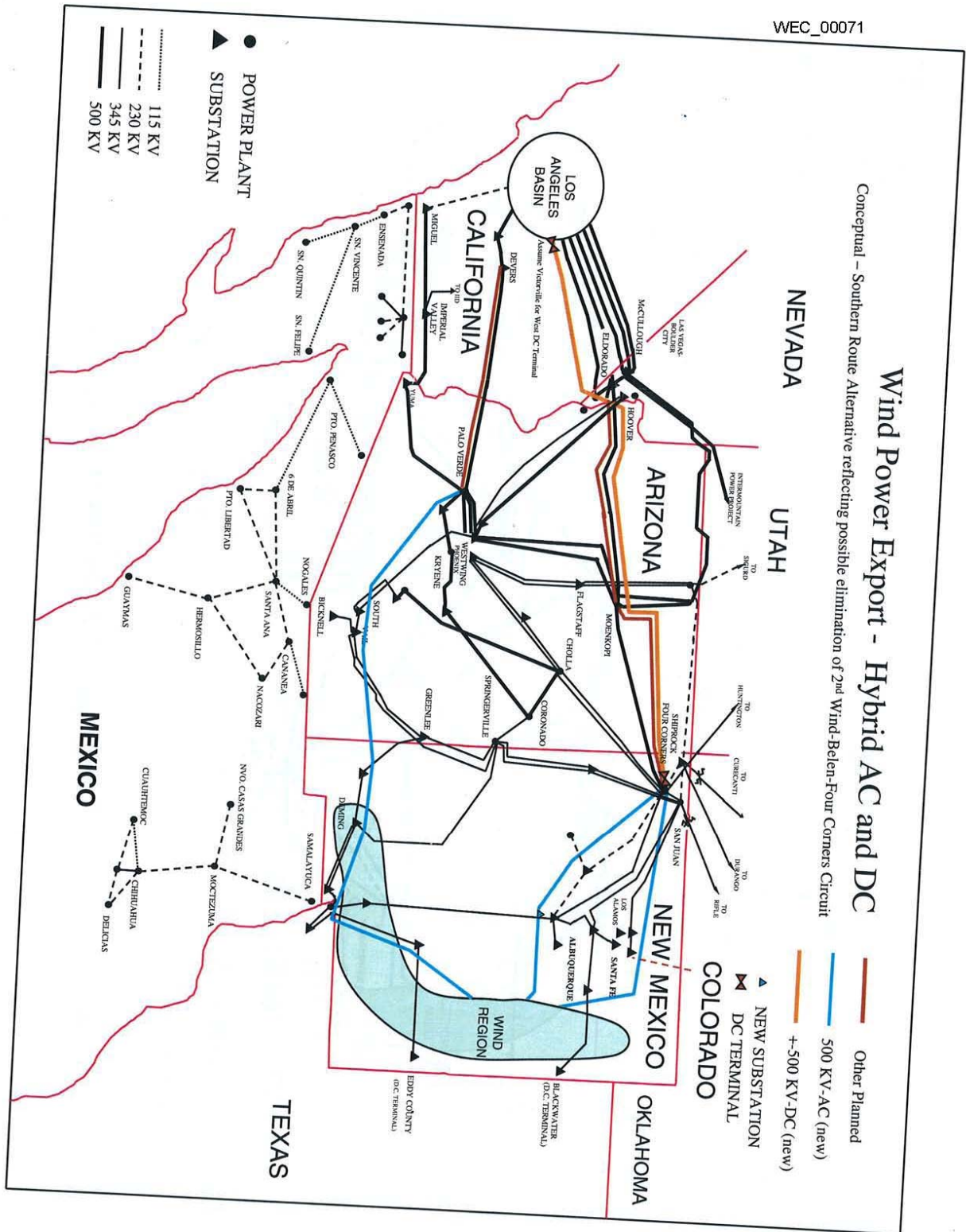
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**DAVE WILLIS**  
**15187 Greensprings Highway**  
**Ashland, OR 97520**

February 12, 2008

West-wide Energy Corridor EIS  
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**COMMENTS ON WEST-WIDE ENERGY CORRIDOR DEIS**

To Whom It May Concern:

DEIS “Corridor #4-247” is currently mapped for my community’s area. That’s a real bad idea for many reasons, some of which are listed and/or referenced below. Please communicate our more than fed-up outrage to this Administration and the Congress that recklessly passed the Energy Policy Act of 2005 that you should be tasked with such an unimaginative backward boondoggle powered by the addictive avarice of industrial energy pushers. Shame on them. Our sympathies go out to you as you suffer through this unenviable and thankless dead-end project.

72-001

The “No Action” alternative is currently your only legal alternative, given that your DEIS lacks a “reasonable range” of alternatives. Given that your politically appointed overseers will ignore this basic “NEPA 101” game’s-over project-stopper, continuing to waste millions of public and private funds and months/years-of-life in this painfully unnecessary process...

72-002

Please incorporate into these comments on your DEIS by reference:

- Oral invited panel testimony and written submissions by Dave Willis at/for the June 27, 2006, hearing in Washington, DC before the House Resources Subcommittees on Water & Power and Forests & Forest Health regarding “Meeting Electricity Demand in the West Through Responsible Development of Energy Rights-Of-Way on Federal Lands.”
- Written comments by Dave Willis and the Soda Mountain Wilderness Council on your previous DPEIS for your West-wide Energy Corridor proposal.
- Oral testimony by Dave Willis on behalf of the Soda Mountain Wilderness Council, second public speaker at your January 8, 2008, afternoon public hearing at the Doubletree Hotel in Portland, OR.
- Written comments on this DEIS by The Wilderness Society, et. al., Nancy Ames Cole of the Siskiyou Pass area south of Ashland, OR, and Lisa Buttrey of the Colestin area south of Ashland, OR.

Further:

- That the DEIS does not factor energy conservation into estimates of future national energy need inexcusably skews projections of future energy need reflected by the DEIS.
- The maps on the DEIS website are difficult to access, confusing, and inconsistent. The California and Oregon maps show proposed Corridor #4-247 crossing the OR/CA border

72-003

72-004

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PAGE 2 OF 2  
COMMENTS ON WEST-WIDE ENERGY CORRIDOR PROJECT DEIS  
February 12, 2008

in entirely different locations – preventing the public from having consistently accurate information upon which to confidently base meaningful public comment.

72-004  
(cont.)

- The DEIS apparently moves Corridor #4-247 out of the Cascade-Siskiyou National Monument, where your June 9, 2006, maps had previously sited it. Thank you. This is prudent. But the proposed corridor’s apparently revised location still unacceptably impacts the Monument area, including the Cascade-Siskiyou (Soda Mountain area) biological connectivity corridor the Monument was established to protect (cf. Northwest Forest Plan ROD, April 2004, pp. 29, 30), the critical deer winter range of the California Department of Fish and Game/Redding BLM Horseshoe Wildlife Area, and Redding BLM’s Jenny Creek Area of Critical Environmental Concern.
- Planning to site a 3,500’ wide energy corridor through both the politically active Ashland, OR area *and* the private property rights hot-bed of Siskiyou County, CA is politically naïve in the extreme.
- Keying a proposed corridor route to connection with a Klamath River dam substation associated with four dams that very well may be removed by court order soon is not wise long term planning.

72-005

72-006

72-007

Generally, please cease and desist from further action on this entire ill-advised project. As a response to our national addiction to the myth and present reality of limitless energy consumption, this project can only be characterized as a massive mega-octopus of needles designed to keep pushing endless intravenous energy fixes. The irreplaceable American West, the American people, and our ailing planet deserve better vision and leadership. The West-wide Energy Corridor proposal reflects less than neither. Make this whole disastrous project proposal the Waterloo of America’s energy addiction. Can it. Scrap it. Kill this project dead.

72-008

Sincerely,

Dave Willis  
15187 Greensprings Highway  
Ashland, OR 97520

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February 12, 2008

Westwide Corridor DEIS  
Argonne National Laboratory  
9700 S. Cass Ave., Bldg.900  
Argonne, IL 60439

To Whom It May Concern:

To preface my comments on the energy transport corridor designations, I want to point out that the Energy Policy Act of 2005 is a flawed bill that should never have been enacted. Rather than holding meetings to elicit public comment on how to comply with the law, public hearings should be held on how to modify the law or repeal it altogether. Section 368 which requires the designation of energy transport corridors is nothing more than a huge government subsidy bestowed upon the Utility Industry and Big Oil.

73-001

The November 2007 West-wide Energy Corridor Draft Programmatic Environmental Impact Statement (DPEIS) proposes huge tracts (6000 miles) of habitat-fragmenting corridors through almost 3 million acres of public land. According to the DPEIS, the corridors will cross or come “within 5 miles of ...31 national parks, national monuments, and recreation areas; 13 wild and scenic rivers; 33 national scenic or historic trails; 11 national historic landmarks and national natural landmarks; 23 national wildlife refuges; 25 national scenic highways;” and habitat for threatened and endangered species and proposed wilderness areas. Once these corridors are designated, energy companies will then push to “connect the dots” between segments of public land across thousands of miles of private and state lands, such as state parks and wildlife conservation areas.

After reading the Draft PEIS, it is obvious that the government has not engaged in a thorough consideration of the likely damage to federal lands and other potentially affected lands. Arizona has the third largest number of miles (644) and acreage (360,836) designated as energy corridors. According to the DPEIS, “projects utilizing the designated corridors could cross or intersect about 390 linear miles of surface waters with associated wetlands and aquatic habitats, and additional aquatic habitats could be affected along the project ROWs on other federal and nonfederal lands adjacent to the designated corridor. Projects developed and operated within the corridors could affect wildlife habitat on and adjacent to land present within the corridors...” Additionally, “aquifers on federal and nonfederal lands crossed by the projects could be affected by project construction and operation.” Every drop of water in Arizona, above or below ground, is priceless and the state should not be forced to comply with a law that is not in its best interest. Yet, 30 river miles and 300 miles of shoreline on the Colorado River in the Lake Havasu National Wildlife Refuge is proposed for an energy corridor.

73-002

The government has not proven that new pipelines or power lines are actually needed. Recently, the Arizona Corporation Commission denied a transmission line ROW requested by Southern California Edison that would have crossed (and negatively

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impacted) the Kofa National Wildlife Refuge. The ACC rightly determined that the only beneficiaries of a new transmission line would have been Southern California Edison and Arizona Public Service. SCE could have bought power more cheaply than generating it and APS could have made more profit by selling power to SCE than to its utility customers. Now, however, the federal government is proposing an energy corridor through the Kofa.

73-003  
(cont.)

Once designated, areas within the energy corridors are essentially deemed appropriate for pipelines and power lines and applications for construction of pipelines, power lines and related facilities will be expedited and the environmental reviews will be limited. Therefore, the government must provide justification for the need and siting of corridors and other key information on the location and sources of energy to be moved through the corridors **before** designation. And, once appropriate locations are identified, projects on the federal lands must be limited to those corridors. If the designated energy corridors are the best locations for pipelines and power lines, then the PEIS should also require that every effort be made to ensure that future projects are kept within these areas, thereby protecting remaining lands.

73-004

Additionally, the DPEIS does not specify best management practices to limit damage from projects within the corridors or include specific requirements to avoid damage to the other resources of the public lands, such as wilderness characteristics, wildlife habitat, water and recreation. In fact, the DPEIS ignores the effects on adjacent lands by artificially limiting consideration of impacts on adjacent nonfederal and federal lands, looking only at the effects on the federal lands where corridors are designated. The DPEIS also ignores the cumulative impacts of the designated corridors and the overall effect on the landscape of the contiguous eleven Western States and the many resources it contains. In this regard, I am particularly concerned about the Vermillion Cliffs area in northern Arizona which, in addition to being designated an energy corridor, is a primary release site for the endangered California condor. I question the long-term viability of the condor population in an energy corridor.

73-005

73-006

Finally, the government has not seriously evaluated alternatives to minimize the number of corridors or maximize use of renewable energy, such as wind and solar. There has been no assessment of other options to improve transmission or supply, nor consideration of other ways to meet energy needs that would have less impact. Possible options include upgrading existing transmission to improve efficiency, energy conservation, demand-side management or distributed generation opportunities.

73-007

A sustainable energy plan for the United States must be formulated around localized, renewable energy production. Large, fossil-fueled, power generating plants connected by thousands of miles of transmission lines are not the future. Likewise, hundreds of miles of pipelines across environmentally sensitive lands are neither practical or desirable. (Consider the opportunities for terrorism that these scenarios create...The nation could be brought to its knees within hours.) I reiterate my opening comment that the Energy Policy Act of 2005 needs to be revised or repealed and I submit that no action should be

73-008

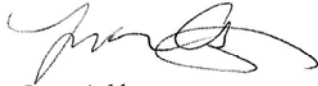
73-009

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taken under Section 368 of the Act.

Thank you for the opportunity to comment.

| 73-009  
| (cont.)



Lynn Ashby  
3748 E. Sheridan  
Phoenix, AZ 85008  
plashby@msn.com

Cc: Congressman Ed Pastor  
Congressman Raul Grijalva



THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

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February 14, 2008

West-wide Energy Corridor DEIS  
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 Argonne, IL 60439

Re: Draft PEIS for the Designation of Energy Corridors in 11 Western States.

Dear Sir/Madam:

The Arizona Game and Fish Department (Department) has reviewed the Draft PEIS for the Designation of Energy Corridors in 11 Western States. The Department understands the proposed action would designate energy corridors in 11 western states and amend federal land use management plans to include these corridors. The Department has some concerns regarding specific routes designated in Arizona. These concerns have been included as an attachment to this letter.

The Department generally supports designating existing energy corridors where appropriate. We understand the need to create new corridors to accommodate future energy needs but we would like to see these kept to a minimum. In addition, the Department supports the PEIS requirement to conduct project-specific NEPA analysis for each individual energy project.

74-001

We appreciate the opportunity to provide comment on the Draft PEIS. If you have any questions regarding this letter, please contact me at (623) 236-7602.

Sincerely,

Laura Canaca  
 Supervisor, Project Evaluation Program, Habitat Branch

cc: Dave Dorum, Habitat Program Manager, Region I  
 Rick Miller, Habitat Program Manager, Region II  
 Habitat Program Manager, Region III  
 Russ Engel, Habitat Program Manager, Region IV  
 Joan Scott, Habitat Program Manager, Region V  
 Russ Haughey, Habitat Program Manager, Region VI

AGFD # M07-12045833

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**Arizona Game and Fish Department  
Specific Energy Corridor Concerns  
February 14, 2008**

**Corridor 41-46**

- This corridor involves the conversion of new lands to energy corridors. This corridor would further fragment habitat for desert tortoise, bighorn sheep, and mule deer. 74-002
- The Department supports the corridors designated in the BLM Kingman RMP (1995) for this area. Please ensure this corridor complies with BLM Kingman RMP. 74-003

**Corridor 46-269 and 46-270**

- The Department supports the corridors designated in the BLM Kingman RMP (1995) for this area. Please ensure this corridor complies with BLM Kingman RMP. 74-004

**Corridor 61-207**

- Potential negative impacts where the corridor is adjacent and crosses the Verde River. There are several species that are dependent on the Verde River. 74-005
- Potential impact to current land use patterns for hunters and other outdoor recreationists near Bisbee. Bisbee is the primary access point for the east side of the Bradshaw Mountains.

**Corridor 62-111**

- Although the area is already highly impacted, expansion of the corridor to 3500' in width and/or constructing pipelines within the corridor would create additional impacts as well as potential benefits to wildlife. 74-006
- Numerous riparian areas are currently being impacted by the existing transmission line corridor. These impacts are primarily associated with habitat degradation due to increased sediment flow into aquatic systems from poorly constructed and maintained powerline maintenance roads within the uplands, and the direct impact of OHV use within stream channels and associated riparian areas. Removal of dense stands of Ponderosa pine and other conifers, and the construction of powerline maintenance roads within the existing corridor has encouraged OHV use of the corridor and has facilitated OHV access across and into stream channels. Expansion of the corridor would likely exacerbate the existing conditions and impact additional riparian areas that are not within the existing corridor.
- Removal of a large swath (3500 feet) of forest overstory would result in further loss of habitat for density dependant species such as tassel-eared squirrels and would likely negatively impact animal movement across the corridor for species such as turkey and black bear. Above ground pipelines would further impact animal movement. However, there would also be an expected increase in herbaceous forage production that would benefit species such as elk, and the improved sight distance within the corridor would likely encourage use by antelope.
- The southern portion of the corridor in Region I traverses the Beaver Turkey Ridge Wildlife Quiet Area.



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**Arizona Game and Fish Department  
Specific Energy Corridor Concerns  
February 14, 2008  
Cont.**

**Corridor 62-211**

The proposed widths and expansion to multimodal will impact several perennial streams and recreational uses. They are as follows:

- Impacts will occur on the Verde River below Bartlett where bald eagles and native fish occur.
- Impacts may occur where the corridor crosses Tonto Creek between SR260 and the Tonto Creek Hatchery. This is a reach of Tonto Creek the Department is currently funding a significant amount of money towards instream fish habitat enhancements to increase the quality of the fishery and promote fishing opportunity.
- Downstream from where the corridor crosses Houston Creek is the confluence of Tonto Creek and Headwater chub habitat. Construction activities at Houston Creek may negatively affect native fish in Tonto Creek.
- The corridor traverses the Chinatown Spring area which is a part of the Alder Creek drainage. This area of the drainage is perennial and native fish are present. The Department has promoted for livestock exclosures and more active native fish management for this area. Construction activities may negatively impact this area.

74-007

**Corridor 115-208**

- Expansion of the corridor would further fragment habitat connectivity between the Buckeye Hills and Gila Bend/Eagle Tails/Saddle Mountain Wilderness complex; fragment habitat connectivity between Estrella Mountains and Sonoran Desert Monument (Rainbow Valley); and further fragment habitat connectivity between Buckeye Hills and Sonoran Desert Monument. The corridor goes across BLM lands east of I-85 and north of SDNM that have high recreational value (OHV, trail riding, hiking). The Department, along with BLM, is trying to promote connectivity in these areas. More recently the Sonoran Institute has published the Sonoran Desert Protection Proposal which includes this area.

74-008



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*Working to Protect Native Species and Their Habitats*

P.O. Box 1512, Laramie, WY 82073 (307) 742-7978 fax: 742-7989

February 14, 2008

West-wide Energy Corridor PEIS  
 Argonne National Laboratory  
 9700 S. Cass Ave., Bldg. 900, Mail Stop 4  
 Argonne, IL 60439

VIA FAX AND FIRST-CLASS MAIL

Dear Ms. Kyriss:

The following are the comments of Biodiversity Conservation Alliance and Wyoming Wilderness Association on the Draft Programmatic EIS on the Designation of Energy Corridors on Federal Land in the 11 Western States. Please address the concerns and recommendations in these comments through the NEPA process.

With several notable exceptions (outlined below), we have few qualms about the location of proposed corridors in Wyoming. However, the analysis contained within the EIS is quite nebulous on some key points, and it appears that additional, detailed analysis is warranted so that the corridors can be designated will full awareness of the magnitude of potential impacts.

**Corridor 78-85 Should be Re-routed Westward**

An energy corridor on Page G-4 of the Map Atlas (presumably the northern leg of corridor 78-85) should be re-routed to avoid the Shirley Basin and Bates Hole, and should instead pass to the west of the Shirley Mountains following east of the Kortez Dam and Hanna-Leo Roads. A rough map of the proposed substitute alignment is appended to these comments as Attachment 1.

We are concerned that the proposed powerline routing through the Shirley Basin will negatively impact one of the two viable wild black-footed ferret populations in the world. The Shirley Basin black-footed ferret population is completely dependent on prairie dogs for prey and habitat; a large transmission line through this area could concentrate raptor nesting and roosting activities on prairie dog colonies inhabited by ferrets, resulting in significant impacts on both ferrets and their prey. First reintroduced in the 1990s, this population was initially written off as lost, but a survey in 2002 revealed a thriving population, and in 2005 BCA contributed a substantial sum of money to fund the supplemental introduction of 85 additional ferrets into the Shirley Basin to enhance the genetic variability of the population. They are now doing very well. The Shirley Basin black-footed ferret population is one of two viable ferret populations in the wild; the other is in the Conata Basin of South Dakota, where a new prairie dog poisoning program threatens its viability. As the black-footed ferret is listed as Endangered, we are most anxious to prevent activities likely to have negative impacts on them.

75-001

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We are also concerned about this same powerline segment's potential impact on the Bates Hole Sage Grouse ACEC, established in the 2007 Casper Resource Management Plan. As with prairie dogs, the construction of overhead power lines can concentrate raptor predation on sage grouse. This basin is recognized as the most important sage grouse breeding complex in the Casper Field Office, and the designation of an energy corridor through this area is inconsistent with BLM's directives to protect the sage grouse habitat for which the ACEC was designated.

75-001  
(cont.)

**Corridor 121-221 Should be Eliminated**

Where the major east-west energy corridor along Interstate 80 reaches Rock Springs, Wyoming, it splits into three parallel strands. These strands are duplicative in nature, and there appears to be no need for three parallel federal energy corridors here. The northernmost of the three, 121-221, passes unacceptably close to the Jack Morrow Hills planning area, a portion of BLM land so sensitive from a conservation and public interest perspective that it was segregated from the Green River Resource Management Plan and given its own special Coordinated Activity Plan, completed in 2005. It has been proposed as a National Conservation Area. Sensitive resources in this area include the viewsheds of Wilderness Study Areas such as the Sand Dunes, Buffalo Hump, and Alkali Draw WSAs, the White Mountain petroglyph site, and the Boar's Tusk, a unique volcanic butte that is sacred to the Eastern Shoshone people and is perhaps the most iconic landscape feature in the Red Desert. The proposed power line corridor would not only have a severe impact on the scenic quality of the important viewsheds in this area, but could also encourage the development of wind farms in this area (wind farm development does appear to cluster near existing transmission lines, and conversely, distance from existing lines can be a disincentive for wind farm placement). There are many acceptable possibilities for routing an energy corridor through this area; perhaps 121-220 (along an existing electrical transmission line) is the best option of the three. Certainly, permitting three duplicative corridors would be a needless waste of impacted resources in a desert landscape that is quite fragile.

75-002

**We Applaud the Avoidance of Adobe Town and Red Creek ACEC by Powerline Corridors**

The re-siting of the electrical powerline component of corridor 73-133 eastward to the Wyoming Highway 789 corridor as corridor 138-143 is an environmentally beneficial change that will strongly reduce impacts. The 73-133 corridor passes within the viewshed of Adobe Town, the crown jewel of Wyoming's desert wilderness areas, and across the Powder Rim, a habitat of extremely high value and importance for big game, birds of prey, and juniper obligate songbirds. The movement of the electrical transmission component to its present alignment in corridor 138-143 alleviates these difficulties. The co-location of addition pipelines along the existing CIG and Entrega pipelines of corridor 73-133 would not be expected to have major wildlife and viewshed impacts.

75-003

In addition, we support the routing of corridor 126-218 west of the Red Creek Wilderness Study Area and Greater Red Creek ACEC and Sugarloaf Basin Special Management Area, in order to comply with the explicit limitation on transmission corridor siting in the BLM's Green River Resource Management Plan.

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**Co-Location with Existing Transmission Corridors**

Energy corridors should be co-located with existing transmission corridors except in cases where there is not a compelling environmental reason not to do so (e.g., adding an aboveground powerline to a pipeline corridor that runs through a sensitive viewshed, where the electrical lines would constitute a major visual intrusion while the buried pipeline does not). To the extent that the Energy Corridor DPEIS Proposed Alternative does co-locate corridors under these restrictions, we applaud the agencies' efforts to provide transmission while minimizing additional impacts to the environment.

75-005

**Burial of Powerlines**

The burial of all electrical transmission lines is an environmentally preferable alternative, and this should be required in the final decision in all cases where such burial is technically feasible. At present, overhead powerlines enjoy some feasibility advantages, but this is a long-term plan, and technological advances could readily provide buried power line options that are feasible over long distances and for high volume electrical transport in the foreseeable future. The Corridor decision should require the use of such technologies in all cases where this is possible.

75-006

**Impacts to Wildlife**

There are a number of types of habitats that are particularly vulnerable to intrusions by overhead powerlines. These include prairie dog colonies, sensitive habitats for native galliform birds (such as sage grouse and prairie chickens), and other key habitats for sensitive or rare wildlife species that are preyed upon by raptors.

A number of raptors and corvids prey on sage grouse. Important sage grouse nest predators include golden eagles and common ravens (Heath et al. 1997). According to Braun et al. (2004), "Impacts to sage grouse from CBM development include direct loss of habitats from all production activities along with indirect effects from new powerlines and significantly higher amounts of human activity, both during initial development and during production." For leks within 0.25 mile of coalbed methane facilities, significant reductions in males/lek and rate of growth, presence of overhead power lines within 0.25 mile of a lek also depressed sage grouse population growth, and compressor stations within 1 mile of a lek significantly reduced sage grouse numbers (Ibid.). The maintenance of appropriate habitat and adequate cover, particularly on nesting and brood-rearing habitats, is important to ensure that predation rates do not increase to abnormal levels. In addition to maintaining cover, it is important to avoid the construction of tall structures that serve as raptor perches and concentrate predation pressure, like powerlines and gas condensate tanks, near these habitats.

75-007

Powerline towers are likely to concentrate raptor nesting and perching activities, to the potential detriment of prey species. Transmission towers may be particularly attractive as nest sites for ravens, and Steenhof et al. (1993) reported that 133 pairs of ravens had colonized transmission towers on a single stretch of powerline in Idaho during its first 10 years of existence. Gilmer and Wiehe (1977) found that nest success for ferruginous hawks was slightly lower for transmission towers than other nest sites, and noted that high winds sometimes blew tower nests away. In North Dakota, small clumps or rows of hardwood trees were the most common ferruginous hawk nest sites, while ground nests atop rugged moraines made up 22% of the nest sites and powerline

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towers accounted for 18% of ferruginous hawk nests (Gilmer and Stewart 1983). Steenhof et al. (1993) also found that transmission tower nests tended to be blown down, but found that nest success was not lower on towers for ferruginous hawks and was significantly higher on towers for golden eagles. In North Dakota, Gilmer and Stewart (1983) found that ferruginous hawk nest success was highest for powerline towers and lowest for nests in hardwood trees. Thus, although powerlines can be designed to minimize impacts to raptors, these corridors should be sited more than 2 miles away from prairie dog colonies and sage grouse leks to prevent major impacts to these sensitive prey species.

75-007  
(cont.)

#### **Range of Alternatives**

The Energy Corridor PEIS proposes only two alternatives: The Proposed Alternative and a No Action alternative. It certainly would have been reasonable for the agency to provide several action alternatives with differing energy corridor locations, so that the public could have a range of options to comment on, and the agencies could have a range of options from which to choose. It is mysterious why the agencies chose to present only one option for designating energy corridors. This does not appear to satisfy the “range of alternatives” requirements pursuant to NEPA. This need is rendered even more compelling because the designation of energy corridors is essentially required by the Energy Policy Act of 2005 (DPEIS at 1-1), rendering the No Action alternative legally non-viable. This reduces the legally sufficient alternatives in the DPEIS to one (the Proposed Alternative), a legally untenable position under NEPA.

75-008

#### **Unnecessary or Undue Degradation**

In the West, much of the area impacted by the proposed energy corridors falls within BLM lands, which implicates the legal requirements of FLPMA. The EIS needs to define what constitutes “unnecessary or undue degradation” in the context of both pipeline and power line development, and determine whether each of the corridors proposed would result in unnecessary or undue degradation.

75-009

#### **Direct Impacts Analysis**

A number of aspects of the impacts analysis in the EIS appear to be incomplete.

For paleontological resources, it appears that the agencies rely exclusively on the BLM’s Probable Fossil Yield classification, which raises some significant problems. The requirement for field surveys and recovery of fossils appear to be limited to PFY Class 5 formations (DPEIS at 3-65), which is a mistake as outlined below. The PFY classification assigns higher values to formations where vertebrate fossils are likely to be abundant. However, the paleontological value of an abundance of (potentially common) vertebrate fossils may be eclipsed by a single find of a very rare species in a formation that is much less fossiliferous. Paleontological research activity tends to be concentrated in formations that are highly fossiliferous (and therefore high PFY class) due to the greater probability of encountering a find. However, this systematic bias in research effort results in a case where the organisms from a highly fossiliferous formation are well-studied, relatively common in collections, and therefore of relatively lower value versus a find in a low fossil yield formation which may be more likely to be new to science and therefore of higher value paleontologically. The agency’s impact analysis is therefore skewed toward a lower perception of impact in low PFY class formations, when the reverse may be true. For this

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reason, fossil field surveys of proposed surface disturbing activity should be required for any formation that has the possibility of fossil resources (Class 3 or higher). These surveys should be a requirement of the PEIS and must be conducted by a trained paleontologist; archaeologists have a different skill set and might not recognize or recover significant fossil finds.

75-010  
(cont.)

The direct and cumulative global climate change effects of the combustion of petroleum products to be transported via pipeline in the project should be analyzed. Likewise, the cumulative effects of gas- and coal-fired electricity generation that will feed the powerlines should be analyzed. Conversely, the cumulative effects of wind-, solar-, and geothermal-power generation to replace fossil fuel electricity generation should be considered. Specifically, the agencies should consider whether the addition of clean energy sources as a result of available transmission will replace carbon-based electricity generation, or whether it will simply be additive to the existing and proposed fossil-fuel powered generation. The amount of power plant construction expected to increase as a result of increased transmission capacity should be disclosed by power plant type, emissions levels, and location so that an adequate cumulative effects analysis on air quality and global climate change can be undertaken. The current analysis appears to be limited to corridor-related construction and operation activities and does not appear to address impacts to global climate change.

75-011

The EIS does not appear to attempt to analyze impacts to sensitive wildlife species. Because the site-specific locations of proposed energy corridors are known for federal lands, and because the types of impacts that will be permitted within these corridors are also known, it is reasonable to expect the agencies to map the corridor locations against known sensitive habitats that would be expected to be impacted by the corridors. These data are key to deciding on the optimal final location of the proposed corridors at a fine scale. Habitat attributes that should be avoided for Wyoming are as follows:

- Prairie dog colonies – These are vulnerable to increased raptor predation as a result of power line siting in or adjacent to active colonies. The degree to which corridors overlaps these sensitive habitats should be analyzed and disclosed. Active prairie dog colonies should be avoidance areas for overhead electrical transmission lines; impacts of pipelines should be much lower and temporary in nature.
- Grouse and other galliform nesting and wintering habitats – State fish and game agencies typically map sage grouse, Columbian sharp-tailed grouse, and other galliform lek areas (lands within 3 miles of sage grouse leks and within 1 mile of Columbian sharp-tailed grouse leks are typically considered most important as nesting habitats) and wintering areas. The degree to which corridors overlaps these sensitive habitats should be analyzed and disclosed. These are vulnerable to increased raptor predation as a result of power line siting in or adjacent to active colonies. These habitats should be avoidance areas for overhead electrical transmission lines; impacts of pipelines should be much lower and temporary in nature.
- Sensitive sagebrush obligate species – Species such as the sage sparrow, Brewer’s sparrow, Baird’s sparrow, and sage thrasher are sensitive to the fragmentation of large blocks of sagebrush habitat. The extent to which the proposed corridors will cumulatively

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contribute to the fragmentation of these habitats, together with other permitted activities such as oil and gas development, should be fully investigated.

- Interior forest species – Sensitive species such as the northern goshawk and American marten require large blocks of mature timber and are impacted by forest fragmentation. The extent to which the proposed corridors will cumulatively contribute to the fragmentation of these habitats, together with other permitted activities such as timber harvesting, should be fully investigated.
- Big game species – Crucial winter ranges, parturition areas, and migration corridors are typically mapped by state fish and game agencies. The degree to which corridors will contribute to direct and cumulative displacement of big game species from these habitats as a result of human activity and vehicle traffic during both the construction and operational phases of energy transmission should be fully disclosed and analyzed, and the overlap between corridors and these sensitive habitats needs to be investigated.
- Special habitats required by rare or sensitive species. Examples include mature to overmature, dense sagebrush stands and other habitats required by the pygmy rabbit as well as dry, gravelly ridges that appear to be the obligate habitat for the Wyoming pocket gopher. The degree to which there is overlap between these habitats and energy corridors should be evaluated in detail; corridors should be shifted to avoid these habitats to the fullest extent possible.

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(cont.)

This type of spatially explicit analysis will not only allow the agencies to accurately predict the magnitude of impacts to these types of wildlife, but will also provide the information needed to route corridors away from sensitive habitats to a great extent.

**Historical and Cultural Resources**

There have been problems in the past with pipelines destroying historically significant segments of the Overland and Oregon Trails, and with wind power facilities heavily impacting the settings of these features. The agencies should map historic trails and other known sites on or eligible for the National Register of Historic Places, so that the level of impact of the proposed corridor routings can be adequately assessed. Corridors should be routed to avoid direct impacts or visual impacts to the settings of these sites to the greatest extent possible.

75-013

**Cumulative Impacts**

The PEIS maps show only the alignments of proposed energy corridors as they cross public lands; locations of these same corridors crossing private lands is not disclosed in the PEIS. Yet both pipelines and powerlines are linear features that run from point to point in an unbroken fashion; they (and their impacts) will not simply disappear when they leave public lands. The approval of energy corridors will necessarily and inevitably result in the eventual construction of pipelines and powerlines along them, much as oil and gas leasing necessarily leads to the likelihood of future development. The designation of these corridors have corresponding impacts to private lands which are not evaluated in the PEIS, even though it is reasonably foreseeable that the corridors that are shown as “ending” at the edge of federal land ownership will indeed continue on and impact resources on private lands. NEPA requires that the cumulative impacts of the corridor designation, including disclosure of anticipated alignments on private lands and the

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corresponding impacts to sensitive resources on these private lands, be fully disclosed and evaluated in the EIS in order to fulfill the cumulative impacts analysis requirements of NEPA.

Some examples of sensitive resources that would be expected to be impacted on private lands include: crucial big game winter ranges, greater sage grouse (as well as Columbian sharp-tailed, Gunnison sage grouse, and prairie chicken) nesting and wintering habitats, mountain plover and raptor nesting concentration areas, and historical features eligible for the National Register of Historic Places. These are site-specific features, and the magnitude of impacts is wholly dependent on the location and proximity of the energy corridors and associated developments. Without disclosing the site-specific location of proposed energy corridors on private lands, it is therefore impossible for the agencies to analyze the levels of impacts of the corridors on private lands they will cross.

75-014  
(cont.)

**Interim Reclamation of Corridors**

Once an energy transmission line is placed in the corridor, strong interim reclamation standards should apply. For pipelines and other surface disturbing activities, reclamation should include not only re-seeding with native vegetation, but also re-planting with trees (or at least shrubs) to match the predisturbance landscape mosaic of plant communities. In some areas, re-establishment of native vegetation may require watering (as in many arid locales, seed sprout and seedling establishment occur only during unusually wet years, and not at all during dry years). The potential for linear transmission of noxious weeds such as cheatgrass is a major concern, and there is high potential for energy transmission corridors to become weed transmission corridors if native vegetation is not re-established successfully over a short time horizon. Operators should have no more than two years to fully re-establish native vegetation on the site, and bonding should be required to cover the full cost of remediation should interim reclamation prove unsuccessful.

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Both pipeline and powerline corridors often become vehicle corridors as well, as access to and maintenance of pipelines and powerlines often involves motor vehicles. Brum et al. (1983) observed that powerline ROWs can become access ways for ORV use, serving as a means of gaining access to previously undisturbed areas. Brum et al. also found that effects of disturbance in the Mojave Desert were still apparent 33 years after construction, including depressed mycorrhizal activity, high seedling mortality, and poor shrub recruitment (Ibid.). We have significant concerns that, without specific prohibitions on vehicle use, energy corridors will become conduits of off-road vehicle access, leading to illegal and resource-damaging proliferation of off-road vehicle routes stemming from the energy corridors. In order to prevent this, the establishment of any but temporary vehicle routes along the energy corridors should be prohibited, and the corridors should be expressly closed as travelways for recreational use. We recommend that pre-existing vehicle routes that comply with law and regulation that cross the proposed corridors remain open at corridor crossings to maintain the current level of legal public access.

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**Roadless Areas**

Regardless of whether there are currently pipeline or powerline rights-of-way through Inventoried Roadless Areas, the corridors designated under this decision should explicitly stay out of roadless lands.

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(cont.)

Thank you for considering these comments, and we look forward to seeing how they will be incorporated into the final energy corridor designation decision.

Sincerely yours,



Erik Molvar

*signing on behalf of*

Liz Howell, Wyoming Wilderness Association, PO Box 6588, Sheridan, WY 82801, 307 672-2751

**Literature Cited**

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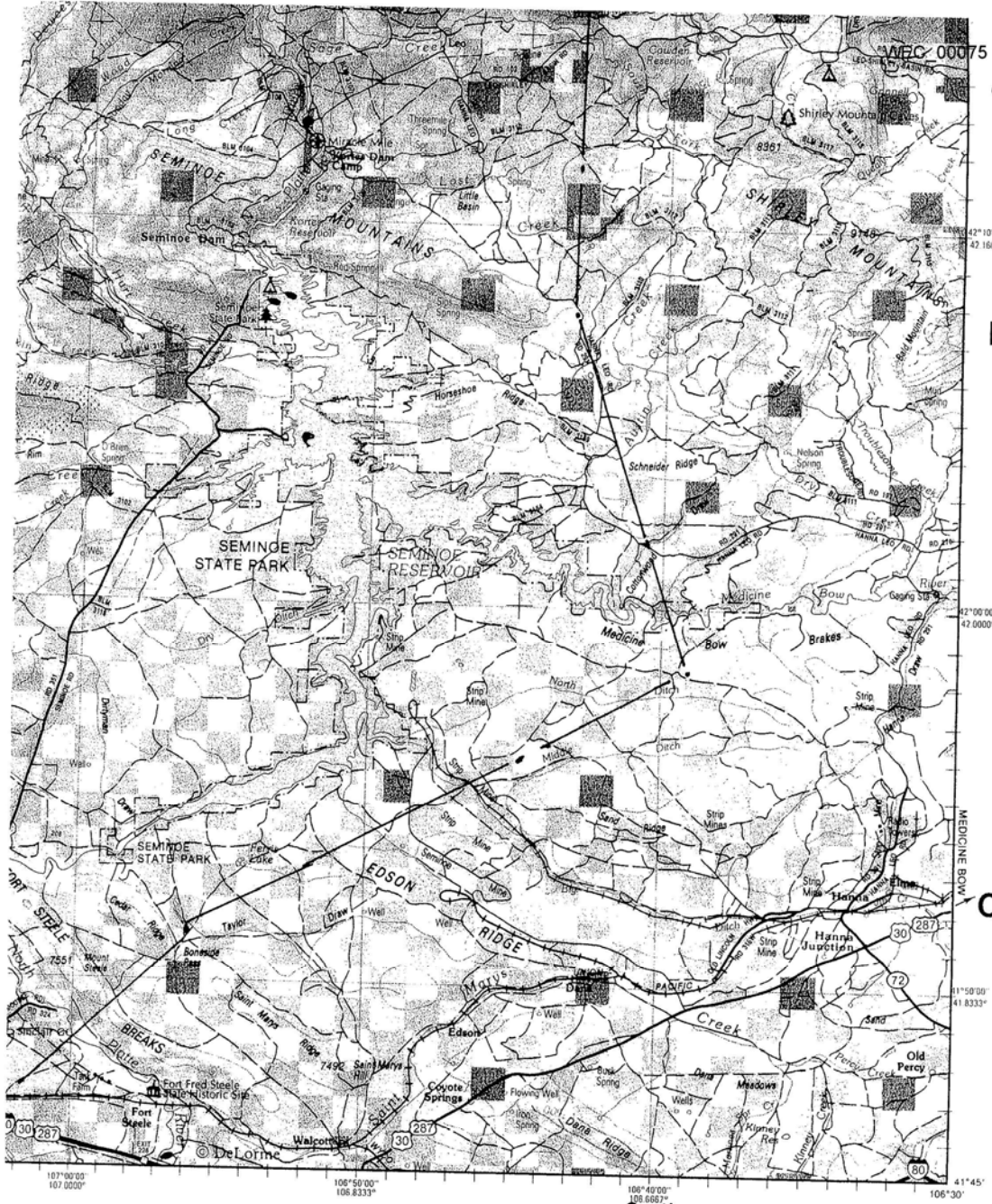
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Continued on Page 32

B

C

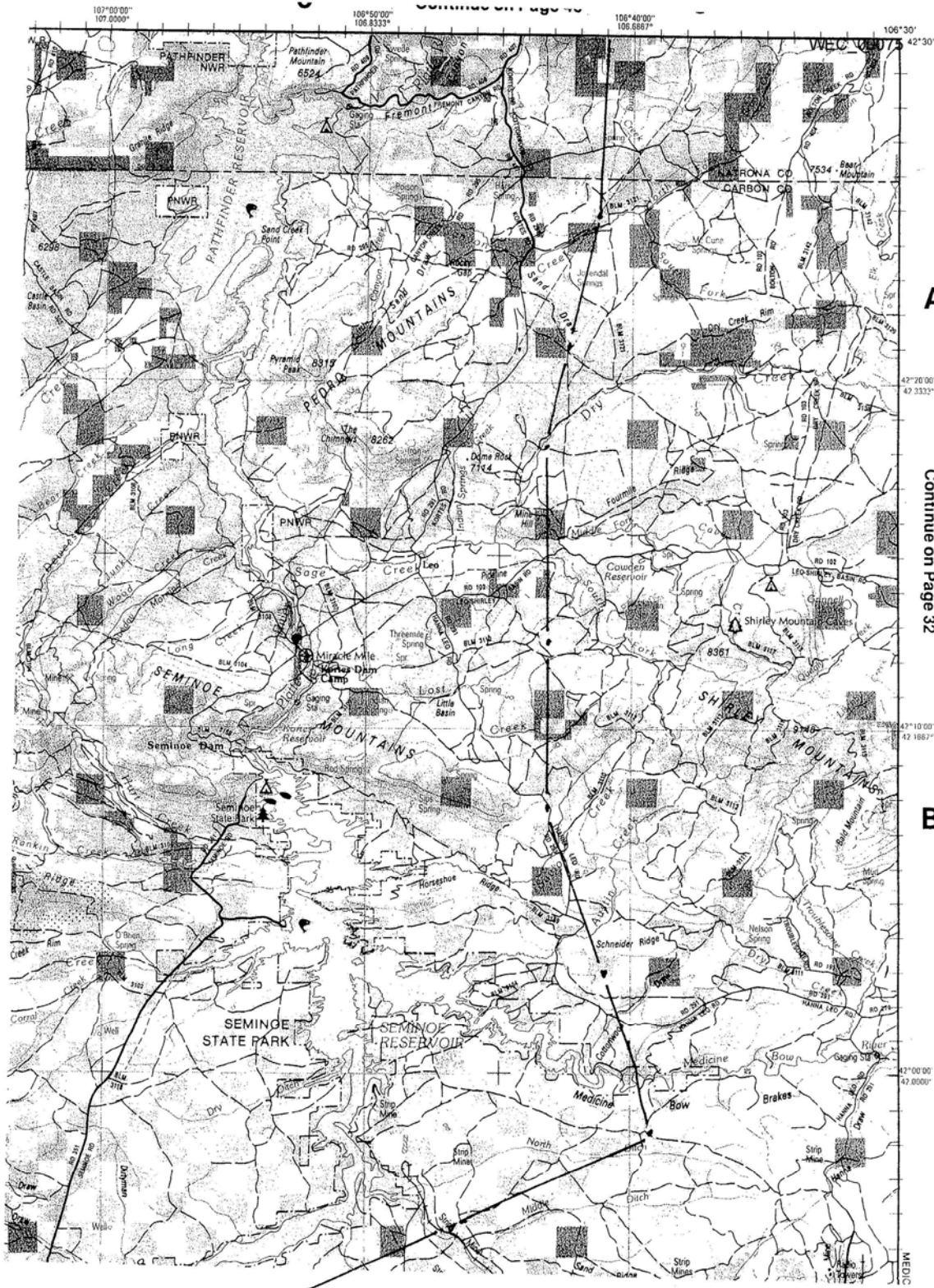
Contour interval  
300 feet (91.5 meters)

Continue on Page 21

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Attachment 1

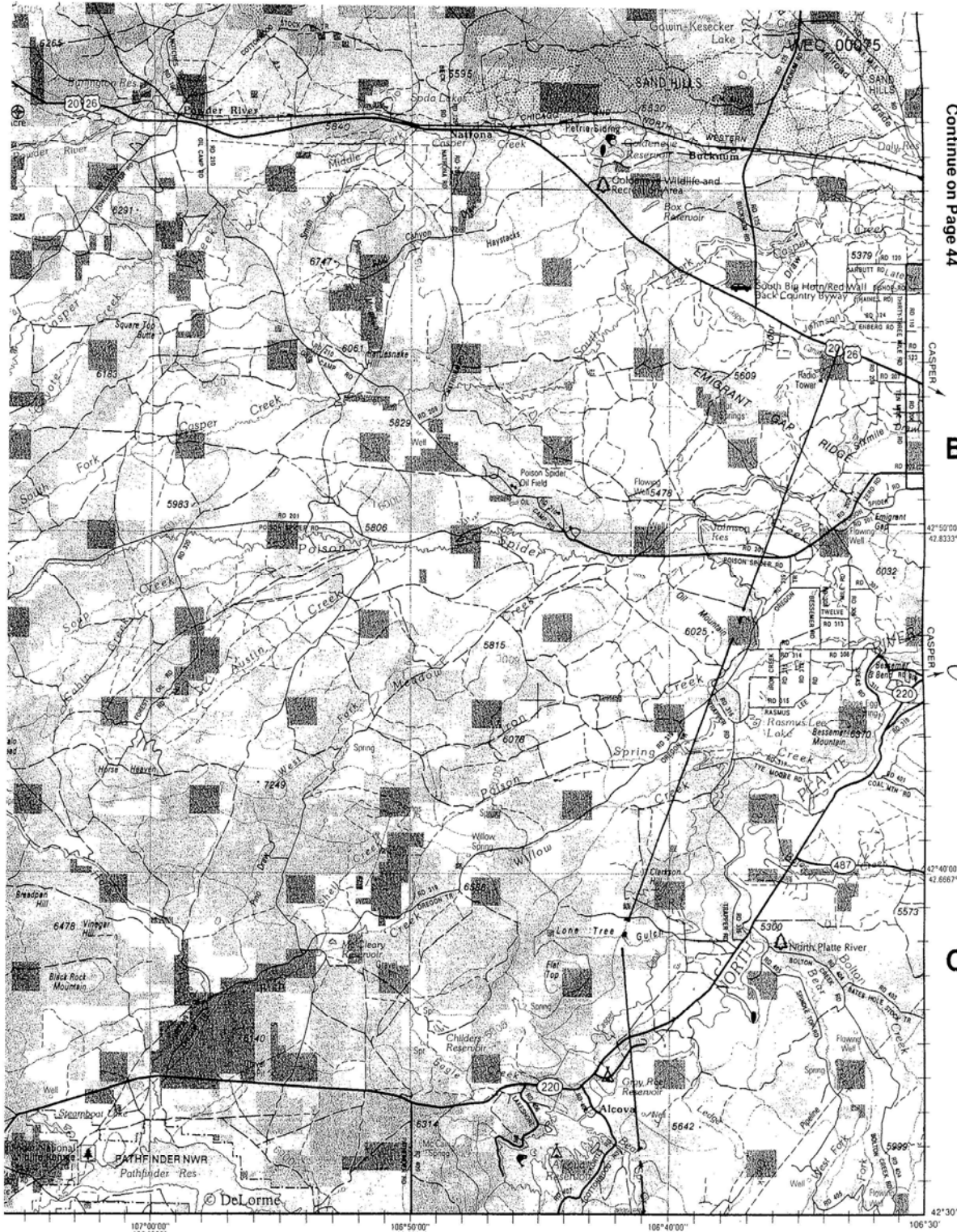
*Shirley Basin Powerline - BCP recommended alternate route*



A  
Continue on Page 32

B

*Shirley Basin Powerline - BIA Recommended alternate route.*



Continue on Page 44

B

C

*Swirley Basin Peer-BA Recommended Alternative Route*

Continue on Page 31

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February 13, 2008

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West-wide Energy Corridor Draft PEIS  
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Re: Quechan Indian Tribe's Comments on West-wide Energy Corridor Draft PEIS  
 and Request for Government-to-Government Consultation

Dear West-wide Energy Corridor Team:

On behalf of the Quechan Indian Tribe of the Fort Yuma Indian Reservation, we submit the following comments on the West-wide Energy Corridor Draft PEIS. The Tribe's comments relate to Corridor #115-238 which, as proposed, abuts the Fort Yuma Indian Reservation and also crosses areas of traditional territory located outside the Reservation that are known to contain cultural resources of significance to the Tribe. The Tribe also submitted oral comments at a public hearing on the Energy Corridor Draft PEIS in Phoenix, Arizona on January 15, 2008. In addition to consideration of the Tribe's oral and written comments, the Tribe requests initiation of government-to-government consultation to ensure that the Tribe's concerns with corridor 115-238 are adequately addressed.

A. The Proposed Location and Width of Corridor 115-238 Would Likely Interfere With Tribal Land Use and Cultural Resource Protection on the Fort Yuma Indian Reservation.

Proposed corridor 115-238 passes through the States of Arizona and California. The Draft PEIS describes the portion of corridor 115-238 that crosses through the State of Arizona as a "multimodal" corridor ranging from 3,500 to 5,280 feet in width. The portion that passes through California is described as 15.9 miles of "electric only" at 1,000 feet in width and 52.3 miles of "multimodal" with a width of 3,500 feet. See Draft PEIS, at Appendix F. The proposed corridor directly abuts the eastern and western boundaries of the Fort Yuma Indian Reservation, which is located on the border of Arizona and California and just north of the Mexican border. Based on the maps contained in the Draft PEIS, it appears that the United

76-001

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States expects that utilities developed within the proposed corridor would pass through the Fort Yuma Indian Reservation.

76-001  
(cont.)

The Quechan Tribe is extremely concerned with the location and proposed size of corridor 115-238. It would be impossible for the Tribe to accommodate a "multimodal" energy corridor of 1,000 to 5,280 feet in width at the location proposed in the Draft PEIS, which abuts the populated southern and southwestern portions of the Reservation. The proposed corridor, if extended through the Reservation, would cut directly through the residential and commercial areas of the Reservation in addition to areas that are proposed for future expansion and development. The proposed corridor location could also result in unacceptable impacts to cultural resources located throughout this area of the Reservation. These areas are the most valuable to the Tribe; culturally, historically, and economically.

Although the United States is not actually designating energy corridors on Indian lands in the Draft PEIS, the proposed location and width of corridor 115-238 is still of concern to the Tribe. It is obvious that electric transmission, oil, and gas pipelines extend in a linear fashion. As proposed, corridor 115-238 ends in Arizona at the Reservation boundary and begins again in California on the other side; thus, there appears to be an expectation that the Tribe will permit the utilities to extend through Reservation lands. It is not reasonable to expect the Quechan Tribe to permit the extension of multimodal utility facilities (potentially one mile in width) through lands where tribal members live and do business. Just recently, the Tribe and Imperial Irrigation District agreed to relocate an existing transmission line to the north to accommodate the development a new tribal casino resort. Corridor 115-238 appears to extend through the same area of land where the transmission line will soon be removed. It seems that the United States gave no consideration to the impact of its proposed corridor designation on existing and future land use on the Fort Yuma Indian Reservation. Although the United States is not designating corridors directly on Indian lands, it must consider whether the corridor, if extended beyond federal lands, would conflict with land uses on the adjacent tribal lands.

76-002

The Draft PEIS acknowledges that Indian tribes, such as the Quechan Tribe, are sovereign governments and that utility companies must negotiate access to tribal lands for their various utility projects. Likewise, the recent Section 1813 study also recognizes and approves of tribal governments' sovereign right to regulate access over tribal lands. The Tribe retains sovereign authority to decide whether, and on what terms, to approve rights-of-way across Reservation lands. Although the Tribe has no intention to unreasonably deny rights-of-way to proposed utility projects that seek passage through Reservation lands, it is very unlikely that the Tribe could grant such rights-of-way for large, multimodal, energy projects that cut through the heart of the Tribe's residential and commercial land base, and cultural landscape. The United States should not designate a corridor in a location that cannot feasibly be extended across Reservation lands.

In summary, the Tribe has significant concerns with the proposed location of corridor 115-238 due to potential conflicts with residential and commercial land use on the Fort Yuma Indian Reservation and possible impacts to cultural and natural resources located on the Reservation. It is simply unrealistic for the United States to expect the Tribe to accommodate

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Page 3

the extension of a utility corridor of the size and scope of corridor 115-238 through the Reservation, especially at the location proposed in the Draft PEIS. The Tribe requests initiation of government-to-government consultation to further discuss the Tribe's concerns with the proposed location and width of corridor 115-238. Upon such consultation, the proposed route should be modified to address the Tribe's concerns.

76-002  
(cont.)

B. Corridor 115-238 Crosses Through Traditional Lands of the Tribe That Contain Cultural Resources of Significance to the Tribe.

The Quechan people and their ancestors have inhabited the area surrounding the confluence of the Colorado and Gila Rivers for centuries. The Quechan Tribe's traditional lands extend east well beyond the boundaries of the present day Fort Yuma Indian Reservation. The cultural landscape of the Quechan consists of a myriad of natural and cultural features. Cultural features include mythology locales, sacred places, petroglyphs, settlement and battle site locations, trails, and other resource use areas, along with prehistoric and historic archaeological sites. Proposed corridor 115-238 crosses through traditional tribal lands located outside the Fort Yuma Indian Reservation. Construction of utility projects on those traditional lands could cause significant damage or destruction to cultural resources of significance to the Tribe.

The proposed federal action of designating energy corridors does not authorize or permit the development of any new utility lines or facilities. The Draft PEIS acknowledges that no facility siting or development may begin absent compliance with Section 106 of the National Historic Preservation Act (NHPA).<sup>1</sup> The Draft PEIS also acknowledges that only 7% of areas located within 1 mile of corridor centerlines have been surveyed for the presence of NHPA-eligible cultural resources. Given the established history of Native American use on the traditional lands surrounding corridor 115-238 and the lack of prior surveys, it is crucial that the United States require thorough investigation of cultural resources, including Class III pedestrian surveys, prior to the siting of any facilities within the proposed corridor. In addition, the United States may not permit any construction or ground disturbing activities within the corridor until an adequate, legally enforceable, mitigation and treatment plan is developed for cultural resources identified in the surveys. In some circumstances, the identification of significant cultural resources may necessitate relocation of the corridor, a limitation of its width, or a restriction on the type of development within the corridor. Finally, the Tribe must be meaningfully involved in all identification and survey efforts and in development of any necessary mitigation and treatment plans.

76-003

In addition to the Tribe's concerns with off-Reservation cultural resource impacts, any proposed location of utility facilities within the boundaries of the Reservation will also require a thorough evaluation of impacts to cultural resources under federal and tribal law.

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<sup>1</sup> Although the Tribe supports the need for full compliance with Section 106 prior to any site development, the Tribe's interest in protection of cultural resources is broader than that provided by the NHPA. Evaluation, treatment, and mitigation should be afforded to all prehistoric cultural resources of significance to the Tribe, not just those that are deemed eligible for listing under the NHPA's narrow eligibility criteria.

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C. Conclusion

The Tribe appreciates the opportunity to comment on the West-wide Energy Corridor Draft PEIS. The Tribe is concerned with the proposed location and width of proposed corridor 115-238, which abuts the Fort Yuma Indian Reservation, and believes that adoption of that corridor in its present form will result in unacceptable conflicts with tribal land use and cultural resource protection on the Reservation. The United States should initiate government-to-government consultation with the Tribe and then modify the location and proposed size of corridor 115-238 to accommodate the Tribe's concerns.

The Tribe is also concerned with impacts to cultural resources resulting from development of utility projects through its traditional lands located outside of the Reservation. Full compliance with the NHPA, NEPA, other applicable federal environmental and cultural resource laws, and government-to-government consultation with the Quechan Tribe is required prior to commencement of any actual development activities within the designated corridor.

Thank you for consideration of the Tribe's comments on the Draft PEIS.

Sincerely yours,

MORISSET, SCHLOSSER, JOZWIAK & MCGAW



Frank R. Jozwiak  
Thane D. Somerville  
Attorneys for Quechan Indian Tribe

cc: President Mike Jackson, Sr.  
Vice President Keeny Escalanti Sr.  
Members of the Quechan Tribal Council  
Pauline Jose, Chairperson, Quechan Cultural Committee  
Bridget Nash-Chrabasz, Historic Preservation Officer





State of California – The Resources Agency  
**DEPARTMENT OF FISH AND GAME**

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February 14, 2008

West-wide Energy Corridor DEIS  
Argonne National Laboratory  
9700 S. Cass Avenue  
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Argonne, IL 60439

**Subject: Draft West-Wide Energy Corridor Programmatic Environmental Impact Statement (DPEIS)**

Dear Sir or Madam:

The Department of Fish and Game, Regions 4 and 6 (Department) have reviewed the Draft Programmatic Environmental Impact Statement (DPEIS) for the West-Wide Energy Corridor project. The Department is providing comments as the State agency which has the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish and Game Code §711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish and Game Code §1802). The Department's Fish and wildlife management functions are implemented through its administration and enforcement of Fish and Game Code (Fish and Game Code §702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (CEQA) (see CEQA Guidelines, 14 Cal. Code Regs. §15386(a)). The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law role as trustee for the public's fish and wildlife. These comments apply to fish and wildlife resources that may be affected within the Kern County portion of Region 4 and the San Bernardino and Inyo County portions of Region 6.

Under the Proposed Action, corridors would be designated on federal land in 11

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Western States (Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) for oil, gas and hydrogen pipelines and electricity transmission and distribution facilities. Based upon the information and analyses developed in this DPEIS, the agencies issuing the DPEIS would amend their respective land use plans by designating a series of energy corridors effective upon signing of the Record(s) of Decision. Section 368 of the Energy Policy Act of 2005 divides several federal Agencies' schedules for designating transmission corridors on public lands into two groups: (1) "Western States," consisting of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; and (2) all other states. This DPEIS relates solely to corridors in the Western States, and is for corridor establishment only. Section 368 directs the Federal Agencies to establish procedures under their respective authorities to expedite the application process for energy related projects within Section 368 designated corridors. Under the Proposed Action a total of 2.9 million acres, and 6,055 miles would be designated in the 11 western states. In California, 287,657 acres and 814 miles would be designated. These energy corridors will not be designated over private land. Approximately 61% of the proposed corridors follow or include existing utility and/or transportation rights-of-way (ROWs). Analyses conducted in the DPEIS would support the amendment of approved land use plans for federal lands where Section 368 energy corridors would be designated. The DPEIS states that the project would have "no effect" on Federally-listed species and a less than significant effect to other biological resources. Although vague in the DDPEIS, it appears from the Project description that Federal lead agencies will be allowed to change their land use designations located within and between the Project boundaries without additional review under the National Environmental Policy Act (NEPA).

The Department offers the following comments and recommendations:

1. Unlike many other environmental documents that analyze proposed land use designations under the National Environmental Policy Act (NEPA), this DPEIS considers all future biological resource impacts associated with this designation process, including State- and Federally-Listed species, to be below a level of significance. In this regard, a distinction is drawn between this comprehensive, integrated Federal designation process, and future project-level NEPA documents that would analyze known direct impacts. The case for "no effect" made in the DPEIS includes determinations from the lead agencies and most other involved Federal agencies that "drawing lines on a map" to designate energy corridors would have no effect on listed species or critical habitat, and corridor designation would have no direct impacts that may significantly affect the quality of the human environment. The DPEIS goes on to make the case that because direct impacts to biological resources are not "guaranteed" as a result of this designation, biological resource impacts are less than significant. The Department disagrees with this

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conclusion, and believes that corridor designation will result in reasonably foreseeable significant effects to listed species and other biological resources.

77-001  
(cont.)

2. Our concern with the conclusions of the Lead Agencies is magnified by the immense area that could be adversely affected in our regions. In our experience other Federal environmental review documents for Federal planning efforts have analyzed the effects of land use overlay designations under NEPA; whether a project is guaranteed to occur or not is beside the point. The designation in and of itself removes some obstacles to approval, and potentially reduces the permitting time required. The corridors are likely to be a focus of future energy development due to the expedited Federal permitting process described in the DPEIS, the amendment of Federal agency land use plans, and the designation of a single point of contact for Federal permitting. A planning document can never "guarantee" that all projects analyzed will be built or not; likewise the DPEIS cannot make the claim that the acreage or magnitude of impacts within the 287,657 acres proposed for designation in California can be known with certainty at this time. However, this is not an adequate reason to defer impact analysis and impact avoidance/mitigation to future project-level NEPA documents.

77-002

3. Because of the claim that the Section 368 designation has no impacts to biological resources, this NEPA process has thus far missed an opportunity to provide an integrated, focused program for avoiding, minimizing, and mitigating impacts to biological resources and listed species. The DPEIS represents an opportunity to analyze worst-case scenario impacts on the physical environment (the possibility of maximum corridor utilization), on a scale proportional to the lands slated for designation. By contemplating potential impacts to all 287,657 acres in California, the Lead Agencies in cooperation with other participating agencies, can develop general measures to reduce impacts for all of the Section 368 corridors. Although these measures would not necessarily need to replace individual Federal agency standards, the measures could provide a minimum level of resource protection to justify adoption of the DPEIS. The Department recommends programmatic development of standards and guidelines for future projects within the Section 368 Corridors, to lessen the overall impacts of the designation. These should include standards for Federal- and State-listed species, wetlands, other special-status species, and should address habitat connectivity, invasive species, and other potential biological concerns. The Department would be happy to provide additional information and mitigation strategies regarding biological resources within our area of concern.

77-003

4. The DPEIS states that designating a system of energy corridors would not preclude an applicant from applying for a ROW outside of the designated energy corridors. This underscores the importance of developing sound

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methods to reduce impacts within the corridors. By developing these methods, project proponents may be more likely to utilize the Section 368 Corridors due to known impact avoidance and mitigation standards, rather than unknown standards across management boundaries.

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(cont.)

5. We are aware that officials at National Marine Fisheries Service do not agree with the Action Agencies' "no effect" determination for Federally-listed species. Likewise, the Department requires that a California Endangered Species Act (CESA) Permit must be obtained by any non-federal party, if a project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. The Department's issuance of a CESA Permit for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a CESA Permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA Permit. Specifically, future corridor development within Mojave Desert has the potential to adversely impact sensitive biological resources, including species listed under the CESA. These species include desert tortoise (*Gopherus agassizii* – listed as federal and state threatened) and Mohave ground squirrel (*Spermophilus mohavensis* – listed as state threatened and proposed for federal listing). Analysis of impacts to these species should be the focus of additional NEPA and CEQA review, as appropriate. The Department has the ability to find that Federal Section 7 consultations are inconsistent with CESA, and may decline to issue a permit based on this determination. With the large acreages involved, along with the cumulative threat of future energy development in the Mojave Desert (see comment 9, below), it is not inconceivable that the Department could arrive at a "jeopardy" opinion for certain energy developments associated with Section 368 energy corridors.

77-005

6. Analyses conducted in this DPEIS would support the amendment of approved land use plans for federal lands where Section 368 energy corridors would be designated. For project applications, the federal agencies would require one coordinated project-specific environmental review process tiered from the DPEIS. This implies that land use plans could be changed without additional

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NEPA review, and without an analysis of reasonably foreseeable impacts associated with the designation. Please clarify the NEPA process for changes to local Federal agency land use plans. We recommend that along with the changes to the DPEIS already suggested, that local Federal agencies are directed to conduct a NEPA analysis of changes to local land use plans to enable the local public and local affected agencies with local expertise the opportunity to comment.

77-006  
(cont.)

7. The Department is also concerned with the lack of impact analysis on nonfederal lands. Although project applicants would be required to secure authorizations across private lands in the same manner that they currently do, independent of the application process for corridors on federal lands, the Section 368 Corridor designation places an obviously high amount of pressure on nonfederal lands between Federal segments. State laws administered by the Department are in full force and effect on nonfederal lands.

77-007

8. The Department is concerned that only two alternatives are considered in the DPEIS: (1) the proposed project; and (2) a no action alternative. Without specific information presented in the DPEIS it is impossible to determine if the route chosen represents the environmentally superior alternative. We recommend that the DPEIS includes alternate, feasible routes.

77-008

9. The DPEIS does not adequately consider other reasonably foreseeable environmental consequences of the project. For example, it is highly likely that proposals for future energy development in the Mojave Desert of California will be located in consideration of the Section 368 Corridor locations. We are anticipating many proposals to develop solar and wind energy facilities within the known ranges of listed species, California species of special concern, and other special-status species. These sites are anticipated to be up to several thousand acres apiece, with several proposals currently being developed. The DPEIS should address any growth-inducing or other reasonably foreseeable impacts to the environment.

77-009

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Thank you for the opportunity to comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Brad Henderson, Environmental Scientist, at (760) 873-4412.

Sincerely,



Denyse Racine

Senior Environmental Scientist

cc: Julie Vance, DFG, Region 4  
Tonya Moore, DFG, Region 6  
Chron

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# The SHOSHONE-BANNOCK TRIBES

**FORT HALL INDIAN RESERVATION**

PHONE (208) 478-3725 • (208) 478-3700

FAX (208) 478-3724

**TRIBAL TAX DEPARTMENT**

P.O. BOX 808

FORT HALL, IDAHO 83203

Westwide Corridor DEIS  
Argonne National Laboratory  
9700 S.Cass Ave., Bldg. 900, Mail Stop 4  
Argonne, IL 60439

**Re: Comment to the West Wide Energy Corridors Programmatic Environmental Impact Statement.**

The Shoshone-Bannock Tribes (Tribes) would like to thank the Bureau of Land Management, US Forest Service, Department of Energy, US Fish and Wildlife, and the Department of Defense (Federal Agencies) for seeking Tribal input on the West Wide Energy Corridors Draft Programmatic Environmental Impact Statement (PEIS), February 14, 2008. The Tribes technical staff has reviewed the available information and submits the following comments, which represent our views and interests on the Draft PEIS. It is our understanding that the purpose of the West Wide Energy Corridor (WVEC) will create specific locations and areas that may be developed for transmission lines and pipelines; and, will assist the planning process for future development. This will modify the land management policies and procedures for public lands in 11 western states identified in the PEIS.

The 1868 Fort Bridger Treaty reserves the rights of the Tribes exercise traditional hunting and gathering activities on all unoccupied lands within the United States. The Federal Agencies have a trust responsibility to the Tribes to manage lands under their jurisdiction in a manner that preserves and protects trust resources, on behalf of the Tribes. The Tribes request the Federal Agencies include a statement in the PEIS acknowledging their federal trust responsibility and that the Federal Agencies will work to ensure all proposed projects will be developed and analyzed with this responsibility paramount.

Federal trust obligations require a federal agency to carefully consider and investigate the effects of its actions on Tribal interests and assess its obligations to the Tribes. The Tribes are not members of the general public and should not be treated as such. Instead, the Federal Agencies owe a duty to preserve and protect the Tribal resources by diligently discussing and considering the Tribal rights and interests through formal consultation concerning any allocation of public lands for a specific purpose, such as an energy corridor. Consultation is required by numerous federal laws, executive orders, and policies.

The Tribes acknowledge the need for Energy Infrastructure in the Western United States and urge the Federal Agencies to take all measures to minimize cultural and natural resources impacts. Development in the WVEC may adversely affect Tribal Treaty rights and trust assets

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on public lands. The Tribes expect *meaningful* consultation with Federal Agencies regarding this proposed action and any future proposals within any corridors on federal lands.

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(cont.)

**General Comments:**

The Tribes acknowledge the efforts of the Federal Agencies and requests that the following goals and objectives incorporate Tribal values identified in policy and position statements:

Goal 1: The Federal Agencies shall work to ensure the protection, preservation, and enhancement of those reserved treaty rights and any inherent aboriginal rights.

Goal 2: The Federal Agencies shall work collaboratively with the Tribes regarding the management of traditional cultural properties.

Goal 3: Federal Agencies shall formally consult with Tribes at the earliest opportunity and continuing through the decision making process and implementation of the projects.

Goal 4: The Federal Agency employees directly involved in management decisions, including resource staff and seasonal employees, shall understand Tribal rights and interests in Federal management decisions and implementation actions; and, the importance of American Indian treaty rights and accompanying federal government's trust responsibilities.

Goal 5: The Federal Agencies shall attend provided educational and informational opportunities regarding current and historical uses by Tribal members of these areas. This may include presentations of tribal resource management of the natural resources of these regions.

78-002

Goal 6: The Federal Agencies recognize the right of the Tribes to provide cooperative management of natural and cultural resources and must be considered as a co-manager for cultural, aquatic and terrestrial resources, which includes fisheries, wildlife, botanical and cultural resources off and on reservation.

Goal 7: The Federal Agencies shall fully mitigate for all impacts to Tribal rights, resources and interests, including short term, construction, maintenance and operations, and eventual reclamation and closure of federal projects.

Goal 8: The Federal Agencies shall use the WWEC to accommodate future Tribal energy needs and infrastructure.

Goal 9: The Federal Agencies shall recognize the Tribal Employment Rights Ordinance (TERO) and shall encourage Indian owned businesses, contracting opportunities, and employment as it relates to the WWEC during construction, maintenance, and operations.  
Objectives: Use the TERO process during hiring and contracting.



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Include the following in the Record of Decision: "All impacts to Tribal rights, resources and interests shall be fully mitigated, with Tribal staff assistance and final approval by the Fort Hall Business Council. The federal agencies shall endeavor to implement the Tribes policies and position statements, and utilize a "No-Net Loss" with regard to projects on federal lands."

78-003

In addition to the environmental concerns, the Tribes recognize that there are economic opportunities associated with the establishment of the WVEC. The Tribes would like to explore opportunities for economic and employment partnerships with the Federal Agencies or private entities. An example could be to provide links to the agency websites offering individual, small business, professional, craft and educational related services.

#### **Consultation Process:**

Regarding the recent confusion on the consultation with the Shoshone-Bannock Tribes, the Tribes urge the federal agencies to establish key points of contacts for future consultations, regardless of personnel turnovers. This would reduce the level of miscommunication between the numerous governmental entities involved in this multi-agency process. Additionally, the Tribes remind and emphasize that the Federal Agencies that have a duty to consult; the Tribes do not request to consult with Federal Agencies. However, the Tribes do have a formal Government-to-Government process with the US Forest Service Region 4, along with an Agreement-in-Principle between the Tribes and DOE- Idaho. The Tribes further request that this process to be streamlined with early and often consultation, between both staff and policy levels. Furthermore, please address the specific issues that deal with the Shoshone Bannock Tribes, acknowledging the Tribes inherent sovereignty, and discourage generic letters to all tribes.

78-004

#### **Specific Comments:**

The Heritage Tribal Office (HeTO) has reviewed the PEIS and concurs with the definitions for cultural resources and the holistic perspective of Indian people regarding the physical and spiritual realms. These definitions demonstrate a basic working knowledge of Tribal people and their relationship with the natural environment. The challenge lies in utilizing this holistic perspective to protect and preserve cultural properties essential to the continuation of our unique cultural heritage.

The Tribes aboriginal lands encompass a large geographical area, which includes the Great Basin Area of the Western United States. The maps indicate that the WVEC would run through the Tribes traditional aboriginal lands. The Tribes are concerned with the cultural properties that may be impacted by the WVEC or future development and concur with the list of identified cultural properties in Appendix Q. The Tribes caution the Federal Agencies that development in these areas will run the chance of adversely affecting the cultural properties listed above and previously unknown cultural properties that may be uncovered in the development process. Federal land managers must be aware that prior to the establishment of federal land ownership, these lands are Indian lands. The consultation process is critical to the protective management of any and all non-renewable cultural properties.

78-005

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<p>The Tribes request that the WVEC avoid areas such as national fish hatcheries, national wildlife refuges, Wild and Scenic River corridors, National Monuments, and waterfowl protection areas and all other specially designated conservation lands under federal ownership.</p>	78-006
<p>The WVEC would be placed in areas that have culturally significant view sheds. View sheds are important because of their unique characteristic and tie to the physical and spiritual environment. View sheds will require special attention and ethnographic research to determine their impact and the appropriate mitigation. Since there are no current defined procedures or assessment process for this type of Tribal view shed data, more specific procedures must be developed. A cultural landscape study will identify how a cultural landscape is defined and provide tribal prospective regarding the integration of the natural environment with cultural practices. Goals should include the Tribal cultural landscape perspective to complete the overall cultural landscape analysis. <i>The tribes have the Snake River Policy, which provides guidance for restoration of component resources to conditions which most closely represent the ecological features associated with the natural ecosystem.</i> This also includes the view shed and scenic qualities as viewed by the Tribal member.</p>	78-007
<p>General areas of concern for placement of WVEC in Idaho include the Snake River Plain, Hells Half-Acre, Boise Valley and Owyhee Plateau. Archaeological sites, specifically rock art sites, located in the Great Basin are Tribally significant and require monitoring and ethnographic studies. Ethnographic studies will capture baseline information needed to assess WVEC direct, indirect, and cumulative impacts to these specific cultural properties, in accordance with federal statutes, regulations, and policies.</p>	78-008
<p>The Tribes are adamant that a Cultural Resource Management Plan (CRMP) be developed and ready for implementation prior to new project development in the WVEC. This CRMP will provide guidance, protocol and procedure for the preservation and protection of cultural resources. Before construction or decommissioning activities, the project proponent will consult with the Tribes to identify tribal concerns and implement policy and procedures to ensure protection and preservation of cultural properties. Although the proposed corridor will assist in providing central location for energy transmission needs, the corridor will pass through a variety of cultural landscapes that are important to the Tribes.</p>	78-009
<p>The Tribes request that a study be done on the cumulative impacts of multiple energy projects, such as high voltage transmission lines and pipelines on the environment, human health, and cultural resources in the WVEC. However, the Tribes urge when at all possible, to utilize the existing corridors for communication lines, or other utilities lines established, in the interests of avoiding additional surface disturbance. Additionally, the Tribes are supportive of successful reclamation, which includes a variety of native plant communities on reclamation areas, and avoiding the blatant linear features, in favor of a more natural ecosystem.</p>	78-010

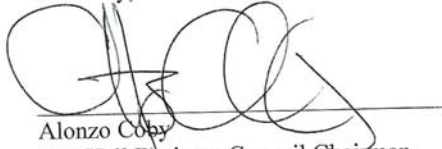
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**Conclusion:**

The Tribes request a written response to these comments, indicating where our comments were incorporated into the final document or an explanation as to why comments were not implemented, in accordance with federal regulations.

The Tribes expect the participating agencies to uphold their trust responsibility, and utilize a higher standard in determining acceptable levels of development that would result from activities. Please review and revise the NEPA document to address the concerns raised in these comments. The Tribes need to be involved in the review to ensure that the NEPA document adequately addresses the Tribal comments. If you have and further technical questions, please call Yvette Tuell at 208-239-4552 or email her at [ytuell@shoshonebannocktribes.com](mailto:ytuell@shoshonebannocktribes.com). For Policy level questions, please contact Claude Broncho, Fish and Wildlife Policy Representative, at 208-239-4563, or at [cbroncho@shoshonebannocktribes.com](mailto:cbroncho@shoshonebannocktribes.com).

Sincerely,



Alonzo Cook  
Fort Hall Business Council Chairman  
Shoshone Bannock Tribes



WEC\_00079  
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February 13, 2008

West-wide Energy Corridor DEIS  
 Argonne National Laboratory  
 9700 S. Cass Ave  
 Building 900, MS 4  
 Argonne, IL 60439

Re: Comments on West-wide Energy Corridor Programmatic Environmental Impact Statement

To Whom It May Concern:

I am the Environmental Manager for the Washington State Department of Transportation's (WSDOT) I-90 Snoqualmie Pass East Project (I-90 project), a 15-mile, over \$1.2 billion transportation improvement project in Kittitas County, Washington. I am providing comments on the West-wide Energy Corridor Programmatic Environmental Impact Statement (EIS) for the following reasons:

- 1) To ensure that the West-wide Energy Corridor Programmatic EIS team is aware of this major interstate enhancement project; and
- 2) To encourage on-going communication between WSDOT and any subsequent energy-related construction projects within the I-90 project vicinity that may result from this Programmatic EIS, due to the I-90 project's 10-15 year construction timeline.

WSDOT will be issuing a Final EIS and Record of Decision during the summer of 2008 that identifies the preferred alternative for the I-90 project. We are working to design the I-90 project to meet the needs for increased capacity on the interstate and public safety, while simultaneously reducing the interstate's barrier effect on wildlife and surface and groundwater movement. This last need is called "ecological connectivity."

In order to address the need to improve ecological connectivity, WSDOT, in conjunction with our federal and state partners, identified 14 areas within the I-90 project area that could benefit from connectivity improvements. WSDOT has designated these areas as connectivity emphasis areas (CEAs). Most of the CEAs are at stream crossings, but some are located at wildlife corridors away from streams.

Additionally, WSDOT has been partnering with the United States Forest Service and conservancy organizations, such as the Cascade Land Conservancy, the Trust for Public Lands, and Conservation Northwest. The agencies and organizations have been involved in land exchanges and purchases to consolidate contiguous blocks of habitat adjacent to I-90. We are doing this to allow for wildlife and hydrologic improvements in dispersal patterns and ecological function.

The stated purpose of the Programmatic EIS is to designate Section 368 energy corridors in the West. These energy corridors would be designated for multi-modal energy transport (electricity, oil, natural gas, and hydrogen) with a width of up to 3,500 feet. These energy corridors "would cross national parks or monuments only at locations where energy transmission and/or transportation ROWs and infrastructure currently exist..."

79-001

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February 13, 2008

Based on information found in the Programmatic EIS, Proposed Section 368 Energy Corridor 244-245 is a 4.67-mile long, 3,500-foot wide multi-modal energy corridor. It is located south and west of Keechelus Lake in close proximity to the I-90 project area. However, the scale of the maps provided in the Programmatic EIS is not sufficient to allow us to determine how close Energy Corridor 244-245 is to the I-90 project.

79-002

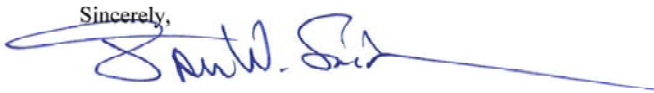
WSDOT will be making a sizable investment of public funds to build the planned crossing structures throughout the I-90 project area. We are concerned that, at some point in the future, additional energy corridors may be proposed within the I-90 project area, especially since there is an existing Bonneville Power Administration electrical transmission line that bisects the I-90 project area. These energy corridors have the potential reduce the effectiveness of the crossing structures during and after their construction.

79-003

We respectfully request that you take WSDOT's efforts on the I-90 project and those of our partners into account during any subsequent energy construction project's environmental analysis. If it is determined that a project has the potential to impact the I-90 project's CEAs, WSDOT requests that the proponent prepare a project-level EIS for the action.

79-004

Thank you for taking WSDOT's concerns into account. You may contact me at 509-577-1921 or Larry Mattson, Assistant Environmental Manager, at 509-577-1922 if you have any questions about these comments or any questions about the I-90 Snoqualmie Pass East Project.

Sincerely,  


Jason W. Smith  
Environmental Manager  
I-90 Snoqualmie Pass East Project

JWS:MJF

cc: Patricia Garvey-Darda, US Forest Service, Cle Elum Ranger District

 **Washington State  
Department of Transportation**  
1710 South 24th Ave., Suite 100  
SCR  
Yakima, WA 98907

**Phone:** 509-577-1921  
**Fax:** 509-577-1869

**TRANSMITTAL**  
**No. 00793**

**PROJECT:** I-90 Snoqualmie E Hyak Keechelus Dam

**DATE:** 2/13/08

**TO:** West-wide Energy Corridor DEIS  
Argonne National Laboratory  
9700 S. Cass Ave.  
Argonne, IL 60439

**REF:** Comments on West-winde Energy  
Corridor DEIS

**ATTN:** To Whom It May Concern

WE ARE SENDING:	SUBMITTED FOR:	ACTION TAKEN:
Shop Drawings	Approval	Approved as Submitted
✓ Letter	Your Use	Approved as Noted
Prints	As Requested	Returned After Loan
Change Order	Review and Comment	Resubmit
Plans		Submit
Samples	<b>SENT VIA:</b>	Returned
Specifications	Attached	Returned for Corrections
✓ Other: Comments on West-winde Energy Corridor	Separate Cover Via:	Due Date:

You may contact me at 509-577-1921 or Larry Mattson, Assistant Environmental Manager, at 509-577-1922 if you have any questions about these comments or any questions about the I-90 Snoqualmie Pass East Project.

CC:

Signed:   
Jason Smith