
From: corridoreiswebmaster@anl.gov
Sent: Thursday, February 14, 2008 10:57 PM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVEC50525
Attachments: PEIS_Comments_02-14-08_WVEC50525.doc



PEIS_Comments_02-14-08_WVEC50525.doc

Thank you for your comment, Charles Alton.

The comment tracking number that has been assigned to your comment is WVEC50525. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 14, 2008 10:57:22PM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVEC50525

First Name: Charles
Last Name: Alton
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Privacy Preference: Don't withhold name or address from public record
Attachment: C:\Documents and Settings\user\My Documents\Programmatic EISs\PEIS Comments 02-14-08.doc

Questions about submitting comments over the Web? Contact us at: corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster at (630)252-6182.

February 14, 2008

Charles C. Alton
Environmental Strategist
charles.alton@earthlink.net

Comments on the West-wide Energy Corridor Draft Programmatic Environmental Impact Statement (EIS)

To The PEIS Team:

The West-wide Energy Corridor Draft Programmatic Environmental Impact Statement (PEIS) team has put forth an outstanding effort to try and meet the objectives of Section 368 of the Energy Policy Act 2005 and those of the National Environmental Policy Act (NEPA). I applaud the Federal agencies for their determination to prepare a programmatic EIS for this broad scope of potential actions and effort to get it in the early process of decision making. The final process from this PEIS for enhancing the cooperation among the different agencies would be a welcomed addition for future siting of energy corridor resources and facilities.

After reviewing the Draft PEIS and listening to the recorded comments of the public meetings I have the following comments. My comments are based on 25 years working for a Federal agency on energy and environmental planning/analysis, as well as the past four years in international Strategic Environmental Assessment work. As requested, I have included changes or methodologies and pages/sections where possible.

Major Comments:

The data and other materials included in the Draft PEIS consolidate the necessary information to build toward making an informed decision on the Right-of-Ways (ROWs) and corridors in the Western US but create a difficult situation to understand the actual decisions to be made from the PEIS. This was expressed several times in the public meetings. I have the following comments:

1. The alternatives are too limiting. The No Action Alternative and the Proposed Action Alternative are not sufficient to cover the scope of the Need and Purposes of this document. The original alternatives considered during the Scoping process at least give a broader view of possibilities to meet the Need for the expansion of designated Federal ROWs and energy corridors.

- *No Action Alternative*
- *Increased Utilization Alternative*
- *New Corridor Alternative*
- *Optimization Criteria Alternative*

I recommend a set of Alternatives that could be drawn from the existing work which include and are based on the following four concerns expressed by the public and faced by all Federal agencies on policies or programs:

- *No Action* (as already included in PEIS)
- *Least-Cost Alternative* (the least costly way to develop the ROWs and energy corridors in consideration of the resources and facilities planned for use in these areas)

50525-001

- *Most Environmentally Sensitive* (the extreme version for protection and avoidance of environmentally sensitive areas when developing ROWs and energy corridors)
- *Most Technologically Advanced* (the use of the highest level of technology to solve the energy issues for development of the ROWs and energy corridors to serve energy needs throughout the Western US)

These three basic Alternatives in addition to the No Action offer the opportunity to see clear distinctions between different policy directions. Without some way for the public and the decision makers to see clear differences among the possible ways to precede forward in developing ROWs and energy corridors the confusion and lack of understanding for needed decision occurs, as was expressed in the public meetings.

The next comment details the intent of this comment further.

2. Development of a Decision Making Table. I recommend the PEIS document be redrafted or at least include in the Final PEIS an alternative and effects matrix for the decision makers and public. Currently, the Draft PEIS appears to be more of an information/data study and not an EIS. This is why the public was having trouble understanding the path to decisions from this PEIS.

The sample decision summary Table below could be developed from the existing data and information in the Draft PEIS. For example, use the data from the tables in Chapter 4 to *create effects data on a project per mile of lines, per MW power plant, etc basis to help understand development of energy corridors:*

- TABLE 4.1-1 Reasonably Foreseeable Future Actions in the 11 Western States which shows what types of effects occur from which actions on the ROWs or corridors; and
- TABLE 4.6-1 Potential Impacting Factors of Activities Associated with Reasonably Foreseeable Future Actions in the 11 Western States by Resource Area which shows the impacting factors in each effect category.

In the sample Table below the No Action Alternative serves as the "baseline" to draw conclusions on the changes in effects from Alternative to Alternative in the different environmental and socioeconomic categories. The Light Gray color represents the effects as they are today. All of the various Alternatives are compared to the No Action to provide a common foundation to determine the changes in effects. The varying color shades are just for illustrative purposes but could be drawn from more information and data in Chapters 2, 3, and 4.

50525-001
(cont.)

50525-002

Table: Summary Comparison of EIS Alternatives And Effects

[Comparisons are to the Baseline or No Action. Conclusions are based on illustrative numerical analysis and professional judgment from Chapters 3 and 4]

Effects	No Action	Least-Cost	Most Environmentally Sensitive	Most Technologically Advanced	Other
Land Use	same	less	same	same	same
Geologic Resources	same	less	more	more	same
Paleontological Resources	same	less	same	same	same
Water Resources	same	much more	same	same	less
Air Quality	same	same	more	more	same
Noise	same	less	same	same	less
Ecological Resources	same	same	same	same	same
Visual Resources	same	less	same	same	less
Cultural Resources	same	same	same	same	same
Tribal Traditional Cultural Resources	same	same	more	much more	same
Socioeconomic Conditions	same	same	more	more	same
Environmental Justice	same	same	more	more	same
Health and Safety	same	same	more	much more	less



50525-002
(cont.)

3. Build on Key Issues To Understand Proposed Actions. Throughout the PEIS process the comments from the public and in the PEIS have noted several areas where proposed actions would be considered. For example, the following categories for actions could be drawn from the Draft PEIS:

- A. Increased Utilization
- B. Existing Energy Transport ROWs and Corridors
- C. Upgrade Existing Corridors and ROWs
- D. Corridors Only in Areas Adjacent to Major Transportation Routes
- E. Corridors on DOD Installations
- F. Lands Managed by the National Park Service
- G. Designating Existing, Under Way, or Planned Transport Projects as Energy Corridors
- H. Increase Energy Efficiency and Conservation
- I. Increase Renewable Energy Resources

These nine areas could have the information from Chapters 2, 3, and 4 added to a matrix to better understand what is being done under each Alternative direction. Describing and listing the types of actions which lead to impacts from projects on the ROWs and in the development of the energy corridors could be the information provided in the matrix.

50525-003

By following this approach or methodology the Federal agencies given more freedom within the Scope of Alternatives to make decisions. In other words, a "continuum of alternatives" is created by only analyzing the initial four to five distinctly different programmatic alternatives. The Federal agencies simply mix and match the different actions from the Key Issues matrix when considering making a decision within the Scope of Alternatives to create a Preferred Alternative. The Preferred Alternative actions and effects associated with those chosen actions lead to a summarized version of effects just as the other Alternatives compared to the No Action Alternative. This process allows the also allows the Federal agencies to revisit new alternative directions within the Scope of Alternatives in the future without having to prepare a new EIS.

4. Tiering To The PEIS. The process described above would help to promote a better "tiering" process for future site-specific projects. The process above establishes the types of actions on the ROWs/energy corridors and the associated effects. When the time comes for site-specific work the agencies describe how the specific effects fit within the context of the decisions made at the PEIS level. The broader scope of actions has already been decided at the Programmatic level so people understand the energy policy being followed better. The site-specific projects should become more of an issue how to mitigate the specific project effects within the context of the broader programmatic policy decision. An example of this process can be found in the Bonneville Power Administration's Business Plan FEIS and Fish and Wildlife Implementation Plan FEIS (http://www.efw.bpa.gov/environmental_services/Document_Library/Business_Plan_FEIS/ and http://www.efw.bpa.gov/environmental_services/Document_Library/Implementation_Plan/)

50525-004

General Comments:

1. The following statement from the Executive Summary is not necessary:

"... Again, the designation of such a system of corridors would not authorize parties to proceed with any site-specific projects or to carry out any activities in these corridors. *Corridor designation would have no direct impacts that may significantly affect the quality of the human environment.*"

The Lead and Cooperating Federal agencies have already dismissed the need to make a determination of "significance" under the CEQ Regulations since this PEIS was being prepared. The agencies are not obligated to make a "Finding of No Significant Impact" or defend the "significance" of effects from the proposed actions.

2. The discussion in Chapter 4 could be condensed because by its very nature this Programmatic EIS should be a "cumulative impact" EIS. The objective of Programmatic or Policy EISs is to evaluate the impacts from a broad scope of actions, not individual project actions. Review Chapter 4 and move portions of the information to Chapters 2 and 3 as appropriate. The discussion in the Major Comments above should help in making this possible.

3. The creation of interagency operating procedures and one federal point-of contact is a very useful approach. Please move forward on implementing these procedures.

Thank for the opportunity to comment on this very important PEIS for future energy corridors. As the nation faces the decaying infrastructure it is critical we find ways to expedite needed projects without undermining the importance of environmental and social effects. Please let me know if you have any questions regarding my comments.

Sincerely,

Charles C. Alton

50525-004
(cont.)

From: corridoreiswebmaster@anl.gov
Sent: Thursday, February 14, 2008 11:00 PM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50526

Attachments: Energy_Corridor_PEIS_Comments_Mesa_County_WVECD50526.pdf



Energy_Corridor_P
EIS_Comments_...

Thank you for your comment, Randall Price.

The comment tracking number that has been assigned to your comment is WVECD50526. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 14, 2008 10:59:49PM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50526

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Attachment: C:\Documents and Settings\RPrice\Desktop\Energy Corridor PEIS Comments Mesa County.pdf

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster
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**Mesa County
Department of Planning and Economic Development**

Land Use and Development • Long Range Planning • Code Enforcement

750 Main Street • P.O. Box 20,000 • Grand Junction, Colorado 81502-5022 • Ph. (970) 244 1636

February 14, 2008

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

RE: Energy Corridor, Draft Programmatic EIS, Mesa County Colorado

To Whom it May Concern:

I have reviewed portions of the PEIS that apply to Mesa County, Colorado and I have the following comments:

- | | |
|---|-----------|
| <ol style="list-style-type: none"> 1. I found that the map of the proposed corridor as it passes through Mesa County is not very detailed. The proposed corridor is several miles wide (3 or 4 miles) and made up of BLM land patched together. Without a definite location it was hard to evaluate the proposal. | 50526-001 |
| <ol style="list-style-type: none"> 2. The proposed corridor passes below and across the slopes of Grand Mesa. Grand Mesa is the major landmark in Mesa County and is visible from Grand Junction, the city that lies directly west of the Grand Mesa. The Grand Mesa is one mile higher than Grand Junction and is the highest flat top mountain in the United States. The profile of this natural landmark and the profile of Mt. Garfield is used as the County logo that is at the top of this letterhead. The proposed energy corridor, if it were drawn on the above County logo, would create a sash across the lower portion of the mesa on the right. The image of Grand Mesa identifies Mesa County as does the San Fransisco Bridge and the St. Louis Arch identify their respective cities. | 50526-002 |
| <ol style="list-style-type: none"> 3. Please take into consideration the attached Grand Mesa Slopes Management Plan that BLM, local governments and various groups drafted and approved in 1997 to protect Grand Mesa. | 50526-003 |

If you have any questions or concerns, please contact me at randy.price@mesacounty.us or call (970) 244-1759, fax at (970) 244-1769.

Sincerely,

A handwritten signature in black ink that reads "Randy Price". The signature is written in a cursive style with a large, looped initial "R".

Randy Price
Energy Planner

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From: corridoreiswebmaster@anl.gov
Sent: Thursday, February 14, 2008 11:03 PM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVEC50527

Attachments: Grand_Mesa_Slopes_WVEC50527.pdf



Grand_Mesa_Slopes_WVEC50527.pdf

Thank you for your comment, Randall Price.

The comment tracking number that has been assigned to your comment is WVEC50527. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 14, 2008 11:02:32PM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVEC50527

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Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster
at (630)252-6182.

GRAND MESA SLOPES SPECIAL MANAGEMENT AREA

MANAGEMENT PLAN 1997

GRAND JUNCTION, COLORADO

CONTACTS:

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PRINCIPLES TO INTEGRATE ECOSYSTEM FACTORS

GRAND MESA SLOPES PROJECT GRAND JUNCTION, COLORADO

Key points concerning trying to “put it all together,” i.e. integrating ecosystem factors (especially the human factor) to yield successful management of resource values.

- 1) Landscapes and watersheds make natural management boundaries. Humans relate to landscapes on deeper, subliminal levels, and ecological factors tend to relate to watersheds. The two are often related, easier to plan for and identify with.
- 2) All people and resource issues need to be involved, no one excluded even if we think they aren't affected. It is up to each individual to decide if they are affected or not. The quickest way to make enemies of even the best plan is if some group feels excluded.
- 3) Good science and well-thought-out plans are NOT enough. It is critical that there is public “ownership” in ideas and plans. Formalized public involvement processes typically do not yield much real public involvement, and the process tends to be seen as a way for us to sell our “government” ideas to public. We tend to be mistrusted.

To get ownership in plans involves really and sincerely listening to publics. They tend to be much smarter than we often give them credit for. They are a very rewarding joy to work with, not a nuisance. Don't become a referee between competing publics, put them in your shoes for a while and say: “What is the real issue and what should we really do about it?” “What do YOU want to see?” “Do you have a solution that can fit in with these other people's needs?” Facilitate face-to-face, in the field, discussion between all interests. Your strongest detractors can become your strongest supporters if they have some control and real involvement in the planning. Do not be afraid to admit that you do not know what the outcome will be.

(Over Please)

- 4) Share power. Giving up some power and control will give all interests more power and ability to achieve their needs, and will yield real ownership in plans. The greatest need in ecosystem management tends to be how to involve all human factors in planning, and the greatest problem facing successful integration of humans is the protective desire of each interest to maintain "control." It is particularly crucial that agency managers give up their personal control needs to allow ecosystem management plans to evolve. Better planning will come if we see our job more as participants that provide some sideboards. We can also gain respect and earn our power by being good facilitators of public involvement, rather than being seen as "power brokers" and "deal makers."
- 5) Encourage natural leaders to be their best. Involve them on a personal level, give them information, coordinate, discuss weakness and vulnerability, if it exists.
- 6) People who use the ecosystem most, who are on the land the most, also tend to care and know the most about what needs to happen. With BLM/USFS this often means ranchers. Ranchers are also naturals for leading or directing ecosystem management planning partly due to their tendency toward acting like real human beings. Well thought out positions and statements made by ranchers tend to carry more integrity and public clout.
- 7) All land users (amenity to commodity) need to be responsible land users, not just the ranchers. All users have to see themselves as land owners (a tribal perspective?). The difference in attitude and value systems is the same as comparing how a renter treats property versus a land owner. part of ecosystem management is to develop behavioral and value system changes, not just planning process and structure changes.
- 8) A good test of a key participant is if you find yourself saying "What would ___ think of this?" Why do some people command this level of respect?
- 9) There are many advantages to having an ecosystem plan not be a "BLM/USFS" plan; better if it is more of a collaborative cooperative agreement in which BLM agrees to be partners and agrees to actions and policies that come out of the agreement. We can be key facilitators in this. Formal planning contains many barriers to effective planning. Our biggest

strategy need is not to figure out how to co-opt or manipulate publics but how to be flexible, open minded, and prepare for evolution.

Evolution will occur during planning efforts, and following plan "completion." Evolution is good. Unforeseen opportunities and problems will develop and should be addressed without thinking we need to rewrite or get involved in convoluted plan amendment processes. Many things will not go exactly our way. That is ok. Win-win scenarios are better long-term plans than win-lose.

- 10) Sometimes little steps are easier to implement and build success around, and to evolve with. A few good, small, working examples are valuable assets to furthering any good idea.
- 11) The world is getting more crowded, making it painfully obvious that humans are part of the ecosystem. how can we live with the land and each other's interests? The forum to develop solutions to this question involves facilitating partnerships that have face-to-face discussions in a climate where participants feel an obligation to try to accommodate all land users. Avoid voting that yields a win-lose outcome. Non-local mainstream interest groups on all sides are becoming an impediment to progress in ecosystem management because they won't give up their perceptions of control.
- 12) Sometimes limited issue driven "ecosystem" planning is a deterrent to getting involvement of all ecosystem interests (i.e. Rangeland Reform). Ecosystem/land/people management planning is what is needed. Whatever is there, linked to the land, is what needs to be discussed.

APPENDIX D

OIL AND GAS LEASE STIPULATIONS

The following stipulations will be added as appropriate to any future oil and gas leases issued in areas identified as *Open to Leasing with Stipulations*. They also will be added to applications for permit to drill (APDs) on existing leases to the extent consistent with lease rights. The number and types of stipulations placed on leases or APDs will depend on the resources present in the area.

1. No Surface Occupancy Stipulation

No occupancy or other activity will be allowed on the following portions of this lease to protect (identify sensitive resource): (legal description). This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

2. Scenic and Natural Values Stipulation

Special design and reclamation measures may be required to protect the outstanding scenic and natural landscape values of (identify the resource and area) located on the following portions of this lease: (legal description). Special design and reclamation measures may include transplanting trees and shrubs, fertilization, mulching, special erosion control structures, irrigation, site recontouring to match the original contour, buried tanks and low profile equipment, and painting to minimize visual contrasts. Surface disturbing activities may be denied in sensitive areas, such as unique geologic features and rock formations, visually prominent areas, and high recreation use areas.

This stipulation may be waived or reduced in scope if circumstances change or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

Steep Slope Stipulation

The following portions of the lease include land with greater than 40 percent slopes: (fill in legal description). In order to avoid or mitigate unacceptable impacts to soil, water, and vegetation resources on these lands, special design practices may be necessary and higher than normal costs may result. Where impacts cannot be mitigated to the

D-1

satisfaction of the authorized office, no surface-disturbing activities shall be allowed.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

4. Elk Calving Area Stipulation

In order to protect important seasonal wildlife habitat, lease activities such as exploration, drilling, and other development will be allowed only during the period from June 15 to May 15 on the following portions of this lease: (legal description). This limitation does not apply to maintenance and operation of producing wells. In addition, no surface-disturbing activity will be allowed on elk calving sites.

This stipulation may be waived or reduced in scope if circumstances change or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

5. Known Cultural Resource Value Stipulation

Important cultural resource values (identify resource values) are present on the following portions of this lease: (legal description). Surface-disturbing activities must avoid these areas unless mitigation of impacts is agreed to by the authorized officer. Where impacts cannot be mitigated to the satisfaction of the authorized officer, surface occupancy on that area must be prohibited.

6. Watershed Stipulation

All lease operations will avoid interference with (identify municipal watershed) located on the following portions of this lease: (legal description). This may include the relocation of proposed roads, drilling sites and other facilities, or application of appropriate mitigating measures.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

7. Perennial Streams Water Quality Stipulation

In order to reduce impacts to water quality, surfacedisturbing activities within 100 feet of perennial streams is limited to essential roads and utility crossings. The affected portions of this lease are: (legal description).

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

8. Gunnison Gravels and Indian Wash Dam Stipulation

No surface-disturbing activities will be allowed in the Gunnison Gravels Research Natural Area or the Indian Wash Dam.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

9. Bighorn Seasonal Stipulation

In order to protect important seasonal wildlife habitat, lease activities such as exploration, drilling, and other development will be allowed only during the period from May 1 to December 1 on the following portions of this lease: (legal description). This limitation does not apply to maintenance and operation of producing wells.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

10. Wild Horse Winter Range Stipulation

In order to protect important wild horse habitat, lease activities such as exploration, drilling, and other development will be allowed only during the period from May 1 to December 1 on the following portions of this lease: (legal description). This limitation does not apply to maintenance and operation of producing wells.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

11. Wild Horse Foaling Area Stipulation

In order to protect important seasonal wild horse habitat, lease activities such as exploration, drilling, and other development will be allowed only during the period from July 1 to March 1 on the following portions of this lease: (legal description). This limitation does not apply to maintenance and operation of producing wells.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

12. Deer and Elk Winter Range Stipulation

In order to protect important seasonal wildlife habitat, lease activities such as exploration, drilling, and other development will be allowed only during the period from May 1 to December 1 on the following portions of this lease: (legal description). This limitation does not apply to maintenance and operation of producing wells.

This stipulation may be waived or reduced in scope if circumstances change, or if the lessee can demonstrate that operations can be conducted without causing unacceptable impacts on the concern(s) identified.

13. Threatened and Endangered Habitat Stipulations

The following portions of this lease are within the know habitat of the (species name): (legal description).

The lessee/operator shall submit a plan for avoidance or mitigation of impacts on the identified species to the authorized officer. This may require completion of an intensive inventory by a qualified biologist. The plan must be approved prior to any surface disturbance. The authorized officer may require additional mitigation measures such as relocation of proposed roads, drilling sites, or other facilities. Where impacts cannot be mitigated to the satisfaction of the authorized officer, surface occupancy on that area must be prohibited.

14. Threatened and Endangered Seasonal Habitat Stipulation

In order to protect important seasonal habitat of the threatened or endangered animal species (species name), any lease operations may affect these species will be allowed only during the period from (date) to (date)

GRAND JUNCTION RESOURCE AREA
OIL AND GAS LEASE STIPULATIONS

Map Name (Stipulation)

abel

Description and Comment

NOLEASE (WSA's)

ONE (No Surface Occupancy)

NLJA NLJB NLJC NLJD NLJE NLJF

1AA IAB IBA 1BC ICA 1CB 1DC 1DD 1DE 1EF 1EG ICA 1GB IGD ICE IGF 1GH 1GJ 1CK IGL 1GM IGN
1GO, 1HA 1HB 1HC 1HD 1HE 1HF 1HG 1IA I IB IIC IIE 1IF 1IG 1IH 1II 1ij 1IK 1IL

Black Ridge Canyons
Sewemup Mesa
Dominguez Canyon
Demaree Canyon
Little Bookcliffs
The Palisade

Baxter/Douglas Slumps (Soils) Plateau Creek Slumps (Soils) Badger Wash (water) Gi
Municipal Watershed Fruita Paleo Site Rabbit Valley Paleo Elk Calving Sites Skippers
Island (Wildlife) Rough Canyon (Wildlife) Pyramid Rock ME) Unawep Seep ME) Juanita Arch
(VRM) The Goblins (VRM) Ruby Canyon (VRM) Dolores River Cor. (VRM) Gunnison River Cor.
(VRM) Scenic Bookcliffs (VRM) Bangs Canyon (VRM) Sinbad Cliffs (VRM) Granite Creek
Can/Cliffs (VRM) Unawep Canyon (VRM) Hunter/Garvey Cliffs (VRM) Vega SRA (VRM) Indian
Creek (Cult.) Rough Canyon (Cult.) Cactus Park (Cult.) Sieber Canyon (Cult.) McDonald
Creek (Cult.) 5 ME 1358 (Cult.) Ladder Spring (Cult.) The Palisade ONA (Rec.) BLM
Recreation Sites (Rec.) Island Acres (Rec.) Highline Res. (Rec.) Rough Canyon ACEC (Rec.)
Hunter/Garvey Backcountry (Rec.) Granite Creek Canyons/Cliffs Bangs Canyon (Rec.) Ruby
Canyon (Rec.) Dolores River (Rec.) Gunnison River (Rec.)

2

Map Name (Stipulation)	Label	Description and Comment
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0 (Scenic and Natural Values)		
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2FA 2GB 2GC 2GF 2GG 2GI 2GJ 2GK 2GL 2GM 2GN 2GP 2IB 2IG 2IH 2IJ 2IL		
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Wildhorse Area BLM Recreation Sites (VRM) Bookcliffs (VRM) Gunnison River Cor. (VRM)
 Southshale Ridge (VRM) Grand Mesa Slopes (VRM) Bangs Benches (VRM) Sinbad Valley (VRM)
 Granite Creek Benches (VRM) Unawep Valley (VRM) Hunter/Garvey (VRM) Highway Corridor
 (VRM) BLM Recreation Sites (Rec.) Hunter/Garvey Benches (Rec.) Granite Creek Benches
 (Rec.) Bangs Benches (Rec.) Lower Gunnison River (Rec.)

0
 ~0 over 40

THREE (40% of Slopes)	3ja-1a	Not Digitized 40% of	0 over
FOUR (Elk Calving Areas)	CDC	Elk Calving Area	
FIVE	5HH	Transect 7 (Cult.)	
SIX	6BB	Palisade Watershed (NSD)	
	6BD	Jerry Creek Res. (NSD)	
SEVEN	7BE	Perennial Streams (100, buffer)	
EIGHT	8BF	Indian Wash Dam (NSD)	
	8CC	Gunnison Gravels (NSD)	
NINE	9DB	Bighorn Sheep (Seasonal)	
TEN	10FB	Wildhorse Winter Range/ Foaling Area (Seasonal)	
ELVE	12DA	Deer/Elk Winter Range (Seasonal)	
	12DB	Deer/Elk Migration Route (seasonal)	
THIRTEEN (T&E Habitat Plant)	13ED	Spineless H. Cactus (Avoidance)	
	13EE	Uinta B Cactus (Avoidance)	
FOURTEEN (T&E Habitat Animal)	14EA	Bald Eagles (Seasonal)	
	14EB	Peregrine Falcons (Seasonal)	
13 k4EC		Black-Footed Ferret (Seasonal)	
1'-EH		Colorado R. Cut. Trout (Seasonal)	

Grand Mesa Slopes Special Management Area Management Plan

May 20, 1993



The Grand Mesa piedmont defines an aesthetic presence and sense of place that we appreciate daily. That phenomenon, that escarpment situates the man made and natural habitats below more decisively than any other feature in the valley... It is this Grand Mesa that defines for many of us the place we call home.

*- Richard Sims
Director
Museum of Western
Colorado*



RESOLUTION NO. _____

Planning File No. C113-93

ADOPTION OF MESA COUNTY LAND USE AND DEVELOPMENT
POLICY #36: GRAND MESA SLOPES MANAGEMENT AREA PLAN
AS AN AMENDMENT TO THE MESA COUNTY MASTER PLAN
AND

CERTIFICATION OF POLICY #36
TO THE BOARD OF MESA COUNTY COMMISSIONERS

WHEREAS, the Grand Mesa Slopes Special Management Area Management Plan was prepared under the Grand Mesa Slopes Memorandum of Understanding dated March 2, 1992;

WHEREAS, the principal property owners and land management agencies in the affected area participated in the preparation of the Grand Mesa Slopes Special Management Area Management plan;

WHEREAS, the Grand Mesa Slopes Advisory Group conducted numerous public meetings and analyzed the issues and resources in the area in a report entitled The Grand Mesa Slopes Project: Site Analysis and Alternative Land Use Recommendations (1992);

WHEREAS, the Mesa County Planning Commission is charged with the duty to prepare and adopt master plans for the County;

WHEREAS, the Mesa County Planning Commission held a public hearing on 27 January 1994 on the proposed Mesa County Land Use and Development Policy #36 - Grand Mesa Slopes Special Management Area Management Plan;

NOW THEREFORE, BE IT RESOLVED BY THE MESA COUNTY PLANNING COMMISSION, that Policy #36: Grand Mesa Slopes Special Management Area Management Plan dated May 20, 1993, is adopted as a part of the Mesa County Master Plan in accordance with Section 30-26-106 of the Colorado Revised Statutes; and that the Mesa County Planning Commission hereby certifies Policy #36: Grand Mesa Slopes Special Management Area Management Plan, to the Board of Mesa County Commissioners pursuant to Section 30-28-109 of the Colorado Revised Statutes.

PASSED AND ADOPTED this 27th day of January, 1994.


Charlie Nystrom, Chairman of the
Mesa County Planning Commission


Mary Fuller, Secretary
Mesa County Planning Commission

ATTEST:

Mesa County Clerk

Grand Mesa Slopes Special Management Area Management Plan

Introduction

The Grand Mesa Slopes Special Management Area (GMS) is an approximately 80 square mile area of mixed ownership land lying east of and adjacent to the Grand Junction Area (see GMS Map in appendix). Elevations range from under 5,000' in the foothills by Whitewater to over 10,000' on top of the Grand Mesa. The GMS area is basically a scenic "greenbelt" area extending east from Whitewater, Colorado, running up and over the prominent slope of the Grand Mesa to Powderhorn Ski Area.

The principal land owners and land management agencies in GMS are the Bureau of Land Management (BLM), City of Grand Junction, Town of Palisade, United States Forest Service (USFS), Bill Loring Ranches, Al Lumbarby and Sons Ranches, and Bill Foster. The management plan for this area was prepared under the direction of the GMS Memorandum Of Understanding of March 4, 1992. There are over 30 cooperators in this MOU including core land owners and land management agencies, other government agencies and institutions, and a variety of public interest groups. No private lands are part of or directly affected by GMS unless the private landowner asks to be involved. The GMS Management Plan is essentially a cooperative agreement with common goals that participants will work to achieve.

The partners in the GMS MOU agree that the GMS area contains scenic, watershed, wildlife, recreational, range, cultural, and educational values important to the Grand Junction area, and that cooperative management of the entire area would be mutually beneficial to all participants. The cooperating parties are also concerned that without a coordinated management framework, the fractured land ownership pattern and piecemeal land use change in GMS would result in a future land use and development situation that would adversely affect the interests of the cooperating parties.

The overall intent of the MOU and GMS Management Plan is to protect existing resource values and improve natural resource, commercial, and public use manageability through cooperative management of the GMS area. Anticipated benefits include improved management of municipal watersheds, livestock grazing, critical big game winter range and other wildlife habitat, cultural resources, scenic landscape features, outdoor education opportunities, utility and commercial uses, public use and access, and the long term integrity of GMS as an open space area adjacent to Grand Junction.

There is no intent to popularize GMS as a public recreational attraction, or to unduly restrict public use. Active management of the public use that does occur is important to achieve other resource management goals. The GMS participants want to insure continued opportunity to use and enjoy the existing landscape and land use opportunities within a sustainable, integrated, long term perspective.

A special report on GMS was prepared by a University of Colorado Landscape Architecture Graduate Class; The Grand Mesa Slopes Project: Site Analysis and Alternative Use Recommendations (1992). This report contains a summary and analysis of the resources and issues in GMS. The report includes a compilation of resource data from various agencies that is consolidated in a Geographic Information System (GIS) data base. It also outlines several alternative land use emphasis scenarios for consideration. This report can be used in conjunction with the GMS Management Plan to provide both resource background information and insight into management actions proposed in the plan.

Management Plan

The following Management Plan contains resource issue summaries, planned actions to resolve those issues, and an implementation strategy.

General Management Framework

1. GMS Advisory Group and Steering Committee: The GMS advisory group consists of all GMS interests. It is impractical to hold GMS advisory group meetings to discuss every GMS related issue. For purposes of dealing with advisory group leadership there is an overall need for creation of a GMS Steering Committee. The GMS Steering Committee needs to be a focal point for coordinating GMS plan implementation, making recommendations on GMS issues, and creating appropriate forums for discussion and resolution of GMS issues. The implementation of actions and direction provided in this plan will need to be monitored, new opportunities considered, and input provided to land managers on future land use proposals in GMS (such as rights-of-way, oil and gas activity, county permits).

Proposed Action: The GMS advisory group will continue to consist of all persons, agencies, and institutions interested in GMS. To provide GMS advisory group coordination and leadership a GMS Steering Committee will be formed consisting of seven members, including a representative of: 1. City of Grand Junction; 2. Town of Palisade; 3. Mesa County; 4. Federal Lands (BLM/USFS); 5. Ranchers; 6. Adjacent Private Landowners; and 7. Recreational interests (motorized/non-motorized). Special committees may be developed by the advisory group to address special management issues (such as recreation, educational programs, maintenance agreements, private and adjacent land issues). The GMS Steering Committee goals will be to implement the GMS Management Plan, protect GMS participant concerns, seek GMS advisory group input on GMS issues, provide comments on GMS related proposals (to land owners and land managers), resolve issues through cooperation and open communication, and pursue opportunities compatible with the GMS area.

GMS Steering Committee meetings will be held as needed and will be open to advisory group members and the public. The need to formalize rules of order will be minimized, and the use of voting to resolve issues will be avoided. A chairperson to conduct meetings will be selected from within the Steering Committee or advisory group. Notice of advisory group meetings will be sent to all interests on the GMS mailing list, and minutes of each meeting and any additional information materials will be mailed to any who express an interest.

Whenever the Steering Committee feels it is appropriate, the advisory group will review issues and provide advice, comments, or recommendations to land management or permitting agencies such as BLM, USFS, Mesa County Planning Department, Colorado Division of Wildlife, City governments, etc. ✕

All GMS participants agree to coordinate activities and proposals in GMS with the advisory group for the purpose of seeking advisory group comments.

2. Special Management Constraints: Many developments and activities on municipal and federal lands are governed by standard laws and policies that would be adhered to as a matter of standard operating and authorization procedures. These include issues such as threatened or endangered species, livestock management, fire control, leasing and permitting policy, cultural resources, air and water quality, hazardous materials, state health standards, county zoning, budget restrictions, administrative procedures, disabled accessibility requirements for facilities, planning and other policy decisions, etc. Implementation of some proposals (particularly involving BLM lands) would require further internal agency analysis and compliance with regulatory requirements that could result in modification of proposals, or result in no action on proposals. Some agencies may want to develop special internal plans, policies, or designations to address GMS management coordination, budget, or permitting needs.

Watershed Management

1. Municipal Watersheds: Both Grand Junction and Palisade have major land ownership within GMS that was acquired primarily for watershed protection, water rights, and to construct municipal water supply facilities. It is recognized that future municipal watershed protection, management, and facility development actions will occur as needed to manage water use and protect water rights. Continuation of existing watershed management and future water related actions are recognized as a dominant land use on both the higher elevation municipal watersheds and on the lower elevation facility development locations. Actions that will occur include reservoir maintenance, storage enhancement at existing or new locations (ie, new reservoirs), reservoir drawdown, irrigation of agricultural lands, transfer of agricultural water rights to municipal water rights, feasibility studies, maintenance of existing (and development of new) pipelines, canals, gauging stations, treatment facilities, etc.

Grand Junction, Palisade, BLM, and USFS lands above the approximately 7,500' elevation (oakbrush life zone and up) are sensitive municipal watershed water collection areas for the city of Grand Junction and town of Palisade. Both water quality (generally above 7,500') and water system facilities throughout GMS could be adversely affected by public use, or other land uses that disturb the soil surface or pollute the area. At present no public motorized vehicle use is permitted in the sensitive facility and water collection areas on BLM, USFS, or municipal lands, and other land uses (particularly livestock grazing) are managed to minimize surface disturbance and potential pollution.

Proposed Action: GMS participants recognize the importance of municipal watershed interests, and that GMS advisory group recommendations may not be completely acceptable to affected municipalities.

The existing closure to public motorized vehicle use will be continued in the sensitive municipal watershed areas (see Off-Highway-Vehicle Designation Map). Signing would be used where needed to inform visitors of watershed management concerns. Public uses such as hiking, horse riding, and mountain biking will be allowed but will be limited to certain trails in some areas (see Road and Trail Map). All surface uses will continue to be monitored and may be modified as needed to insure water quality and facility protection.

2. General Soil and Watershed Values: Lands generally below 7,500', particularly in the desert areas, have shallow erosion susceptible soils and relatively sparse vegetation. Soil and watershed stability need to be maintained or improved in order to continue to provide sustainable livestock forage, landscape aesthetic values, wildlife habitat, and to reduce contribution of salinity into the Colorado River system. Significant surface disturbance in new areas could occur in the future from increased vehicle use off of existing roads and trails.

Proposed Action: To reduce surface disturbance, vehicle use (both motorized and non-motorized) will be allowed only on designated roads and trails in most of GMS. An open area of approximately 500 acres for cross-country vehicle use will be considered for designation on BLM land on Whitewater Hill (see Off-Highway-Vehicle Designation Map). The GMS advisory group (or a subcommittee) may consider other locations for an Off-Highway-Vehicle (OHV) use area instead of the Whitewater Hill area. Livestock use on public land will continue to be managed to maintain or improve watershed and soil conditions (as outlined in existing Allotment Management Plans; AMP's). Rights-of-way, oil & gas activity, and other land use authorizations throughout GMS will be planned to minimize adverse impact to soil and watershed conditions. Riparian zone and other watershed improvement projects would generally be welcome practices.

Minerals Management

1. Minerals Activity Permitting and Withdrawal: Minerals management activity within GMS includes coal, oil & gas, gravel, clay, decorative and rip-rap rock, and locatable minerals (precious metals). Minerals exploration and development activity could cause surface disturbance that

would adversely affect GMS concerns, and which existing practices and policies would allow for little or no coordination with the GMS advisory group.

Proposed Action: Mineral withdrawal or other appropriate restriction (such as a no surface occupancy lease stipulation) will be recommended (to BLM/USFS) at locations where recreational, wildlife, livestock, or municipal water facilities exist or are to be developed, or at other locations where special surface protection is deemed desirable. The intent of mineral withdrawals would be to protect capital investment in facilities, and to protect sensitive areas. The GMS advisory group will provide input to Mesa County Planning Department when minerals related Conditional Use Permits are being considered, and to BLM/USFS when minerals activity permitting or leasing decisions are being made.

Wildlife Management

1. Deer and Elk Habitat Management: Generally, lands between 5,100'-6,400' provide critical winter range for deer and elk. Major investment in wildlife habitat improvement projects (chainings, reseeding, etc.) have been made in the Whitewater Creek area. Existing management of these areas includes restricting public motor vehicle use during sensitive winter-spring periods to reduce stress on deer and elk caused by human presence. Numerous roads and the remote nature of the winter range have made it difficult to restrict public motor vehicle access in the critical areas. Partial opening of the winter range area has resulted in vandalism of fences and gates.

Proposed Action: Install gates and signing at all road locations on the periphery of the critical winter range area. Insure that gates and signs are maintained, and that winter closure and spring opening is done in a coordinated fashion. Continue to manage for a plant species mix beneficial to wildlife, particularly deer and elk. Future habitat improvement projects are anticipated.

2. Public Use and Development: Deer and elk use and migration patterns within GMS, and other wildlife values may be adversely affected by public use on public lands and private developments on some private lands. Special hunting seasons may require temporary lifting of public vehicle access restrictions.

Proposed Action: Protection of wildlife habitat should be provided by the public motorized vehicle restriction on sensitive municipal watershed areas (Rapid Creek and elevations generally above 7,500'), the winter vehicle closures on critical winter habitat, and general vehicle use road and trail designations (see OHV section). Additional public trail use restrictions may be proposed to the GMS advisory group if conflicts with public use develop. Vehicle use restrictions can be temporarily lifted to accommodate special hunting seasons set by CDOW.

It is beyond the scope of this plan to address developments on private lands. GMS advisory group comments on proposed developments on private land would be coordinated with Mesa County Planning Department.

3. Other Wildlife Habitat: Nongame and other wildlife besides deer and elk are important natural resources within GMS, and provide valuable aesthetic and recreational opportunities. Wildlife habitat generally benefits from maintenance of natural conditions and reduction in human influence.

Proposed Action: General management goals in GMS include maintenance, protection, and when possible, improvement of natural ecological and landscape conditions. Public and other land uses would also be coordinated to minimize adverse affects on natural resources, including wildlife. Habitat improvement projects and "Watchable Wildlife" programs would be welcome activities in GMS.

Environmental/Outdoor Education

1. Environmental/Outdoor Education: Mesa County School District 51, Mesa College, and the Museum of Western Colorado have all expressed an interest in conducting environmental and

outdoor education activities in GMS. GMS is conducive to these activities due to close proximity to Grand Junction, wide variety in life zones and habitats, and generally natural ecological and landscape character. The City of Grand Junction ranch facility on Whitewater Creek could provide a base for some facility related educational and scientific activities. Three specific areas have unique botanical study values; the BLM *Cryptantha elata* study site near Whitewater Hill, BLM land on the south side of Horse Mountain, and a wetland area near Cliff Lake.

Proposed Action: Educational and scientific activities would generally be welcome in GMS. Development of public access to GMS would benefit educational access needs. Some locations on the Somerville Ranch (City of Grand Junction) would be identified for educational use in coordination with the ranch operator. Additional opportunities exist to consider creation of scientific research programs and related facilities and activities.

The three botanically unique areas listed above exist due to current land use and management practices that would be continued; The *Cryptantha elata* study site and the wetland near Cliff lake have no livestock grazing, and the south side of Horse Mountain has very limited livestock grazing. Public motor vehicle use is not permitted in any of these areas.

Livestock Management

1. Livestock Management: The ranching interests in GMS use public and private lands on an integrated basis. These ranchers are concerned with long term access to public lands for grazing purposes, with range condition, and with conflicts that occur as a result of public use.

Proposed Action: The City of Grand Junction controls grazing activities on City land and will continue to monitor livestock use to determine if watershed stability or pollution become management issues. Palisade does not allow livestock grazing on town watershed lands, and livestock use is not permitted on BLM lands immediately uphill of the Palisade watershed (below the rim of the Grand Mesa). BLM/USFS will continue to administer livestock grazing leases/permits on federal lands in accordance with Allotment Management Plans (AMP's) and federal regulations. The USFS land in the Whitewater Creek basin (below the rim of the Grand Mesa) has been closed to livestock grazing since 1979 to protect fragile soils and watershed values. This closure will remain in effect.

It is the general policy of GMS participants that well managed livestock use is appropriate in most of the GMS area. Conflicts between livestock and public use generally involve inappropriate or illegal public activity (gates left open, harassment, vandalism of facilities, shooting at targets or at livestock, dumping trash hazardous to livestock). To reduce these conflicts a number of public use management actions are planned (see Recreation/Access).

Visual Resource Management

1. Landscape Values: Much of the GMS landscape is scenic, highly visible, and culturally important as an aesthetic resource related to community identity. The massive, mile high rise of the slope of the Grand Mesa dominates the skyline east of Grand Junction, and any change to the landscape would be noticeable and of concern. Most of GMS that is not highly visible from outside is important to visitors once they enter and are traveling through the area. Some unnatural visual intrusions exist (ie: chainings, roads, power lines) but there is an overall sense of naturalness if not wildness in the landscape. The brooding primordial presence of the Grand Mesa rising above the Grand Valley provides both contrast and opportunity to the adjacent Grand Junction urban area, and regularly reminds residents that we live in a special place.

Some BLM lands in GMS are currently classified under the BLM Visual Resource Management (VRM) system. The cliff faces near Palisade are VRM Class II (retain existing landscape character), while the remainder of the face of the Grand Mesa is VRM Class III (partially retain existing landscape character).

Over the long term one of the greatest landscape changes that would occur without GMS would probably be subdivision and residential development of much of the area.

Proposed Action: The GMS advisory group would review and make recommendations concerning any land use proposal affecting GMS, and may propose changes in visual resource management standards on lands within GMS. There would be a high degree of concern for actions that would detract from the natural landscape character, particularly on the west facing slope and foothills of the Grand Mesa. The overall public vision of GMS as a scenic open space with a few necessary visual intrusions (such as power lines, pipelines, fences, roads) would be continued.

One of the proposed actions necessary to insure long term visual resource protection is to reclassify approximately 10 square miles of BLM land (between Horse Mountain and Whitewater Hill) from a disposal classification to a retention classification. Another key proposed action is to keep most of Grand Junction's Somerville Ranch in a natural state (see Land Ownership Adjustments). Although this plan has no authority over private lands in GMS, there would be opportunities for willing landowners to either sell vacant lands, exchange for other BLM or private lands, or to put lands into a conservation type of trust. Management of GMS as a scenic "open space" may also provide some benefits to adjacent landowners and inholders.

Off-Highway-Vehicle Management

1. Public OHV Use and Special Designations: GMS is an important OHV use area for the Grand Junction region. Probably over half the public use in GMS involves some form of OHV activity. However, there is concern that GMS should not be promoted as a special or feature OHV riding area. Heavy levels of OHV use would displace other GMS users and would lead to a more difficult trail management situation. Existing levels of OHV use on existing roads and trails is considered appropriate for this area. The existing Colorado OHV registration and permitting program is effective in promoting safe and responsible OHV use, and is an important funding source for trailhead development.

There is a serious concern that cross-county OHV use not occur in most of GMS. There is also a community need and public land opportunity to provide a cross country OHV play area of about 500 acres on BLM land near Whitewater, Colorado, and to reduce the highway visibility of the current OHV use in that area. The existing OHV closures in the critical municipal watershed areas (generally 7,500' elevation and up), and the seasonal restrictions in the critical big game winter range areas should be continued. Legal public access to GMS is very restricted, and any development of access should consider OHV needs. Information concerning OHV opportunities and restrictions in GMS needs to be clearly stated at trailheads and in any maps or informational brochures for the area.

Proposed Action: The existing restrictions on OHV use will be maintained (sensitive municipal watershed on BLM, USFS, Grand Junction, and Palisade lands; and critical big game winter range areas, which includes most of the Whitewater grazing allotment). Municipal and private landowners will continue to decide what type of public OHV use may occur on their property, if any. An area of about 500 acres on Whitewater Hill will be considered for designation as a cross country OHV use area (Whitewater Hill OHV Area), with some reduction in the current OHV use area to reduce visibility from Highway 50. Other alternative OHV areas may also be considered by the GMS advisory group. The boundaries of the Whitewater Hill OHV Area, or any alternative OHV use area, would be well defined on the ground. In the remainder of GMS OHV use will be limited to designated roads and trails (as shown on GMS Road and Trail Map) that will be identified as needed in maps and with signing. Standard BLM OHV signing will be used throughout GMS, except on USFS land where USFS signing will continue to be used.

Information concerning OHV opportunities and restrictions will be made available at trail heads and in GMS informational materials. General promotion of OHV riding opportunities in GMS will focus on the needs of local users. Development or identification of new OHV routes will be considered by the GMS advisory group on a case by case basis. The primary OHV access points/trailheads planned for development (if access is acquired) include Horse Mountain, 34 Road on Orchard Mesa, Whitewater Hill OHV Area, and North Fork Kannah Creek.

Recreation (Public Use) Management and Public Access

1. Recreation/Public Use: Most of GMS is presently used as an open space recreation area with low to moderate levels of dispersed public use. There is a general lack of information about recreational opportunities in GMS, or the public access situation. Much of GMS is seen as vacant land where there is no particular concern about public uses. This has led to some problem situations involving trash dumping, unsafe target shooting, vandalism, trespass, cross-country vehicle use, etc. It has also led to the false assumption that most of GMS is and will remain publicly accessible public land. Development of the American Discovery Trail presently involves routing through GMS in the Whitewater Creek area, and tying into the Colorado State Parks (Riverfront) trail system along the Colorado River.

Proposed Action: One of the primary public use management actions is to develop a GMS Map/Information Brochure that covers both recreational opportunities and restrictions, and provides interpretative information on the resources and features of GMS.

Recreational facilities that would be developed if access is acquired include GMS entrance trailheads (gravel parking, signing, off loading ramp, toilets as needed) at Horse Mountain, 34 Road, Whitewater Hill OHV Area, North Fork Kannah Creek, and possibly near Palisade if a Rapid/Cottonwood Creek access is needed. There are no "recreation site" type of facilities planned in the interior of GMS, with the exception of signing (informational, directional, OHV).

All public roads and trails in GMS would be open to horse and mountain bike use unless specifically prohibited. There are no roads or trails proposed for closure to horse or mountain bike use at this time. Routing and use of the American Discovery Trail would be coordinated with GMS interests.

On an overall basis GMS would be managed to provide a generally natural undeveloped "greenbelt" from Whitewater Hill to Powderhorn Ski Area. This large open space adjacent to Grand Junction should continue to provide important outdoor recreation opportunities and scenic values with a long term perspective.

The "vacant land" attitude that many users have toward GMS needs to be changed to a special management area attitude where users have both ownership and responsibility to insure continued opportunity. Much of the necessary public interest is evidenced in public interest group participation in the GMS MOU, input provided for this management plan, active attendance at GMS related meetings, and commitments to "adopt" development and maintenance workloads.

The following regulations and regulatory types of action are necessary to manage public use on the publicly accessible lands in GMS:

- 1) Install a cattle guard, fence walkover, and/or a horse rider access gate at all locations where a road or trail crosses a fence line. A "please close gate" sign will also be installed at all gates.
- 2) At all GMS entrance or trail head areas there will be information on the signing to sensitize visitors to livestock management concerns, including the illegal nature of harassment and vandalism, and the appropriate action to take in potential harassment situations (eg: encountering livestock on a narrow trail, "abandoned" calves, activity around watering areas, target shooting).
- 3) Target shooting would be prohibited on public land within one mile of all trailhead areas, and at the 500 acre Whitewater Hill OHV Area (or alternative OHV area).
- 4) BLM lands immediately east of the Orchard Mesa Gun Club Shooting Range would be signed to warn visitors of potential safety hazards in the area.
- 5) It is anticipated that trash dumping and other illegal activities will be greatly reduced through signing, identification of GMS as a special public use area, the self policing that community "ownership" in GMS will provide, and follow up with law enforcement actions

when necessary. The trash which presently exists on municipal and federal lands in GMS would be removed during special public work days and/or as prison crew projects. Trash on private lands within GMS could also be removed, and "no dumping" signing installed based on landowner interest in GMS.

6) Camping would be prohibited on BLM land at North Fork Kannah Creek trailhead in order to protect water quality (a municipal water storage intake exists immediately downstream). Other no-camping areas may be designated based on proximity to municipal water intake facilities (ie, Rapid Creek area).

7) BLM will provide regular Ranger patrols through GMS to provide a better law enforcement presence, and would generally be responsible for public land law enforcement actions in the intermingled BLM/private land ownership areas. USFS would remain the lead on USFS lands. The Mesa County Sheriff would remain responsible for search and rescue, and continue to have lead law enforcement responsibility on the entire area.

2. Public Access: Public accessibility is the key factor in providing for and managing public use in GMS. Public access is generally assumed but does not legally exist at three public access points into GMS (Horse Mountain, 34 Road on Orchard Mesa, and into GMS from Whitewater Hill area). There is legal public access only at North Fork Kannah Creek, and to USFS land off the Lands End Road.

The town of Palisade presently allows walking and horse riding public access (no motorized or mountain bike vehicle use) across Palisade land in the Rapid/Cottonwood Creek area, however, no suitable trailhead location has been identified at the lower end. Palisade is concerned that increased public use could result in vandalism of Palisade municipal water facilities and pollution of the watershed area. Grand Junction has similar concerns and has restricted public access on most of their land in GMS. Grand Junction is interested in allowing controlled public use in some areas. Trespass on private lands is relatively common in some GMS areas. There is a willingness with some landowners to allow for managed and controlled public use on specified trails on a limited basis.

Proposed Action: Acquire legal public access from willing landowners at Horse Mountain, 34 Road on Orchard Mesa, and at Whitewater Hill (through easement, land acquisition, land exchange, or special agreement; see also Land Ownership Adjustments) At these locations, and at the North Fork Kannah Creek access, develop a trailhead facility with parking and informational signing (see GMS Road and Trail Map).

In the remainder of GMS work with willing landowners to achieve reasonable public access through easements, land acquisitions, land exchanges, or other special agreements (including temporary or trial period agreements). Some areas that have high public interest value include: 1) Identifying non-motorized trail routes through BLM and Palisade land in the Rapid/Cottonwood Creek area to connect with the, Miller (Swan), and Whitewater Basin trail system (may require new trailhead development near Palisade); 2) Identify a non-motorized trail on top of the Grand Mesa to link the USFS Lands End Visitor Center with the Miller (Swan) trail; 3) Identify a motorized trail route from the Whitewater Hill OHV area to the Lands End Road that can be used by OHV's to access the motor vehicle trail system on the Grand Mesa and a planned OHV trail to Delta.

Land Ownership Adjustments

1. Potential Land Exchanges, Acquisitions, Easements, and Land Use Commitments: The land ownership pattern within GMS involves a scattered mix of BLM, USFS, Grand Junction, Palisade, and other private lands. For future management purposes it may be more efficient to investigate the opportunity to either exchange ownership in some lands, obtain conservation/scenic easements, or acquire public ownership or access easements on some of the private lands from willing landowners and municipalities.

General GMS goals would be difficult to achieve if BLM were to sell its over 10 square miles of

"disposal" lands, or if Grand Junction (17 square miles) or Palisade (4 square miles) disposed of their lands to private development interests. The long term integrity of GMS as a scenic and recreational open space would be better insured with some commitment of municipal lands to special, GMS related management, in conjunction with BLM and USFS commitments.

Some significant land exchange/acquisition/easement opportunities exist between BLM and the cities of Grand Junction and Palisade that could put municipal water facility ownership in municipal hands, public use areas and easements in BLM (or other public) ownership, and protect scenic, wildlife, and cultural resource values for the long term. There are also some private landowners who have expressed an interest in similar land ownership changes.

Government imposed land use restrictions or forced acquisitions (condemnation) of private lands would be significant issues and are not acceptable options for consideration in this plan.

Proposed Action: Consider the private, municipal, and BLM lands identified on the Land Ownership Adjustment/Easement Map to be suitable for acquisition, exchange, or some form of public use or resource protection easement. The major opportunities involve putting municipal facilities that are presently on BLM land into municipal ownership (with conservation and public access covenants), and putting some municipal lands into public ownership (BLM or USFS). This could be done through exchange, through federal purchase with Land and Water Conservation Funds, or State ownership through Colorado Lottery Fund purchase. Continuation of Palisade's land use policy (watershed protection and maintaining municipal ownership) would continue to provide appropriate protection of GMS values. GMS related land exchanges may also be considered. The City of Grand Junction agrees to adopt the GMS Management Plan as a framework and land use policy to be integrated with management of the Somerville Ranch lands. On the Somerville Ranch lands that are important to GMS, Grand Junction will maintain municipal ownership, enter into GMS related land exchanges, or offer these land for sale to BLM (Land and Water Conservation Funds) or Colorado (Colorado Lottery Funds). It is also possible that some of the scattered parcels of the Somerville Ranch lands are not important to GMS and could be disposed of. A combination of any or all four types of actions could be viable.

Approximately 10 square miles of BLM "disposal lands" in GMS would be reclassified for retention in BLM ownership, or suitable for land exchanges that would benefit GMS.

Private lands within or adjacent to GMS would also be considered suitable for public acquisition, exchange, or access/conservation easement with willing landowners if these types of actions would better insure achieving the long term management goals for GMS. These private land opportunities would generally involve BLM or State real estate actions.

Implementation

Some of the proposed implementation actions would require further planning and review by the GMS advisory group, which will make recommendations as needed. The GMS management plan may be added to or amended at any time by the GMS advisory group. Participants in the GMS advisory group agree that any participant or Steering Committee member may modify or withdraw their support for GMS involvement at any time with written notice, but will attempt to give at least 30 days advance notice. Some actions proposed in this plan would involve real estate actions and special agreements that would be binding or involve more detailed terms and conditions.

There are some specific actions proposed in this management plan for which locations, funding, responsible parties, and target dates can be set. The implementation plan for these more specific proposed actions is outlined below:

1. Continue GMS Advisory Group and form GMS Steering Committee: The GMS advisory group will continue to consist of any interested persons, interest group, land user, institution, or government agency. A seven member Steering Committee will be formed to deal with GMS coordination needs (GMS plan implementation, GMS advisory group meetings, providing review and comments on GMS issues, etc). The Steering Committee will consist of one representative from the City of Grand Junction, Town of Palisade, Mesa County, and Federal Government (BLM/USFS). These government entities will make their own selection for Steering Committee representative. The representatives for Ranchers, Adjacent Private Landowners, and Recreational interests (motorized and non-motorized) will be made from within the GMS participants.

Selection of Steering Committee members will occur during the GMS draft plan review phase so that a leadership group is in place when the GMS plan is finalized. Notice will be made to all GMS participants concerning Steering Committee selection meetings. When formed, the Steering Committee will determine the need and set dates for future GMS public meetings. The City of Grand Junction will continue to be the lead on maintaining the GMS participant mailing list. Both BLM and Grand Junction will continue to cooperate as coordinators of public inquires and interest in GMS. All of the government participants can provide meeting space as needed.

2. Minerals Activity, Permitting and Withdrawals: No specific changes have been proposed in the GMS plan, however, any future proposed changes in administration of federal mineral resources in GMS will be made to BLM/USFS for consideration in their land use planning or permit administration process.

Some minerals permitting procedures already include a public comment period that would allow for GMS interest input concerning proposed minerals actions.

3. Educational Use Of Somerville Ranch: Outdoor and environmental education programs could be conducted on Somerville Ranch (City of Grand Junction) property with appropriate coordination with existing ranch operators. The need for special facilities may be considered in the future based on need and ranch operation constraints.

4. Off-Highway-Vehicle Management: There are two types of OHV management actions; special designations and facilities (see Road and Trail Map and OHV Designation Map). Current OHV designations on federal lands would remain in place, with the following exceptions.

Some special OHV designation changes will need to be made on BLM land through the BLM OHV designation process: The desert area between Horse Mountain and Whitewater Hill would become an area where public motorized vehicle use would be limited to designated roads and trails (only roads and trails that are signed would be open to public vehicle use). An approximately 500 acre area for cross-country OHV use would also be designated at Whitewater Hill or an alternative area. Any alternative OHV use area recommendations will need to be made by the GMS advisory group, which may appoint a special committee to address OHV issues. The OHV designation process will be included in a BLM Plan Amendment to cover GMS proposed actions.

Facilities needed to implement OHV designations include signs and gates. Some trail markers would also be used to identify an OHV route through GMS to the Lands End Road for access to the USFS Grand Mesa OHV trail system, and the planned trail to Delta. Gates needed for the existing winter closure of critical big game winter range have already been purchased and are being installed by BLM/DOW. Estimated sign and gate needs include:

Seven OHV entrance signs (two spare) at \$300.00 each	\$2,100.00
70 road & trail markers (carsonite) at \$12.00 each	\$840.00
100 OHV Area boundary signs at \$12.00 each	\$1,200.00
One gate at USFS/Somerville Ranch boundary on Grand Mesa	\$2,000.00
One mile of fence with gate on Whitewater Hill (dragstrip)	\$3,000.00
TOTAL	\$9,140.00

All signing would be compatible with standard BLM OHV signing (except on USFS lands where USFS signing would continue to be used). Sign and gate purchase would be funded by the Colorado State Trails Fund. Local organized OHV interests and other groups have agreed to install and maintain OHV signing and fencing. Grand Junction would install the gate at the USFS/Somerville Ranch boundary on the Grand Mesa. Target date for sign and gate completion September, 1994.

5. GMS Brochure: A GMS informational and interpretive trail map/brochure will be developed and published. Anticipated size approximately 9"x20", two color ink on recycled paper, 10,000 at \$0.17 each, total \$1,700.00. City of Grand Junction and BLM would share lead on brochure development, in coordination with GMS advisory group, target date for completion September, 1994. Colorado State Trails Fund would fund printing. Due to potential for future changes a larger number of brochures should not be printed at this time.

6. Trailhead Development: Some GMS trailhead and entrance areas can be developed immediately (listed below), and several other GMS trailhead and entrance areas would be developed if the necessary public access, ownership, or special agreements are acquired. The 34 Road and Horse Mountain trailhead developments would each involve entrance signing, a 100'x200' graveled parking area, a loading ramp, and about one mile of access road development or improvement. Development at the Whitewater Hill OHV Area (if an alternative site is not identified) would involve entrance signing, a 100'x200' graveled parking area, a loading ramp, 1,200' of graveled and graded road to access Highway 141, and a double vault toilet.

Developments that can occur without further access/land acquisition work:

Whitewater Hill OHV Area entrance signing (on BLM)	\$400.00
Whitewater Hill 100'x200' graveled parking area	\$10,000.00
Whitewater Hill loading ramp	\$200.00
Whitewater Hill 1,200' graveled road	\$30,000.00
Whitewater Hill Double vault toilet	\$25,000.00
North Fork Kannah Creek entrance sign (on BLM)	\$400.00
TOTAL	\$66,000.00

Future development costs for the Horse Mountain and 34 Road trailhead areas would run about \$35,000 each, with most of the cost being in road development or improvement. Completion of the proposed land exchange with the Town of Palisade would provide the needed Horse Mountain access. Agreement with the City of Grand Junction to integrate GMS planning with Somerville Ranch property would provide the needed 34 Road access. The funding source for all these projects would be the Colorado State Trails Fund. BLM would be involved in design and either construction or contract administration on facilities developed on BLM land. Target date for completion of developments that can be accomplished without further access/acquisition work is September, 1994 for Whitewater Hill (or alternative) OHV Area, and North Fork Kannah Creek entrance sign. The Horse Mountain and 34

Road developments may also be able to be accomplished by September, 1994 if necessary land use actions and agreements can be worked out with Palisade and Grand Junction.

Developments needing additional acquisition/agreement work:

Horse Mountain access road and trailhead	\$35,000.00
34 Road access road and trailhead	\$35,000.00
TOTAL	\$70,000.00

7. Road and Trail Fence Crossings: All road and trail fence crossings will have a walkover, walk through, cattleguard, and/or special gate. The intent is to provide convenient recreational access through fences (via walking, horse, mountain bike, or OHV, as appropriate), while maintaining security for livestock operations. There are about four fence walkovers or walkthroughs, and four narrow (horse) gates presently needed. There will be additional needs for about eight fence crossings if trail access arrangements can be made in the Rapid/Cottonwood Creek area.

Estimated cost of four walkover/walkthroughs at \$200.00 each	\$800.00
Estimated cost of four narrow (horse) gates at \$150.00 each	\$600.00
TOTAL	\$1,400.00

Funding source would be State Trails Fund, and target date for completion September, 1994. GMS service groups and/or BLM prison crew would do work depending on location.

8. Trash Cleanup: Trash cleanups will be conducted on an as needed basis by Service Groups and BLM coordinated Prison Crews. Sites needing cleanup should be reported to BLM for determination of land ownership and responsibilities. Landowners are responsible for trash cleanup on their lands, however BLM will assist in coordination of potential cleanups by being a clearinghouse for service groups interested in cleanup projects. Much of the trash dumping in GMS involves intermingled private and public lands, so coordinated cleanups are appropriate with landowner cooperation.

9. Law Enforcement: BLM will help provide a better law enforcement presence in GMS through regular BLM Ranger patrols in the area. The Mesa County Sheriff would maintain lead law enforcement responsibility for the entire area. GMS users will be made aware (via signs and brochures) that this is a special management area and that much of the area could be closed to public use if inappropriate activities occur (ie, trash dumping, livestock harassment, vehicle use off of trails, vandalism, etc.). Without an active sense of public ownership in the area, law enforcement presence alone will be insufficient to control unauthorized uses.

10. Acquisition Of Public Access and Land Ownership Adjustment: Key factors needed to achieve the GMS "vision" involve insuring appropriate public access to the area and instituting a long term "greenbelt" land use commitment on the core public and municipal lands in the area. Proposed land ownership changes, access acquisition, and land use commitments would often be complimentary in GMS. The proposed actions which would achieve these goals include:

A. Continuation of existing land management emphasis on Somerville Ranch lands by the City of Grand Junction would provide the primary land use values needed to effect basic GMS goals, however there is presently no City policy to do so. Through the GMS management plan the City of Grand Junction will agree to integrate GMS planning with Somerville Ranch management, consider GMS advisory group comments in land use decision, and continue with current management emphasis of watershed protection and watershed facilities management.

The City of Grand Junction may consider selling or exchanging portions of the Somerville Ranch for GMS management, with potential for real estate actions with BLM or the state of Colorado (Go-Colorado open space funds). It is also possible that some of the scattered parcels of the Somerville Ranch are not important to GMS and could be disposed of. A combination of land sales, land exchanges,

and retention in City ownership may be a viable option. Under all options it is recognized that Grand Junction would need to maintain control of water rights and watershed related land and facilities.

B. Approximately 10 square miles of BLM land presently identified for disposal would be changed to a retention category, or considered for exchanges that would benefit GMS interests. These lands are intermingled with Somerville Ranch lands and some other private lands. BLM will consider these changes in BLM land classification in a GMS related Land Use Plan Amendment scheduled for processing during fall, 1993.

C. Continuation of present Palisade management policies on Palisade lands would achieve basic GMS goals to protect watershed, wildlife, and scenic values. Through GMS involvement Palisade will agree to consider GMS values in land use decisions affecting Palisade lands, and provide comment on proposed actions on adjacent lands the may affect Palisade interests.

Additional provisions for limited public access through Palisade and other lands (Horse Mountain area) could be achieved through a proposed land exchange or sale involving BLM and Palisade lands. Public access through Palisade lands is critical to complete the trail access network involving Rapid Creek, Cottonwood Creek, The Miller (Swan) trail to top of Grand Mesa, and Whitewater Creek trails. Private lands at Horse Mountain are needed to provide public access (proposed Horse Mountain trailhead), protect scenic values, and provide big game winter range protection. A proposed land exchange to achieve these goals involves (see GMS Land Ownership Adjustment/Easement Map):

1. Transferring ownership of 160-400 acres of BLM land at Cabin Reservoir to Palisade.
2. Transferring ownership of up to 720 acres of BLM land in the Whitewater Creek area to Palisade (to be used by Palisade to trade for Grand Junction lands at Kruzen Springs that Palisade obtains water from).
3. BLM acquisition of approximately 15 miles of public easement (non- motorized) through Palisade land from Palisade (also involves converting exclusive Palisade use rights-of-way on BLM to non-motorized public use).
4. BLM acquisition of approximately 640 acres of private land by Horse mountain. Palisade may be able to purchase the Horse Mountain property for use in this exchange.

Another option is for BLM to dispose of 160-400 acres of BLM lands at Cabin Reservoir to Palisade, in exchange for cash (or other lands BLM needs), and approximately 15 miles of public easement (non-motorized) through Palisade land. Private land at Horse Mountain could still be identified for acquisition (from a willing seller), with funding from either Land & Water Conservation Funds (BLM), or Go-Colorado Lottery Funds (State Land Trust).

Under all options public access would be maintained through any BLM land disposed of, and conservation easements (to BLM) would be agreed to by the municipalities involved to protect wildlife, scenic, and cultural resources.

Upon signing of the GMS Management Plan BLM will consider these proposed land ownership changes and easement acquisitions in a Land Use Plan Amendment scheduled for processing during fall, 1993.

D. Acquire other private lands and public easements relating to GMS from willing sellers (using BLM, state of Colorado, or other sources), or consider potential land/easement exchanges that could benefit GMS interests. Several owners of small (40-80 acre) isolated tracts within GMS have indicated a willingness to dispose of their lands for GMS purposes. The GMS advisory group would make recommendations concerning these potential actions.

E. No specific trail would be developed from the USFS Lands End Visitor Center to the top of

the Miller (Swan) trail, however the "trail-less" hiking route along the western edge of the Grand Mesa would be identified in the GMS brochure. A defined trail may be developed in the future based on USFS concerns and user needs.

11. Maintenance: Maintenance and development commitments would be sought from GMS participants and service groups interested in adopting these workloads.

12. BLM Land Use Plan Amendment: Several key decisions proposed on BLM land would require amendment of the current Grand Junction Resource Area Resource Management Plan, 1987 (BLM Land Use Plan). The Plan Amendment process would take a minimum of three months, and is scheduled for completion in fall, 1993. The Plan Amendment process requires development of an Environmental Analysis, public meetings, public comment periods, Federal Register Notices, and formal review by many entities. GMS proposals could be approved for action, modified, or denied through this process. The actions to be considered in the Land Use Plan Amendment would include:

A. OHV designations; Public motorized vehicle use limited to designated roads and trails, and designation of a 500 acre OHV intensive use area.

B. Reclassifying about 10 square miles of BLM land from "disposal" to "retention, or for use in land exchanges that benefit GMS goals".

C. Identify the Horse Mountain and other scattered private lands in GMS as suitable for acquisition from willing landowners.

D. Identify BLM land available for exchange or sale to benefit GMS goals, particularly BLM land on which municipal water facilities presently exist such as Cabin Reservoir, Hallenbeck Reservoir, Juniata Reservoir, various pipelines and canals, etc.

E. Possible special designation status for GMS area.

Some of the other proposed actions on BLM would not require a Land Use Plan Amendment but would involve site specific environmental analysis. These include actions such as designating no-shooting areas (trailheads), designating no-camping areas (North Fork Kannah Creek and other municipal water intakes), trailhead facilities development, access acquisition, and fence crossings, etc.

BLM will be conducting Environmental Site Inventories within GMS to provide ecological data on the area that may be useful in future decision making and in providing baseline ecological data to determine condition and trends.

This is not complete

Grand Mesa Land Managers

<u>Catherine Reuter</u> Bureau of Land Management	9/25/93	<u>Julia E. Dymen</u> City of Grand Junction	9/25/93
<u>Jan W. Clark</u> Town of Palisade	9/25/93	<u>James W. Carson</u> U.S. Forest Service	9/25/93

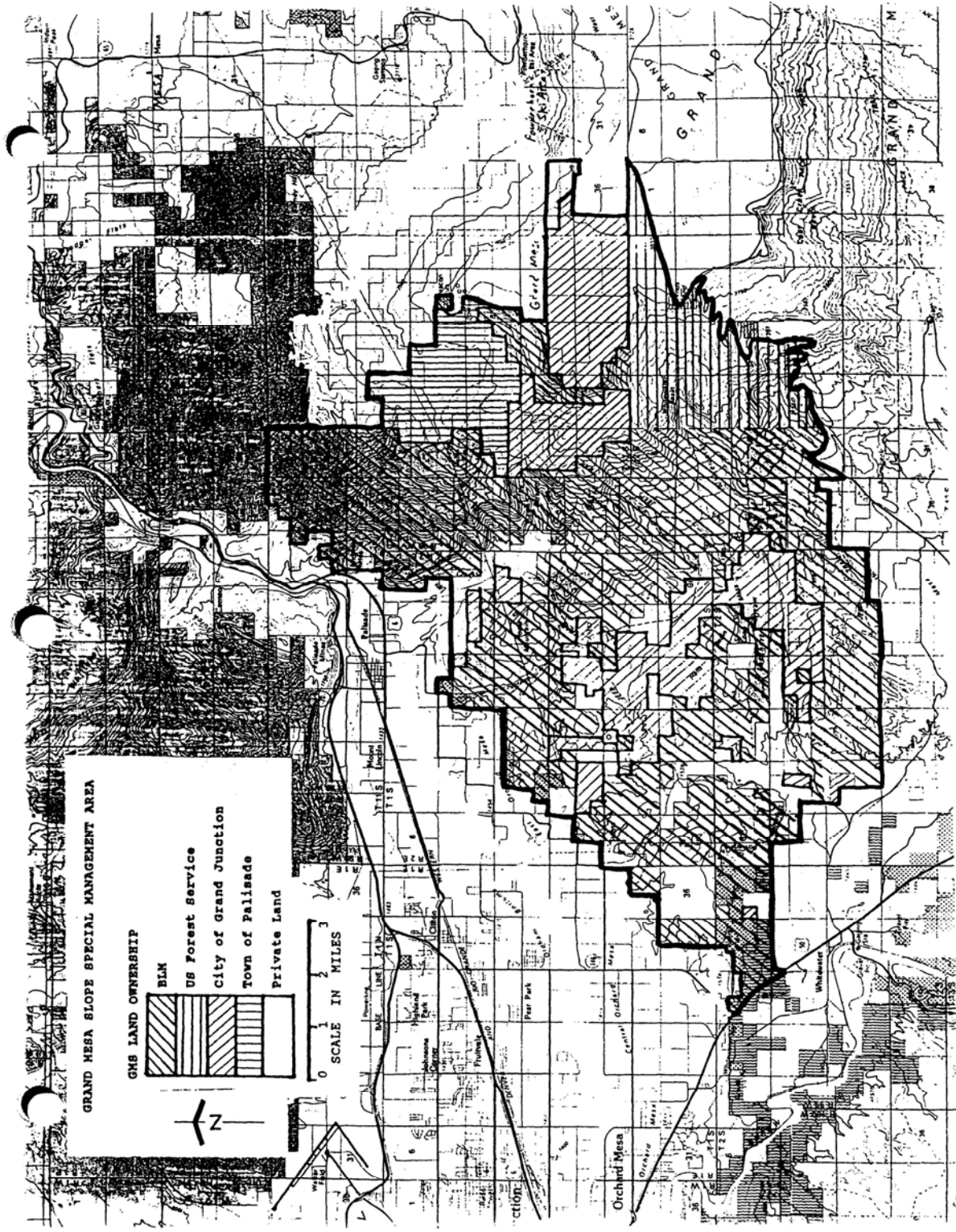
Grand Mesa Slope Participants/Supporters (Organizations)

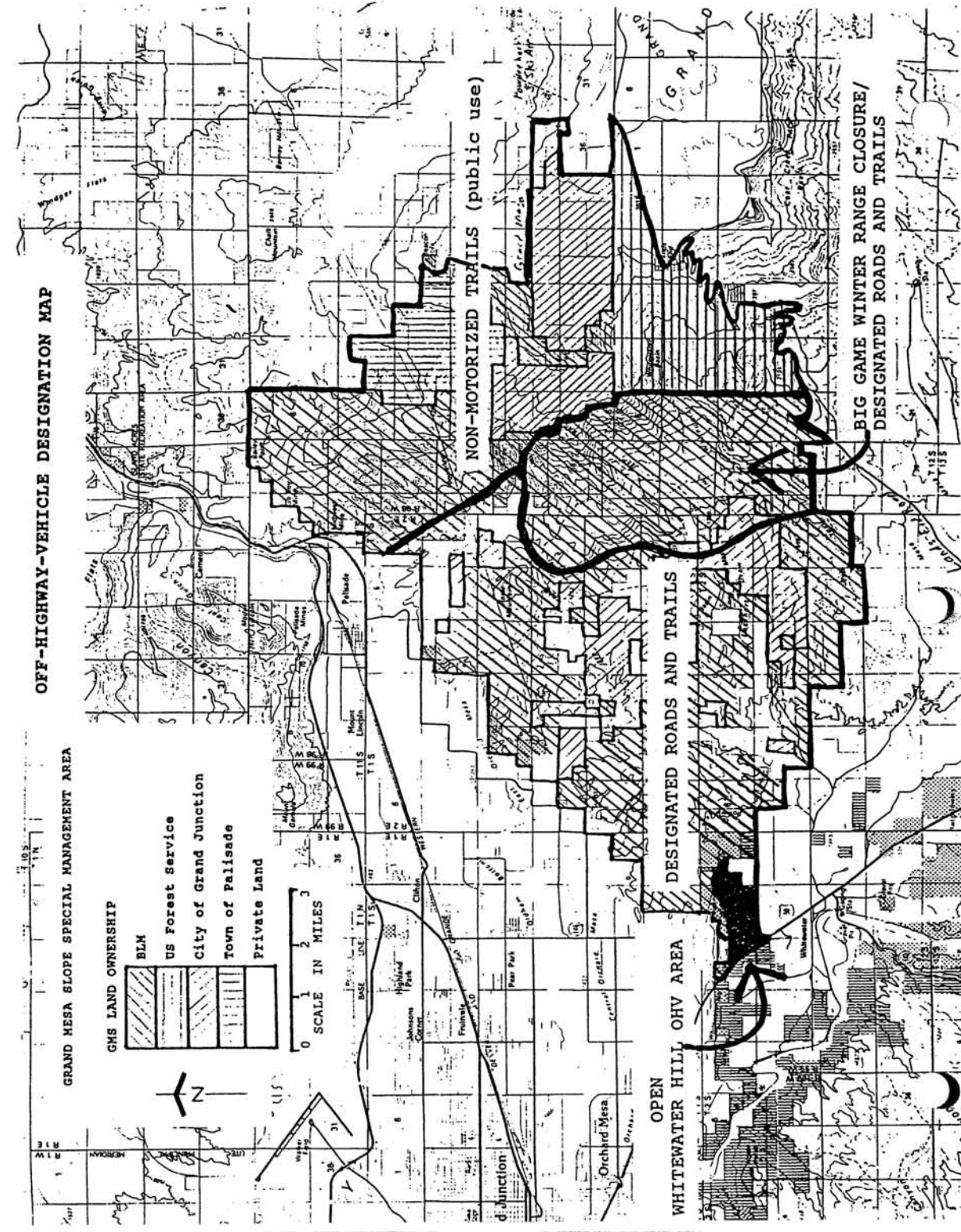
<u>S.M. Manno</u> Colorado Division of Wildlife	9-30/93	<u>Bundo Becker</u> Museum of Western Colorado	9/30/93
<u>Brian M. Manno</u> Grand Junction/Mesa County Riverfront Commission	9/25/93	<u>James P. Rybak</u> Mesa State College	9/25/93
<u>Linda Mackey</u> Mesa County School District 51	9/25/93	<u>Ms. Nichol</u> Sierra Club, Uncompahgre Group	9-25-93
<u>E. Martin Bunsal</u> Colorado National Monument Association	9/25/93	<u>Cynthia P. Michler</u> Sobro El Rio Homeowners Association	9/25/93
<u>Orchard Mesa Plan Citizen Review Committee</u>		<u>Jim Schler</u> Colorado Department of Local Affairs	10/6/93
<u>Rosa Bunsal, Sue Bergamini</u> CWRMC <u>Requester Clubs of Mesa County</u>	9/25/93	<u>John M. Dain</u> Colorado State Forest Service	9/20/93
<u>Real Estate Marketing Rabbit Valley CTR</u>		<u>Neil Traylor</u> Grand Valley Audubon Society	9/25/93
<u>Just W.</u> Colorado Plateau Mountain Bike Trail Association Inc.	9-27-93		
<u>Fred Facer</u> Colorado Mountain Club, Western Slope Group	9/25/93	<u>Orchard Mesa Gun Club</u>	
<u>Lyndon V. Grant</u> Western Slope ATV Association	9/25/93	<u>B. Laine Derricks</u> Mesa County Land Conservancy	
<u>Mark E. DeCora</u> Grand Mesa Nordic Council	9-25-93	<u>Orchard Mesa Irrigation District</u>	
<u>Grand Valley Irrigation Company</u>		<u>Glen Wanner</u> Mesa County Water Users Association	9/25/97
<u>Grand Valley Rural Power Lines, Inc.</u>		<u>Mesa County Sheriff's Department</u>	
<u>Robert Part</u> Motorcycle Trail Riders Association	10/6/93	<u>John Kovalik</u> Grand Junction Visitors and Convention Bureau	9/25/93
<u>Kent D. Hill</u> Colorado Division of Parks and Outdoor Recreation	9/25/93	<u>Donald P. Cole</u> Mesa Monument Striders	9/30/93

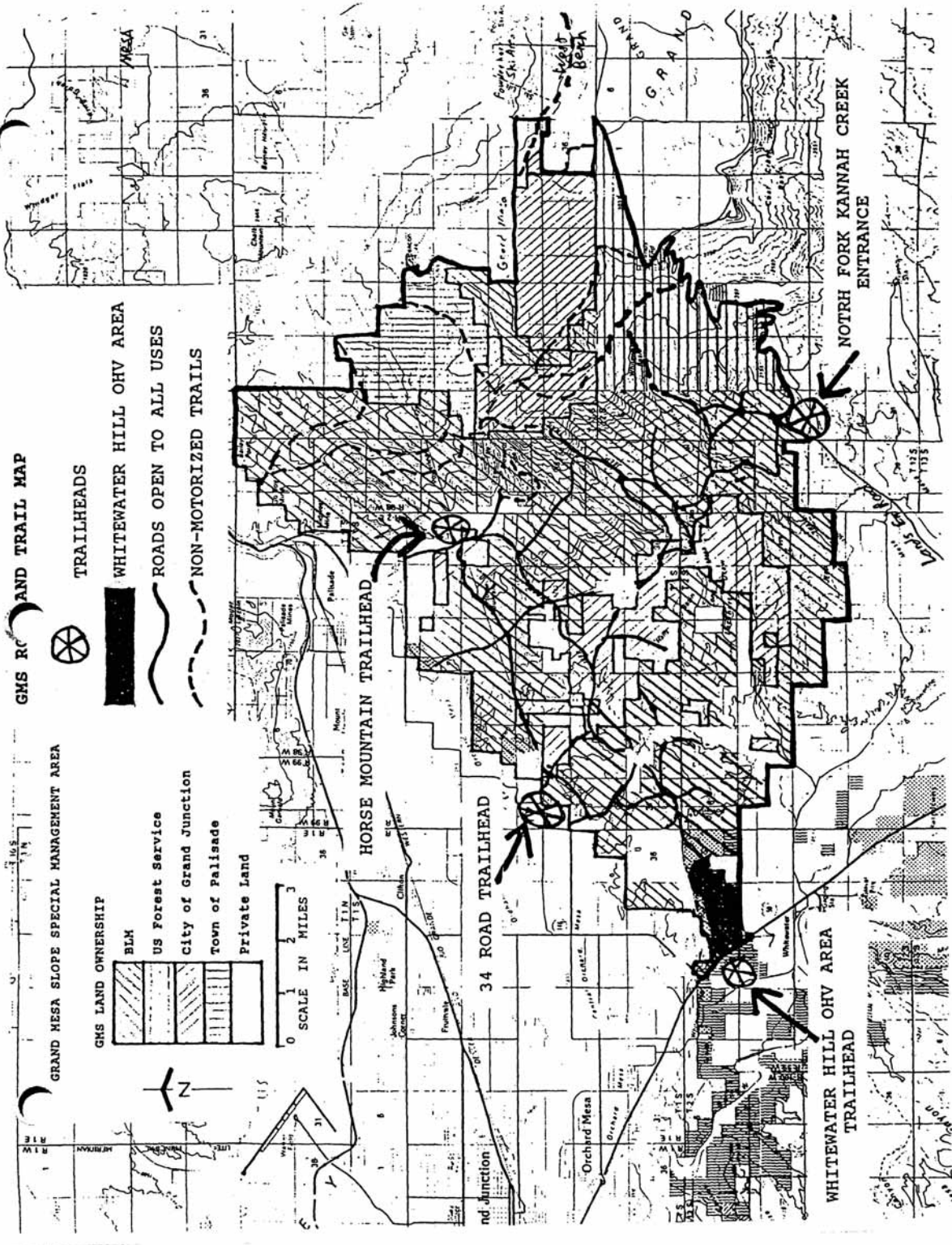
John & Jan Olsen 9/25/93 - LAND-OWNER... Wayne Allen MT. DIKOR 9/1
HORSE-MON. 15/93

Grand Mesa Slope Participants/Supporters (Organizations)

<hr/>		<i>William Loring</i> Bill Loring Ranches	<hr/>
Grand Mesa Jeep Club			
<i>Al Lombardy</i> Al Lombardy & Sons Ranches	10-15-23	Lloyd Ranch Partnership	
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GMS ROAD AND TRAIL MAP

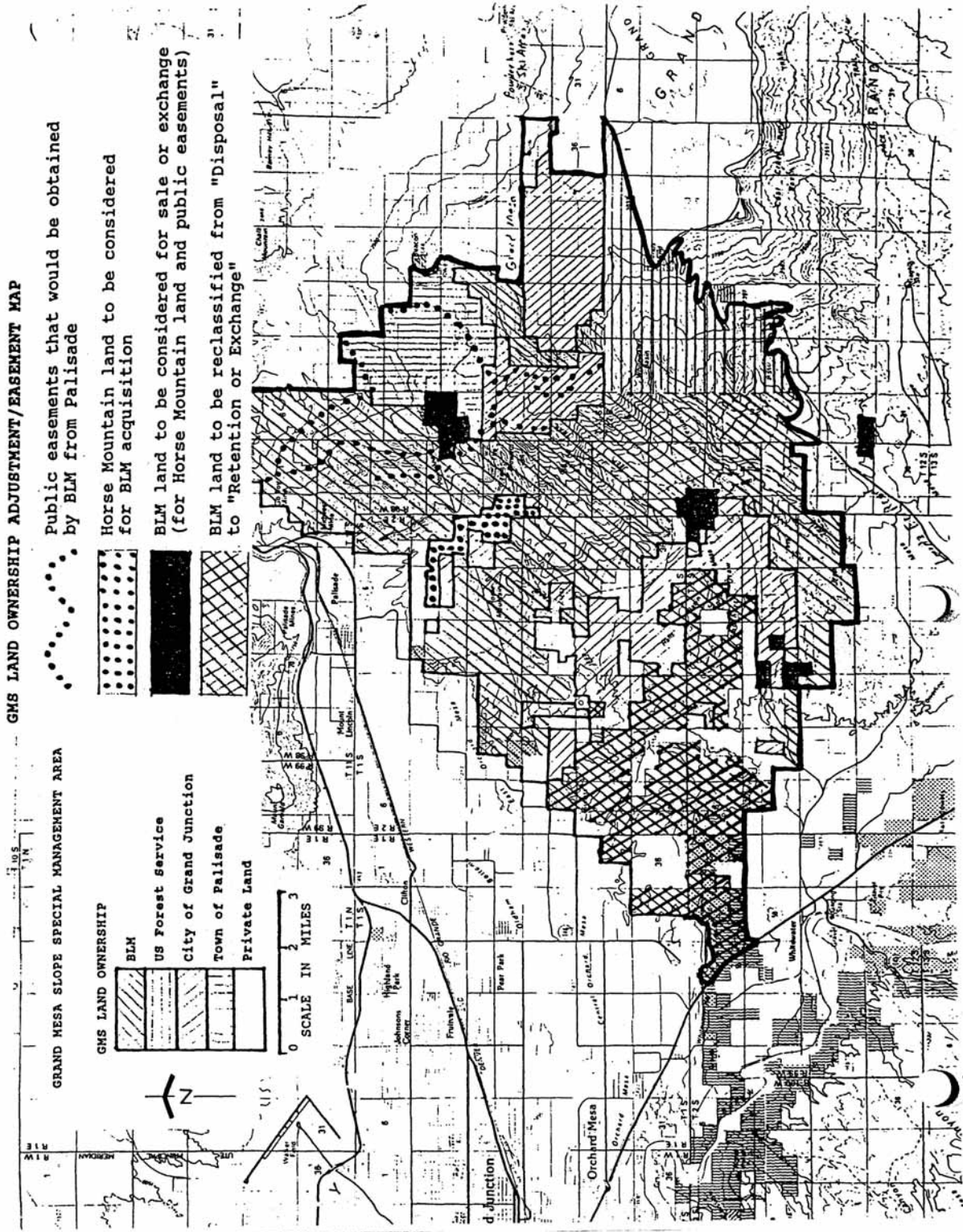
- TRAILHEADS
- WHITESTAR HILL OHV AREA
- ROADS OPEN TO ALL USES
- NON-MOTORIZED TRAILS

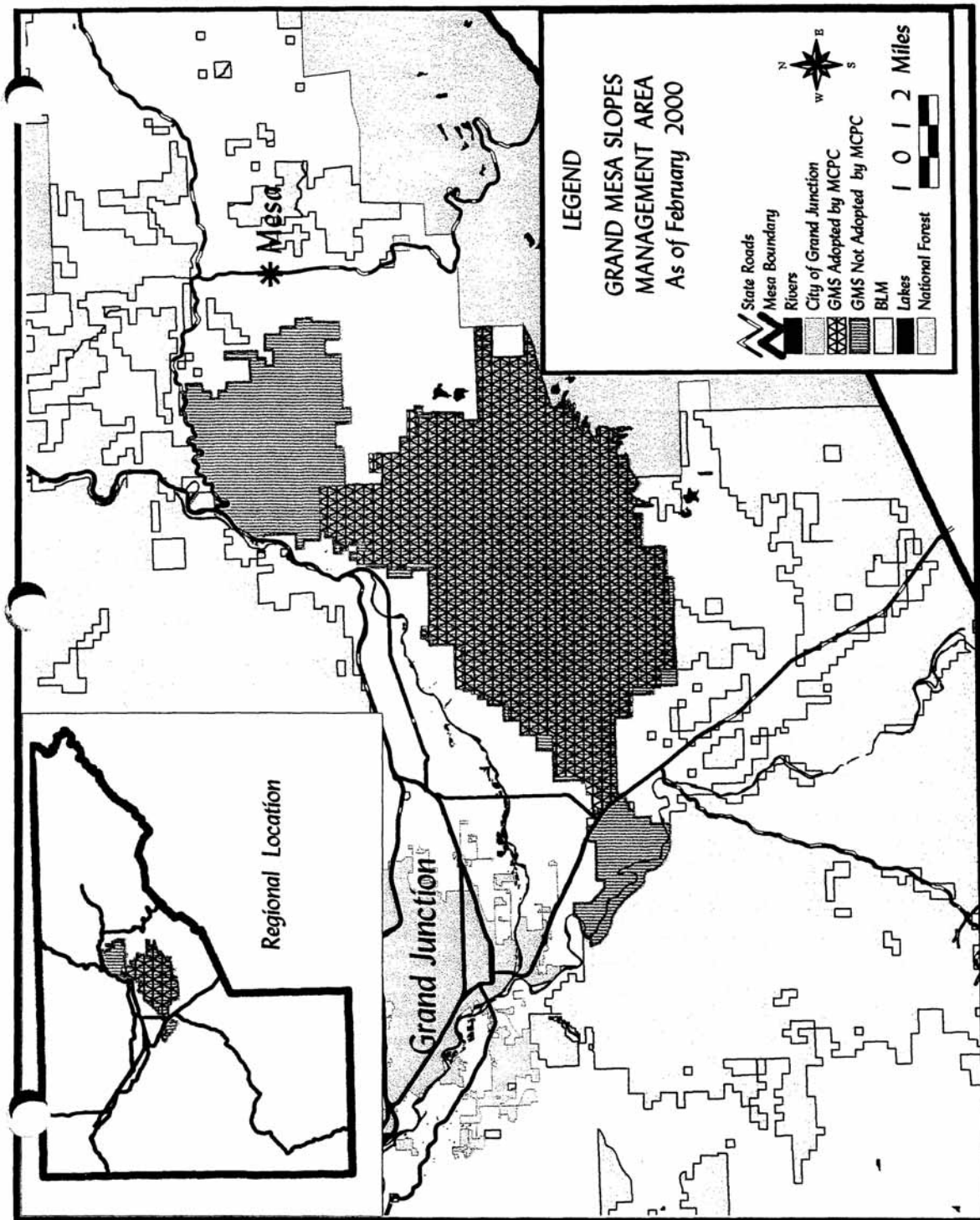
- GMS LAND OWNERSHIP
- BLM
- US Forest Service
- City of Grand Junction
- Town of Palisade
- Private Land

SCALE IN MILES

WHITESTAR HILL OHV AREA TRAILHEAD

NOTRH FORK KANNAH CREEK ENTRANCE





From: corridoreiswebmaster@anl.gov
Sent: Thursday, February 14, 2008 11:24 PM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50528

Attachments: Energy_Corridor_Public__comment_WVECD50528.doc



Energy_Corridor_P
ublic__commen...

Thank you for your comment, Patience O'Dowd.

The comment tracking number that has been assigned to your comment is WVECD50528. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 14, 2008 11:24:09PM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50528

First Name: Patience
Last Name: O'Dowd
Organization: WHOA and The Placitas Coalition Address 2: PO Box 932
City: Placitas
State: NM
Zip: 87043
Country: USA
Email: patience_odowd@yahoo.com
Privacy Preference: Don't withhold name or address from public record
Attachment: C:\Documents and Settings\Patience\My Documents\WHOA\Energy_Corridor_Public__comment.doc

Comment Submitted:
More files to follow

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster
at (630)252-6182.



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

2/14/08

Dear Ladies and Gentlemen,

Thank you for this opportunity to comment on the PEIS. As a co-founder of both WHOA and the Placitas Coalition and a member of Pathways New Mexico Wildlife Corridors, I am submitting these comments on behalf of these teams and the associated large community coalition called the Placitas Coalition which is only partially listed below. Proof of this coalition and each person's wishes including signatures is delivered to the Albuquerque BLM office on this date, for your records and includes many hundreds more individuals not listed in the brief table below.

WHOA and the Placitas Coalition choose the Alternative "No Action" for many reasons and concerns outlined below. We do understand what a large undertaking this is and do understand that it is basically required by Congress. However, upon researching the open questions and issues we are compelled to say with all due respect, that we staunchly oppose the plans outlined in this PEIS for many substantive reasons on many levels across the board and which are outlined below.

However, updating of RMP's (and the collaborative classes associated with them, are appreciated as beneficially increasing communication) which were in some cases long over due is a good thing, minus the addition of the Energy Corridor (E Corridor). On a lighter side, a Western Water Corridor might be an easier sell!

Placitas Coalition Signatories Statement and brief list;

*We (See Below) join the Common Grounds Coalition (now named the Placitas Coalition) with WHOA and the State of New Mexico (via their support, and their representative's unanimous votes for SM2 in 2006 and SJM08 in 2007) to keep the wild horses on the BLM in Placitas and other surrounding areas of Placitas. As such **we would like to keep the 5000 acre BLM property in Placitas as a wildlife/wild horse park.***

PLACITAS and PLACITAS BLM Bordering Communities

BUSINESS' (including)
 Placitas Chamber of Commerce
 Thomas J. Ashe Developer

Dave Harper Placitas Realty
 La Bonne Vie Hair Salon
 Greg A. Campbell Placitas Custom Homes Inc.
 Laura Tweed Realty and Adobe Builder Inc.
 Lucy Noyes - La Puerta Realty, an Owner
 23 Realtors of the La Puerta team of Realtors/Brokers
 Robert H Poling Designer Builder Developer
 Joseph and Susan Neas
 Cathy and Tom Hansen Blue Horse B&B
 James G Maduena J.G. Maduena Inc.
 Racheal Tingen Placitas Dental/President
 Phil Messuri Financial Services
 Vera Ockenfels Attorney at Law
 John Bogren Attorney at Law
 Larrabee Developer
 Wild Wood Inc.
 Pet Land
 Friendly Home Care

HOMEOWNERS ASSOCIATIONS AND LAND TRUSTS

Sundance Homeowners Association (HOA)
 La Mesa Homeowners Association (HOA)
 Sanfrancisco Hills Home Owners Assoc. (HOA)
 Terra Subdivision
 Placitas Trails Home Owners Association (HOA)
 Franklin C. Galves Family Trust

NONPROFITS AND ENVIRONMENTAL GROUPS

Gordon Environmental
 Mitch Johnson Peter Callen, Elise S. Van Arsdale *Pathways New Mexico Wildlife Corridors*
 Laura Robbins Placitas Wildlife Corridor Mural Project/Foothill Studios
 Wild Horse Observers Association
 Frank Larrabee National Appaloosa Assoc.
 Placitas Animal Hotline
 Placitas Animal Rescue
 Animal Rights Mobilization
 Democratic Women of Sandoval County

PLACITANS Ninety Eight percent (98%) of Placitans polled in a community wide mailing attached request a Wildlife / Wild Horse Open Space/Park on the Placitas BLM

NEW MEXICO Organizations

American GI Forum
 Monero Mustangs
 Lazy River Ponies
 Indian Group
 Hispano Round Table representing

<ul style="list-style-type: none"> AFGE Local 4041 ◦ AFL-CIO ◦ AFSCME ◦ Alburq. Founders Day ◦ Albuquerque Partnership ◦ APS Hisp Educators Assoc 	<ul style="list-style-type: none"> ◦ MISSION ◦ NEA Bernalillo ◦ NMABE ◦ N.M. Hispano Bar Assn. ◦ N.M. Hispano Council on Aging ◦ N.M. Hispano State Employees Assn.
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<ul style="list-style-type: none"> ◦ Barelas CDC ◦ Central Labor Council ◦ Centro Cultural de NM ◦ CLER ◦ Club Real de Santa Fé ◦ COPA ◦ De Colores ◦ Diversity Institute ◦ El Centro de la Raza ◦ Forest Service HEA ◦ HRT of Las Vegas ◦ HRT of Santa Fe ◦ Hispano Chamber of Commerce del Norte ◦ Hispanos for UNM ◦ Hispano Physicians Assoc. ◦ Homesteaders Assn. of the Pajarito Plateau ◦ IMAGE ◦ La LUCHA ◦ LLAVE ◦ LULAC ◦ MALSA ◦ MANA ◦ MEChA ◦ MAES ◦ Minority Women's Coalition 	<ul style="list-style-type: none"> ◦ N.M. Hispano Social Workers Association ◦ NOMAR ◦ Partido de la Raza Unida ◦ P.B. Incorporated ◦ Plumber & SteamFitters #412 ◦ Project Uplift ◦ SHRT ◦ SOMOS ◦ Southwest Hispano Research Institute ◦ SV SBDC ◦ Taos Hispano Chamber of Commerce ◦ UPTE/CWA-Local 1663
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Alternatives

Only two alternatives: No action and the action for this Western Energy Corridor PEIS. However there should be another alternative based on alternative energy state by state using state preferred clean energy alternatives relevant for each state. This alternative would take into account our national Security being better off to not set itself up to continue to rely on explosive and shrinking fuels which could contaminate our ground waters, as well as our National Security with respect to the Global warming, and the strong moves required to alleviate this for our children. Why continue re-setting up the expensive past when it is clear to most that it must be changed?

50528-001

Preferred Alternatives

- Environmentally friendly alternatives that called for increasing energy efficiency or conservation by energy users instead of designating corridors and
- Locating **shorter “local”** designated energy corridors only **as needed** in areas adjacent to federal highways and major state and municipal roads **in conjunction with the alternative directly above.**

Changes Requested include;

Width

The Federal Land Policy and Management Act of 1976 provides for broad management authority under principles of multiple use and sustained yield. The Bureau's responsibility for multiple use involves balancing the development of diverse resources, both renewable and non-renewable. Sustained yield involves coordinating the management of these resources so environmental quality and the productivity of the land are not permanently impaired.

50528-002

<p>Therefore: A width of 3500 should preclude an E Corridor on public land that is only 5000 acres or significantly narrow as it potentially ends the use of that public land for anything else and precludes any real multiple use while possibly permanently impairing it.</p>	<p>50528-002 (cont.)</p>
<p><u>Number of Permit Rejections;</u> It may be best if once there is one permit rejection in any location on the E Corridor that that portion of the E Corridor route be closed and/or rerouted. If there has already been a permit denial prior to this PEIS this should also be seriously taken into account.</p>	<p>50528-003</p>
<p><u>Populated Areas;</u> The Executive summary states that individual permits would still have to apply and go through review according to the National Environmental Policy Act (NEPA), the CleanWater Act, the Clean Air Act, Section 7 of the Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act. That is a good thing how ever; does this mean that a particular location could be re-looked at repeatedly throwing the residents into peril and paper chase repeatedly? This is not preferred. Does this mean that these locations will be physically opened and re-opened and re-opened? If this is the case, this Energy Corridor should not be located through or near populated areas. This is not preferred.</p>	<p>50528-004</p>
<p><u>Mitigation of Adverse Affects;</u> Interestingly: Officials at NMFS do not agree with the action agencies' "no effect" determination. In a written communication received in June 2007, NMFS states that the designation of energy corridors in areas that contain salmonids and their critical habitat "may affect" listed species, thus triggering ESA consultation requirements. WHOA and the Placitas Coalition request that the answer to this question and mitigation plans be included in the PEIS.</p>	<p>50528-005</p>
<p><u>NMFS also notes that nothing in this draft PEIS allows it to discount adverse effects.</u> "As a result, DOE should engage in a consultation with NMFS pursuant to the ESA on the proposed designation of energy corridors," NMFS concludes. WHOA and the Placitas Coalition request that the answer to this question and mitigation plans be included in the PEIS.</p>	
<p><u>Population Changes, Population Density</u> It is stated that "The identification of preliminary energy corridors also took into account several "location" factors. These factors included; (1) locations of important natural and cultural resources, (2) locations of military training and testing areas, (3) DOD restricted airspace, (4) regulatory stipulations preventing siting of certain activities or infrastructure on specific lands, and (5) environmental concerns identified during scoping. A sixth factor at a minimum should have also looked at as follows; (6) Communities and community density and distance.</p>	<p>50528-006</p>

It is also stated that this E corridor will only be implemented along previously designated right of ways (ROW's). **However, since the currently granted ROWs are sometimes 20 yrs old for example, population densities have moved and grown making some of these ROW's inappropriate to continue in existence much less expand to 3,500 ft.**

50528-006
(cont.)

Energy Corridor Route in Sandoval County NM

Environmental Concerns/Cultural Resources/Economic Concerns/Safety Concerns

The community of Placitas almost as a whole, does not want the E Corridor through Placitas or through the Placitas BLM. This is based on surveys sent out to all Placitans in late 2007. These surveys and the additional coalition letters signed were given to the Albuquerque BLM office on Montano on 2/14/08. They however felt that they could not accept them for you though the BLM is a lead agency. Therefore I am trying to attach 350 (multiple files per page) pages that I have now scanned in but your attachments may not accept the file type. I will also attempt to fax them if need be. Still, they are there at the Montano office with Danita Burns in case they do not come through and you could please except them since they were handed in to the lead agency (the BLM) on time.

50528-007

Based on the location of the existing route as shown by the maps, it appears that the concerns of the citizens in the Placitas area (Part of the Rio Puerco BLM Resource Management Plan (RMP)) were not included, or if so, were not understood, or were some how determined premature or somehow invalid. One fears that they were not completely or duly represented due to lack of up front input from the community and state.

Interestingly, the town of Placitas, adjacent to the BLM lands in Placitas has already been through a previous pipeline battle on a previous right of way (ROW) and the citizens won. Hence, how many times does one town have to prove the same safety issues? Are they any less true when the corridor would be even larger? WHOA and the Placitas Coalition presume not.

1. **Population Density;** The population in Placitas has grown immensely from a very small town seven (7) miles from the Interstate Highway (I25) to a continuous town reaching all the way from this Interstate 25 seven (7) miles past the old town of Placitas all the way to the Forest Service. It is one of the fastest growing areas in the country. Property values have raised commensurately.
2. **Economic Concerns;** This area is a huge tax base for the rural **county of Sandoval** which is already deep in debt. If the property values drop here in Placitas due the E corridor, on the BLM or eminent domain takings through the town, it will have a ripple effect across this large county and even across the state. Moreover, many people in this area buy their homes here because of wild horses on the BLM as well. Many realtors advertise these homes utilizing the chance to live near wild horses. Many people have been working successfully to protect and preserve these horses on and around the BLM lands as well.
3. **Safety Concerns;** As stated, **this community of Placitas has ALREADY proven that it is inappropriate to have a pipe line carrying hazardous materials there**, within the last 6 years. It should not have to go down that path countless more times. This would be tantamount to harassment by our own government in it's pursuit of an arguably archaic energy strategy in many ways.
4. **Cultural Historic Properties;** This community has shown at legislature repeatedly that the horses are **historical cultural resources which include the BLM's 5000 acres in their range.**
 - a. **The community (The Placitas Coalition and WHOA) of Placitas and the San Felipe Pueblo, have all declared these horses as Cultural Historic Properties as protected by the State Historic Preservation officer.**

50528-008

50528-009

50528-010

- b. **Placitas was formed by 5 families in order to make easier passage for the Spanish from Santa Fe to Mexico. These 5 families were given land, weapons and horses by the Spanish government in Santa Fe. This new Placitas community was formed so that when the Spanish rode through the Rio Grange valley from Santa Fe to Mexico, they would have a refuge from attacks. Some of these horses and others still roam today in Placitas and all through the San Felipe Pueblo. (The historic town of Placitas is called Placitas because each family had their own chapel or church and therefore were each a town. Hence Las Placitas rather than La Placita.)**
- c. The community of Placitas through WHOA and the Honorable Senator Komadina and signed by Governor Richardson, has been passing bills at NM legislature showing the BLM a high degree of interest in protecting and capitalizing on this rich Heritage resource (the very colorful and wild horses) for 5 yrs now. These bills include but are not limited to SM35 and SJM16 in 2008, SB655 and SJM08 in 2007, SM02 in 2006 among others. In almost all cases, these bills were passed unanimously showing the support of the entire state of New Mexico for these horses to be protected, to remain where they are, and to be utilized for Equine Eco-Tourism and expand rural economic development throughout the state utilizing WHOA’s NM state Tourism plan.
- d. **Placitas Coalition;** WHOA and fellow Placitans have formed an almost all encompassing coalition in support of a wildlife corridor/wild horse park, including the Placitas Chamber of Commerce, Home Owners Associations, Builders developers, Realtors, most of the land owners bordering the BLM, animal rights groups, environmental groups and environmental business’, lawyers, on and on.

50528-010
(cont.)

- 5. **San Felipe Pueblo** has, as mentioned above, declared to the BLM that the wild horses on this BLM are Cultural Historic Properties protected by the state historic preservation officer.
(SEE ATTACHMENT BELOW)
- 6. **Safe Laws take precedence;** In addition to being protected by the States Historic Preservation officer and the ordinance on the adjacent Albuquerque Open Space Ordinance, the state has passed a law regulating and protecting these horses (SB655 in 2007) as well as other Memorials (SM02 in 2006) (SJM08 in 2007) communicating to the BLM that the state of NM and it’s people want horses such as these left alone and protected “where they exist”. It is also important to note, that the BLM does not have proprietary rights on these horses even though they are on BLM lands because they are regulated state animals and the states laws take precedent over federal laws in the area of wildlife. More over, these horses are part of a Preserve America Executive Order of 2003 and part of WHOA’s Heritage Tourism Plan for the state of NM. This plan can provide jobs around he state in various clusters and provide rural economic development.
- 7. **Fish and Game: Importantly, this department has no statutory authority over non-game animals such as wild horses.**

50528-011

50528-012



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Rio Puerco Field Office
435 Montano Rd. N.E.
Albuquerque, New Mexico 87107-4935



IN REPLY REFER TO:

GR#300904

GR#300939

4150.4-1 (010)

Pueblo Of San Felipe
Office of the Governor
c/o San Felipe Governor
Mr. Harold Candelaria
P.O. Box 4339
San Felipe, NM 87001

Dear Mr. Candelaria:

On December, 7, 2004, our Range Technician, Bud Wilson, and I attended a meeting at San Felipe with Mr. Michael Valencia and Ms. Linda Drew to discuss the stray horse situation on Bureau of Land Management (BLM) and private lands in the Placitas area. Mr. Wilson was informed in previous meetings with San Felipe council that "some of the horses belonged to the San Felipe Pueblo and that the actual number of horses was unknown." The horses in question are currently in trespass on BLM lands. The BLM is trying to resolve this problem without resorting to a livestock impoundment and sale.

Bud Wilson has thoroughly investigated the situation by talking to local pueblos, lessees, private landowners and the New Mexico State Livestock Inspector. Most all of the contacted parties agreed that these horses are stray livestock from the Pueblo of San Felipe with the exception of a few individuals, suggesting the horses have no owners and have a right to stay where they are. At the meeting on December 7, 2004, Linda Drew confirmed Bud's research stating "that she knew this group of horses and that they did belong to San Felipe." Ms. Drew also stated that the BLM could not impound the horses "because they are considered to be Traditional Cultural Properties protected by the State Historical Preservation Officer." Regardless, the BLM cannot allow unauthorized livestock use on public lands.

The BLM is requesting that the San Felipe Pueblo remove trespass horses from BLM and private lands in the Placitas area to help resolve this controversy. The controversy in combination with the urban growth situation in the Placitas area will result in a livestock impoundment action if San Felipe Pueblo does not return livestock to native lands. The impoundment will be advertised through a Notice of Intent to Impound. As you may know all stray animals impounded on public land become property of the State of New Mexico.

OUT REACH ACTIVITIES INSUFFICIENT

It is stated that corridor designation could result in effects to land use on nonfederal lands adjacent to or between corridor segments. The type and magnitude of effect would depend on the current and anticipated future land use in these areas.

Alternate Out Reach Activity;

Therefore outreach activities might ought to include notifying all landowners who own land adjacent to federal lands impacted at a minimum. As county governments are often given "cooperative agency status" these lists would be relatively easy to come by. This has not been done and it has not been done in a timely manner. Most of these "stake holders" in our area of Placitas NM have signed a survey and or a coalition letter stating that they do not want an E corridor rather instead a wild horse park and wild life corridor. **None knew of this E Corridor possibility until WHOA included this in a community wide survey sent out in late 2007.**

It was also stated "Lastly, the locations of the Section 368 corridors developed in Step 2 were **further adjusted using corridor-specific input from local federal land managers and staff.** These managers and staff evaluated the preliminary corridor locations on their respective administrative units and adjusted the corridor locations to further avoid important or sensitive resources and to ensure consistency with resource management objectives described in each unit's land use plans, while meeting the requirements and objectives of Section 368.

50528-013

To this we respond that WHOA has been active and meeting with BLM representatives for the last 5 yrs, the E corridor possibility and/or mention of it was not heard until second half of 2007 and only in discussion regarding an upcoming RMP. The cofounder of WHOA also has a pending grazing permit request filed 1.5 yrs ago and owns land contiguous with this BLM. Also, these legally wild horses under NM state law were claimed/regulated by the state in Spring of 2007 but were claimed as protected by the SHPO in 2004 by the San Felipe Pueblo as well as other modes such as having always met the definition of a wild animal under the adjacent Open Space' Ordinance.

Resource Management Plan Updates

It is stated that analyses conducted in this PEIS would support the amendment of approved land use plans for federal lands where Section 368 energy corridors would be designated. **Is this proposed E Corridor the reason our Rio Puerco BLM's local RMP update was finally funded though many have wanted it updated for a multitude of reasons for years? Placitans are curious to know as Placitans have wanted an RMP Update for many years** (due to the Placitas BLM's proximity to an increasingly dense community attracted here by the open space and wild life of the BLM.)

50528-014

Interagency Operating Procedures (IOP's)

The plan amendments for the Proposed Action would include;..... (2) the adoption of interagency operating procedures (IOPs) that would be selected on a corridor- and project-specific basis.

Would these IOP's cause any decrease in the rigor currently used under NEPA, National Historic Preservation Act etc? This would not be acceptable and should be clearly stated either way in the PEIS.

50528-015

Would these IOP's cause any decrease in the rigor with with states currently review ROW's? This would not be acceptable and should be clearly stated either way in the PEIS.

Transport Projects

Suggestions received from the public identify a potential for many energy transport projects to be developed through out the West.

50528-016

These suggestions should be included in the PEIS for review along with their proposed locations.

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(cont.)

Potential Impacts

As stated "Potential direct impacts typical of project construction and operation include the use of geologic and water resources; soil disturbance and erosion; degradation of water resources; localized generation of fugitive dust and air emissions from construction and operational equipment; noise generation; disturbance or loss of paleontological and cultural resources and traditional cultural properties; degradation or loss of fish and wildlife habitat; disturbance of resident and migratory fish and wildlife species, including protected species; degradation or loss of plant communities; increased opportunity for invasive vegetation establishment; alteration of visual resources; land use changes; accidental release of hazardous substances; and increased human health and safety hazards. **Project development under either of the alternatives could also affect populations in the vicinity of the projects on both federal and nonfederal land as well as local and regional economies**".

50528-017

The statement highlighted in red, seems a bit of an over statement because without the designated Corridor and eminent domain swipes, there would not likely be any ROW's near communities that are over half a mile wide. Please sanitize the above statement with this in mind.

"For multiple projects, environmental impacts from project construction and operation would likely be dispersed over a larger area under No Action than under the Proposed Action. Under No Action, multiple project ROWs could share locally designated corridors but outside of these areas could be more widely dispersed on other federal and nonfederal lands.

For these and other reasons stated, our preferred Alternative is again NO ACTION. Placitas countered one hazardous pipeline permit request when we were not in a designated E Corridor. With the designation of an E Corridor, permit acceptance (an official E Corridor designation portends a fore gone conclusion that permits will be granted). See States rights issues outlined below.

50528-019

Environmental Justice and Socio Economic Resources;

Tourism is the second largest industry in the US and in New Mexico. It is a 5 Billion dollar industry in NM alone. Heritage tourism accounts for 81% of that industry and is a CLEAN industry. This proposed Energy Corridor could potentially impact this important source of economic activity in this state and others. This state is not industry rich and much of it is rural. Heritage Tourism provide jobs in rural NM and potentially will provide more rural economic development according to WHOA's statewide tourism plan. This tourism plan utilizes at a minimum, the animal and cultural resources on the Socorro BLM and BLM lands in Placitas (within Rio Puerco BLM lands Resource Management Plan) both and others are included in the proposed Energy Corridor as well as other public and private lands surrounding them.

50528-018

Heritage Tourism

WHOA and the Placitas Coalition request that the **National Historic Preservation Act, and the Preserve America Executive Order** of March 3, 2003 be in full effect and adhered to in regards to choosing a path for the E Corridor. See below

Preserve America Executive Order synopsis;

–" Federal agencies will provide leadership in preserving America's heritage by actively advancing the protection, enhancement and contemporary use of historic properties owned by the government, emphasizing partnerships"

50528-020

The **Executive Order** directs Federal agencies to improve their knowledge about, and management of, historic resources in their care. It also encourages agencies to seek partnerships with state, tribal, and local governments and the private sector to make more efficient and informed use of these resources for economic development and other recognized public benefits.

The **Executive Order** shines a spotlight on the value of heritage tourism to the nation through historic preservation, recognition of important natural assets, public education, and economic activity. It directs the Secretary of Commerce, working with other agencies, to use existing authorities and resources to assist in the development of local and regional heritage tourism programs that are a significant feature of many state and local economies.

It is the policy of the Federal Government to provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties.

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(cont.)

A. Promoting Preservation Through Heritage Tourism

1. To the extent permitted by law and within existing resources, the Secretary of Commerce, working with the Council and other agencies, shall assist states, Indian tribes, and local communities in promoting the use of historic properties for heritage tourism and related economic development in a manner that contributes to the long-term preservation and productive use of those properties. Such assistance shall include efforts to strengthen and improve heritage tourism activities throughout the country as they relate to federally owned historic properties and significant natural assets on Federal lands.
2. Where consistent with OPDIV missions and governing law, and where appropriate, OPDIVS shall use historic properties in their ownership in conjunction with state, tribal, and local tourism programs to foster viable economic partnerships, including, but not limited to, cooperation and coordination with tourism officials and others with interests in the properties.

WHOA and the Placitas Coalition request assurance that all questions of the 2007 Western Energy Agenda below be answered and concerns mitigated and included in the PEIS.

Amigos Bravos ♦ Aspen Wilderness Workshop ♦ Biodiversity Conservation Alliance ♦ Californians for Western Wilderness ♦ Coalition for the Valle Vidal ♦ Colorado Environmental Coalition ♦ Earthjustice ♦ Environment Colorado ♦ Forest Guardians ♦ Idaho Wildlife Federation ♦ National Wildlife Federation ♦ Natural Resources Defense Council ♦ Nevada Wildlife Federation ♦ New Mexico Wildlife Federation ♦ New Mexico Wilderness Alliance ♦ Northern Plains Resource Council ♦ Oil and Gas Accountability Project ♦ Powder River Basin Resource Council ♦ Sagebrush Sea Campaign ♦ San Juan Citizens Alliance ♦ Sierra Club ♦ Southern Utah Wilderness Alliance ♦ The Wilderness Society ♦ Western Colorado Congress ♦ Upper Green River Valley Coalition ♦ Western Organization of Resource Councils ♦ Western Resource Advocates ♦ Wyoming Outdoor Council

50528-021

2007 WESTERN ENERGY AGENDA

The American West is blessed with enough clean, renewable energy potential to meet a substantial portion of our nation's energy demand. But as the Rocky Mountain states look to the future, a dramatic increase in drilling for oil and natural gas is placing unprecedented pressures on water,

ranches, **wildlife**, landscapes and communities across the Rocky Mountain West. The inclusion of Western energy issues in the recently announced House Natural Resources Committee oversight agenda is an important first step toward responsible energy development in the region. We also encourage Congress to aggressively pursue a clean energy agenda, an outline of which is available at www.saveoureenvironment.org/2007_Energy_Platform.pdf. In order to ensure that our national energy policies achieve the appropriate balance between oil and gas development and economically viable western communities, Congress should take the following steps:

Protect the West's Water

The West's water is the region's most important natural resource and should be protected from the contamination and degradation that is frequently caused by irresponsible oil and gas drilling.

- Repeal Section 323 of the Energy Policy Act of 2005 (**EPAct**), which exempts oil and gas construction activities from the Clean Water Act's stormwater permit requirement.
- Repeal Section 322 of **EPAct**, which exempts hydraulic fracturing from the Safe Drinking Water Act. Hydraulic fracturing involves the high-pressure injection of water, sand, and toxic fluids into a rock or coal formation to enhance oil and gas production.
- Allocate funds for the National Academy of Sciences study on the effect of coalbed methane production on water resources as required by Section 1811(d) of **EPAct**. Funds should be allocated from the BLM oil and gas program in the FY 2008 Department of Interior Appropriations bill.

Safeguard The West's Special Places

The vast majority of public lands under lease across the West – approximately 24 million acres of 36 million acres under lease – have not been put into production, yet the BLM continues to fast-track leases on millions of acres of public lands each year and is moving forward with creating transmission corridors that could harm our environment.

- Support protection of New Mexico's Otero Mesa, Colorado's Roan Plateau, Wyoming's Red Desert, and Utah's Redrock Wilderness from oil and gas development.
- Revise Section 368 of **EPAct**, regarding energy transmission corridors, to avoid sensitive lands, eliminate the application of categorical exclusions, and limit the width of designated corridors.

Conserve America's Wildlife Heritage

The American West has many of the world's last remaining big game herds, with hundreds of thousands of elk, mule deer and pronghorn following ancient migration corridors to calving and fawning areas and critical winter habitat they need to survive, as well as critical habitat for declining species such as sage grouse.

- Require BLM to use Best Management Practices. Every company authorized to operate on federal lands should use practices that will avoid and minimize habitat fragmentation and degradation, such as directional drilling, well clustering, maximizing spacing between wells and well clusters, phased development, unitization and complete concurrent restoration.

Defend Western Ranches and Private Lands

Ranchers and other landowners who don't own the mineral rights beneath their property have little say over whether and how the federal minerals under their lands are developed, and little recourse from the impacts this development can have on their health, drinking water, livelihoods and quality of life.

- Support legislation like Congressman Udall's HR 2064 Western Waters and Farm Lands Protection Act that requires surface use agreements, adequate notification of surface owners, adequate bonding, regulation of water impacts, the clean up of orphaned, abandoned and idled wells, and stronger reclamation standards.

Restore Public Participation and Balance

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The BLM's highest priority over the past six years has been to issue as many oil and gas leases in as short a time as possible.

- Amend Section 366 of **EPAct** to eliminate the 30-day permit deadline. Pressuring the BLM to take quick action on permits hampers its ability to thoroughly review permits and protect other resources.

- Repeal Section 390 of the **EPAct** to eliminate new categorical exclusions from NEPA review.

Requiring BLM to consider the impacts of additional oil and gas development on public lands and to permit public review and comment will lead to more careful decision-making.

- Support the Bush Administration's proposal to eliminate dedicated funding for the Permit Coordination Pilot Project established in Section 365 of **EPAct** and repeal of the cost recovery fee prohibition. BLM field offices have issued permits at a breakneck pace, often ignoring their commitment to other environmental resources and the public.

- Fully fund BLM's Inspection and Enforcement Program and ensure that inspectors' time is spent on inspection and enforcement activities, not permitting of other activities.

Look Before We Leap on Oil Shale

The Energy Policy Act put the BLM on a path to seek commercial leasing for oil shale as early as 2008 – despite the fact that there still is no economically viable extraction technology and the long list of environmental and social impacts cannot be fully understood by then.

- Prohibit commercial lease sales, promulgation of regulations, and environmental analysis for commercial leasing until current Research Development and Demonstration projects have proven they are economically viable without taxpayer subsidies, will comply with all existing environmental protections, and have acceptable environmental and social impacts.

Conclusions

The Rocky Mountain West deserves a balanced energy policy that helps provide for our nation's needs by maximizing energy efficiency, promoting renewable energy resources, and ensuring protections for the region's communities, **wildlife**, water supplies and landscapes.

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WHOA and the Placitas Coalition request assurance that all questions regarding States Authority and States Authority preemption from the National Governors Association/below be answered and concerns mitigated and included in the PEIS.

Energy Policy Act of 2005 (Pub. L. No. 109-58)

On August 8, 2005, President Bush signed into law the Energy Policy Act of 2005 (EPAct), which contains several distinct provisions preempting different aspects of state authority. The law preempts states and localities in the exercise of their traditional authorities over local land use decisions, siting liquefied natural gas facilities, and pollution control.

Preemption of State Authority over Transmission Lines

EPAct transfers the authority to approve the siting of certain transmission lines from state and local governments to the federal government. States and localities have long exercised this authority to protect the environment, address local land use preferences, and ensure reliable power service. EPAct shifts this authority to the Department of Energy (DOE) and the Federal Energy Regulatory Commission (FERC).

50528-022

Under section 1221 of EPAct, DOE may designate “national interest electric transmission corridors” within which state and local authority to deny or condition transmission line permit requests is severely limited. If a state denies a permit, places certain conditions on a permit, or has not acted on a permit within one year for any reason, including lack of information provided by the applicant, FERC can step in and issue the permit.

In addition, the section intrudes on long-standing state and local eminent domain authority. Under section 1221, electric utilities that have received a permit from FERC to construct a power line over state objections can petition a federal court for the right to exercise the power of eminent domain over private property in order to construct new transmission lines.

This section directly conflicts with the policy of the National Governors Association on the siting of transmission lines, which states:

Governors oppose preemption of traditional state and local authority over siting of electricity transmission networks. Governors recognize that situations exist where better cooperation could improve competition and reliability. Governors are willing to engage in a dialogue with the federal government and industry to address these situations in a manner that does not intrude upon traditional state and local authority.

Preemption of State Authority over Liquefied Natural Gas (LNG) Terminals

EPAct shifts the authority over siting onshore liquefied natural gas (LNG) facilities from states to the federal government. Previously, states had the authority to site LNG facilities in a manner that guarded the state’s interests in land use, public safety, and environmental protections.

Section 311 of EPAct grants FERC exclusive authority to approve or deny the siting, construction, expansion, and operation of onshore LNG terminals. State efforts to protect public safety or to address ratepayer and environmental concerns are preempted. While the law requires FERC to consult with state and local governments regarding safety concerns, they have no role in the final decision. State and local governments also lose the ability to impose penalties for safety violations at LNG facilities. The Act purports to preserve the rights of states under three specific environmental laws — the Coastal Zone Management Act, the Clean Air Act, and the Federal Water Pollution Control Act — but only to the extent that section 311 does not specifically provide otherwise.

This provision has significant practical implications for state authority. Sixteen applications for onshore LNG terminals are pending before FERC, and an additional nine potential locations for onshore LNG terminals have been identified by the LNG industry. Each of these applications raise

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significant safety concerns, including the possibility of a highly destructive explosion in the event of a terrorist attack. Yet state governments now have no authority to require any safety precautions or even to prosecute known violations of federal safety requirements.

This provision was opposed by state officials from both West Coast and East Coast states, as well as by the National Governors Association.

Limitation on State Authority to Require Clean Fuels for Motor Vehicles

EPAct sharply limits states' powers to require cleaner burning motor vehicle fuels. This law runs contrary to the Clean Air Act's long-standing recognition of states' authority to adopt more stringent pollution controls than the federal government. Prior to the adoption of EPAct, the Clean Air Act allowed states to require that gasoline and diesel fuel meet state "clean fuel" standards that are more stringent than federal standards if the states can demonstrate that the more stringent state standards are necessary for an area to meet the health-based air quality standards.

Section 1541 of EPAct bars EPA from approving — and hence bars a state from adopting — a new requirement for cleaner burning fuel unless: (1) the fuel would not increase the total number of fuel formulations in existence in 2004 and (2) use of the same fuel is already required elsewhere in that petroleum distribution district. In practice, this would block state requirements for any new and innovative type of clean burning fuels. It would also stop some areas from requiring clean burning fuel formulations that are used in other parts of the country. Section 1541 also allows EPA to suspend existing state clean fuel requirements under vaguely defined "extreme and unusual fuel and fuel additive supply circumstances."

This repeal of state clean fuel authorities was strongly opposed by state and local air pollution officials. According to these officials, requiring cleaner burning gasoline or diesel fuel is often one of the most cost-effective and least burdensome ways for states and localities to clean up their air and meet the health-based national air quality standards. They stated that the provision would "sharply curtail current state authority" that is "critical to protecting ... citizens from air pollution."

Sources:

National Governors Association, NR-18: Comprehensive National Energy and Electricity Policy (2003). Prior to the passage of EPAct, FERC attempted unilaterally to assert jurisdiction over LNG facilities and was sued by the state of California since the FERC action deviates from the plain language of the Natural Gas Act. *Californians for Renewable Energy Inc. & California Public Utilities Commission v. Federal Energy Regulatory Commission*, 9th Cir. Nos. 04-73650 & 04-75240.

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See NOAA, Implications of the Energy Policy Act of 2005 (Pub. L. No. 109-58) Provisions Relating to the Coastal Zone Management Act (Sept. 23, 2005) (“some state CZMA enforceable policies that NOAA previously approved that would specifically apply to LNG or LNG-type facilities would likely no longer be enforceable”).

E.g. Federal Energy Regulatory Commission, Existing and Proposed North American LNG Terminals (Mar. 8, 2006) (online at <http://www.ferc.gov/industries/lng/indus-act/terminals/exist-prop-lng.pdf>); Federal Energy Regulatory Commission, Potential North American LNG Terminals (Mar. 7, 2006) (online at <http://www.ferc.gov/industries/lng/indus-act/terminals/horizon-lng.pdf>).

Sandia National Laboratories, Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water (Dec. 2004).

See, e.g., Letter from Governors Schwarzenegger (R-CA), Romney (R-MA), Blanco (D-LA), Carcieri (R-RI), Codey (D-NJ) and Minner (D-DE) to Chairman Domenici and Senators Bingaman, Alexander, and Dorgan (May 25, 2005); Letter from Raymond C. Scheppach, National Governors Association, to Chairman Domenici and Senator Bingaman (June 21, 2005).

See CAA § 211(c)(4)(C); 42 U.S.C. 7545(c)(4)(c).

Pub. L. No. 109-58 § 1541(a) (2005).

See State and Territorial Air Pollution Program Administrators and the Association of Local Air Pollution Control Officials, Air Pollution Topics — Vehicles and Fuels (online at www.4cleanair.org/TopicDetails.asp?parent=27#docs-Fuels).

Letter from S. William Becker, Executive Director, State and Territorial Air Pollution Program Administrators and Association of Local Air Pollution Control Officials to Chairman Joe Barton (Apr. 11, 2005).

WHOA and the Placitas Coalition request assurance that all questions and comments of the Western Interstate Energy Board and the Committee on Regional Electric Power Cooperation on DOE’s Notice of Inquiry on “Consideration for Transmission Congestion Study and Designation of National Interest Electric Transmission Corridors” below be answered and concerns mitigated and included in the PEIS.

http://www.westgov.org/wieb/electric/epact/03-06-06_1221comments.pdf

Comments of the Western Interstate Energy Board and the Committee on Regional Electric Power Cooperation

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on

DOE's Notice of Inquiry on "Consideration for Transmission Congestion Study and Designation of National Interest Electric Transmission Corridors"

The Western Interstate Energy Board (WIEB) and the Committee on Regional Electric Power Cooperation (CREPC) appreciate the cooperative approach the Department of Energy (DOE) has taken thus far in the implementation of Section 1221 of the Energy Policy Act of 2005. WIEB is an organization of 12 western states and three western Canadian provinces. Its geographic reach covers all areas of the Western Interconnection in the United States and Canada. This is important because the electric power systems of the western United States and Canada are inextricably linked. For example, much of the water used to generate electricity in the Northwest is stored in Canada. Power sale and exchanges between the western U.S. and Canada are central features of the western power market. CREPC is a joint committee of the Western Interstate Energy Board and the Western Conference of Public Service Commissioners. All state and provincial energy planning, regulatory, and siting agencies are eligible to participate in CREPC. DOE's willingness to engage the states and western power industry in discussions and to use existing analyses of the western transmission system developed in open transmission planning processes in the region is laudable and comports with the Governors' request expressed in Western Governors' Association [Resolution 05-30](#).

The implementation of Section 1221 has reached a critical stage, which is the development of criteria by which the Secretary may designate National Interest Electric Transmission Corridors (NIETC). To ensure that Section 1221 contributes to the western objective of the expeditious permitting and construction of needed transmission, WIEB makes the following recommendations. Our comments are organized into (1) recommendations that would put the NIETC designation process into the context of the larger objectives of Section 1221; and (2) recommendations that respond to specific questions in the Notice of Intent (NOI).

1. NIETC Designations Should be Done in the Context of All the Actions Required Under Section 1221

We recommend that DOE make no final decision on criteria for designating NIETCs until it and the Federal Energy Regulatory Commission (FERC) have established rules and procedures to implement Section 1221 in its entirety and there is a clear process for coordinating NIETC designation with the designation of energy corridors on federal lands.

The designation of NIETCs is one link, albeit a central link, in a chain of connected actions. DOE should not finalize criteria for the designation of NIETCs until the Department and FERC have defined in detail all the links in the chain of actions that will implement Section 1221.

To the greatest extent possible, both the criteria for designating NIETCs and the designation of NIETCs should align with criteria used to designate energy corridors on federal lands. DOE should explain how the criteria for designating NIETCs comport with the criteria that the Departments of Energy, Interior, Agriculture, Commerce and Defense are using to designate energy corridors on federal lands under Section 368. DOE should also explain how the designations of energy corridors under Section 368 are to be coordinated with DOE's designation of NIETCs.

The designation of a NIETC puts in motion a series of major federal actions which have not been defined. For example, the designation of an NIETC would likely trigger transmission permit applications to states and federal agencies. In turn, this action triggers the one-year clock for state review under Section 1221 which then triggers FERC authority to grant eminent domain to condemn private lands. To date, FERC has provided no rules explaining the nature of the application it will accept, establishing when the one-year clock begins, nor explaining whether and how FERC will weigh and consider alternatives to the sponsor's proposal, including non-wires alternatives. DOE has not explained whether or how it will advise FERC if the sponsor's project falls within the designated NIETC. Nor has DOE established procedures to fulfill its agency coordination obligations under Section 1221.

At a minimum, FERC rules must specify that the one-year clock for state action on a proposed transmission line within a NIETC does not begin until a complete application has been received by a state, as defined in state law. This will prevent abuse of Section 1221 by project sponsors whose interest may be to short circuit the careful review of their proposal by the states so that they can reach a friendly forum at

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(cont.)

FERC. Without this clarification, project sponsors have no incentive to ensure that their applications to the state are complete and well prepared. Moreover, project sponsors have no incentive to address any legitimate concerns raised by local stakeholders.

FERC should define the term “not economically feasible” as used in Section 1221’s clause offering a federal override if state modifications to a transmission proposal render it uneconomic. The definition should require a demonstration that additional costs imposed by state modifications render a project both economically (overall costs outweigh benefits) and financially (out-of-pocket costs cannot be recovered) infeasible. In evaluating proposals for NIETC designation and for federal override, the benefits of a line should reflect the degree and persistence of congestion as well as the demand for and benefits of relieving that congestion. Further, the greater the benefits of a proposed line, the greater its ability to absorb state-imposed mitigation.

2DOE should specify how it will advise FERC when it finds a sponsor's project falls within a corridor and the information it will provide to justify such a finding. This is particularly important if DOE designates geographically vague NIETCs.

In the West, the action or inaction of federal agencies has been the most critical element in permitting major new transmission. Prior to finalizing NIETC criteria, DOE should explain (1) how the responsibilities of federal agencies for the review of applications for required federal permits will be coordinated among the agencies, (2) whether and how these agencies will meet a one-year deadline for a decision under Section 1221, and (3) how the process and timeline for federal agency permitting actions will mesh with state siting processes which must be completed within one year of an application. Consistent with the requirements in Section 216(a)(2) of the Federal Power Act, the Secretary should consult with states on how the needs that give rise to a potential NIETC designation are identified and evaluated. This will help expedite state reviews of projects proposed in NIETCs.

2. Recommendations in Response to NOI Questions

A. In the NOI, DOE has invited commenters to address how broadly or narrowly the Department should consider and define corridors. DOE “believes that defining corridors too narrowly would unduly restrict state authorities, FERC and other relevant parties in determining whether and how to authorize the construction and operation of transmission facilities to relieve the identified congestion.”

- We are concerned that DOE will adopt too broad and vague definition of a NIETC. Final NIETC designations should be geographically specific although they need not be at the geographic granularity of designating a centerline for a transmission line. We understand DOE’s reluctance to specify precise locations for designated corridors. DOE does not want to impose its own solutions on transmission issues and it wants to avoid triggering the National Environmental Policy Act (NEPA) until an actual project is proposed.

However, the designated corridors must have some parameters. The designation of a “Montana to Los Angeles” NIETC is too vague and invites abuse, particularly since the condemnation of private property is involved. With such a vague designation, a sponsor could propose a line virtually anywhere and claim it is in the NIETC. Without some parameters on the NIETC’s location, no one can tell whether the proposed project is inside or outside the corridor. A case-by-case decision by the agency will be arbitrary at best. At worst, a proposed project will be subject to litigation over whether it is inside or outside the corridor. The litigation over this one point will take longer than a normal state permitting process, defeating the very purpose of the Act.

A vague designation such as “Montana to Los Angeles” will not be acceptable to the public. At some point, the public will want to see the discrete geographic boundaries of a NIETC on a map. This was amply demonstrated at the scoping meetings for the 368 PEIS, where the first question raised by the public was “where are these corridors located?” This question will come from developers who want to take advantage of the favorable regulatory treatment, local reviewing agencies concerned about preemption, and property owners concerned about condemnation.

50528-023
(cont.)

A designated corridor could be broad enough to include a number of alternatives. However, it must have enough specificity so that developers, local stakeholders and local permitting agencies can tell whether a project is inside or outside the corridor.

B. Should the Department distinguish between persistent congestion and dynamic congestion, and if so, how?

- Yes. The Department should give greater weight to findings of persistent congestion. Indications of persistent congestion should be derived from: (1) comparison of historical flows over paths and the respective path ratings; (2) examining denials of transmission service requests; and (3) running of production cost models to simulate historic or near-term future congestion. In addition, where there is agreement on the reasonableness of assumptions, studies that examine congestion further into the future should be used, particularly where such future congestion implies potentially significant economic harm to a large number of consumers in the form of unreasonably higher rates.

C. Should the Department distinguish between physical congestion and contractual congestion, and if so, how?

- Yes. Findings of physical congestion should guide the Department's conclusions on congested paths. In the Western Interconnection, the principle indicator of physical congestion should be a comparison of historical flows and Operating Transfer Capacity (OTC). Conclusions from such an analysis need to be informed by circumstances surrounding the specific path. For example, some of the most heavily used paths in the Western Interconnection were sized exactly to carry power from a designated powerplant. A high utilization rate on such a path is not necessarily an indication of congestion that needs to be relieved.
- It is also useful to examine contractual congestion, however, the finding of contractual congestion should not lead directly to an NIETC designation. Rather, it should trigger an evaluation of institutional options for relieving such congestion. It is inappropriate and costly to consumers for the federal government to push high-cost solutions to contractual congestion when other solutions are available.

50528-023
(cont.)

D. What specific transmission studies should DOE review and how far back should DOE look for such studies?

- The relevant studies in the Western Interconnection are posted on the [WECC web site](#). We do not believe DOE should examine studies older than 2001.

E. What categories of information would be most useful to include in the congestion study to develop geographic areas of interest?

- Of highest value would be information from studies of historical physical congestion on paths because such studies contain the fewest speculative assumptions. In the Western Interconnection, DOE should compare historical flows with OTC. Paths where historical flows are near OTC should be investigated in more detail subject to the caveat discussed in Question C above.

F. What criteria should be used in evaluating the suitability of geographic areas for NIETC status?

- Any final NIETC designation criteria must be accompanied by administrative procedures explaining how the Secretary will apply such criteria. Given the vagueness of the statutory criteria the Secretary may use to designate NIETCs, it is important that DOE not only develop specific criteria for evaluating candidates for NIETC designation, but that the DOE have written administrative procedures on how the Secretary will apply such criteria in corridor designation

decisions. Since corridor designations can lead to federal preemption of state laws and condemnation of private lands, these procedures should: (1) provide opportunity for the states and public to comment on a proposed NIETC designation by the Secretary; (2) require that NIETC designations be based on a preponderance of the evidence; and (3) be subject to a high standard of review.

- We note that the proposed criteria lack internal consistency and range from very detailed, site-specific criteria such as the location of “must run” reliability generators to vague, undefined criteria such as further national energy policy and energy security.

Draft Criterion 1: Action is needed to maintain high reliability.

- Few, if any, congestion areas should be identified using this criterion. Under WECC and NERC rules, and under future FERC-approved mandatory reliability rules, there should not be any instances where an operator is threatening reliability of the grid.

Draft Criterion 2: Action is needed to achieve economic benefits for consumers.

- The calculation of savings to consumers should reflect state energy policies as enacted in state law or reviews of load serving entity resource plans. Specifically, if a state policy places a high priority on acquiring renewable energy generation, makes a judgment about natural gas price risk, or establishes a carbon adder to reflect its determination of carbon risk, DOE should assume compliance with such policies in the calculations of economic benefits to consumers.

Draft Criterion 3: Actions are needed to ease electricity supply limitations in end markets served by a corridor, and diversify sources.

- DOE should ascribe some, but not significant weight to eliminating the need for “must run” plants, except in cases where there are no policies that preclude such generators from exercising market power. Where reliance on the “must run” plant violates NERC planning criteria, the problem should be rectified by action to require compliance with reliability standards. DOE should not substitute its judgment for that of entities that have the responsibility to maintain system reliability.

Draft Criterion 4: Targeted actions in the area would enhance the energy independence of the United States.

- DOE needs to further define what is meant by “targeted actions in the area would enhance the energy independence of the United States.” For example, as written, this proposed criterion fails to recognize the international characteristics of the western electric power system. In the context of the western electric power system, interdependence, rather than energy independence, contributes to the appropriate goal of stable and adequate supplies of electricity for consumers in the western United States.

Draft Criterion 5: Targeted actions in the area would further national energy policy.

- To reach such a conclusion, the Secretary should demonstrate that his/her finding that a specific NIETC designation would further national energy policy is consistent with other federal energy policies. The finding that the designation of an NIETC would further national energy policy should not be an aberrant conclusion that is inconsistent with other energy policies of the federal government. For example, if a corridor is designated because it is national policy to reduce reliance on natural gas for electric generation, then other federal policies must reflect the objective of reducing natural gas use for electric generation.

50528-023
(cont.)

Draft Criterion 6: Targeted actions in the area are needed to enhance the reliability of electricity supplies to critical loads and facilities and reduce vulnerability of such critical loads or the electricity infrastructure to natural disasters or malicious acts.

- To avoid abuse of the application of this criterion DOE needs to identify what is meant by critical loads. Are these military bases, or hospitals, or government buildings, or telephone exchanges, etc.? We agree that case-specific assessments of such identified critical loads are needed. It is also important for DOE to consider non-transmission solutions for protecting these loads. Such non-transmission solutions may be lower cost and more secure than transmission solutions.
- DOE should support both proactive engineering to reduce/mitigate exposure of high-priority facilities, and a coordinated response and restoration plan in the event of natural disasters or malicious acts.

Draft Criterion 7: The area's projected need (or needs) is not unduly contingent on uncertainties associated with analytic assumptions, e.g., assumptions about future prices for generation fuels, demand growth in load centers, the location of new generation facilities, or the cost of new generation technologies.

- We agree. The greater the uncertainties that drive the finding of congestion, the less weight DOE should ascribe to the congestion finding and the less it should rely on such studies when designating NIETCs.
- One exception to this general rule would be where, because of its characteristics, a generating resource is location constrained (e.g., wind or geothermal power plants). In the case of location constrained resources, DOE should consider state policies on the choice of fuels used to generate electricity and determine if the designation would advance state energy policies.

50528-023
(cont.)

Draft Criterion 8: The alternative means of mitigating the need in question have been addressed sufficiently.

- We agree. The designation of an NIETC effectively short-circuits the consideration of non-transmission alternatives. In some cases, load-based generation and demand-side actions can be more cost-effective solutions to congestion. Unfortunately, once DOE designates an NIETC and a transmission project application is received in a designated corridor the state siting process has been compromised and the ability to consider and implement alternatives effectively constrained. We are particularly concerned that since FERC has no authority to order new load-based generation and limited authority to institute demand-side actions, its only choice will be to approve or deny the transmission application. For these reasons, we expect that little consideration to non-transmission alternatives will be given at FERC. Under Section 1221, the adequate consideration of non-wires alternatives must occur prior to the designation of an NIETC.

G. Are there other criteria or considerations that the DOE should consider in making an NIETC designation?

- Yes, DOE should consider the identification of *potential* NIETC designations prior to the formal NIETC designation. The designation of *potential* NIETCs would:
 - Send a signal to potential developers and states that the federal government is concerned with the need for more transmission capacity in an area.

- Enable coordination of the NIETC designation process with federal permitting processes by allowing time to complete an EIS which will generate information on alternatives to specific transmission corridors prior to a formal NIETC designation. This will permit DOE to make a much more informed decision on an NIETC designation since significant analysis of alternatives will be available.
- DOE should develop an additional criterion that would state that the designation of a NIETC would further the energy policies of affected states as reflected in state law and state regulatory reviews of load serving entity resource plans.
- When considering the economic benefit of new transmission, DOE should also include the non-monetized impacts of transmission, such as the impact of a transmission corridor on agricultural lands, designated urban growth and environmentally sensitive areas, and land values.

H. Are certain considerations or criteria more important than others?

- Yes, highest priority should be given to designation of transmission corridors that enable the achievement of state energy policy objectives.
- Priority should be given to designation of corridors from location constrained generation resource areas.
- Low priority should be given to the designation of corridors with contractual congestion but little physical congestion, unless there has been an evaluation which finds that solutions to contractual congestion are not feasible or more costly than building new transmission.
- Low priority should be given to designations that would rely on studies with a high level of uncertainty in the assumptions used.
- Low priority should be given to criteria that are vague and unverifiable, such as Draft Criteria 4 and 5.

We appreciate DOE's cooperative approach thus far in working with the western states and industry to shape the implementation of Section 1221 so that it will benefit western consumers. Careful analysis and cooperative efforts will be needed if the federal government's implementation of Section 1221 is to make a useful contribution to the development of needed transmission in the international Western Interconnection.

WHOA, the Placitas Coalition, and Pathways, also request that you also alleviate and mitigate the questions and concerns of Sandra Johnson which you have received already by email on Jan 29th, 08.

Again, I sincerely thank you for this opportunity to contribute to the understanding of this project.

Sincerely, and for the wild horses and open spaces,

Patience O'Dowd co-founder WHOA
Wild Horse Observers Association
A 501 c3 non-profit corporation
PO Box 932
Placitas, NM 87047
505-867-5228

50528-023
(cont.)

50528-024

From: corridoreiswebmaster@anl.gov
Sent: Thursday, February 14, 2008 11:59 PM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50535

Attachments: W_EnergyCorridor_DraftEIS_comment_JEH_WVECD50535.doc



W_EnergyCorridor_
DraftEIS_comm...

Thank you for your comment, John Hiatt.

The comment tracking number that has been assigned to your comment is WVECD50535. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 14, 2008 11:58:51PM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50535

First Name: John
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Privacy Preference: Don't withhold name or address from public record
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\W_EnergyCorridor_DraftEIS comment_JEH.doc

Comment Submitted:
See attachment

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster
at (630)252-6182.

SOUTHERN NEVADANS COMMITTED TO CONSERVATION



RED ROCK AUDUBON SOCIETY

February 14, 2008

Delivered via email and U.S. mail

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

Re: Scoping Comments for the West-wide Energy Corridor Programmatic Environmental Impact Statement

Thank you for the opportunity to comment on the West-wide Energy Corridor Draft EIS. This document doesn't do what an Environmental Impact Statement is supposed to do. It doesn't analyze the problem and examine a range of alternatives. It appears that the preferred and only alternative other than the "no action alternative" is just a plan to expedite transmission lines which would carry power from coal-fired power plants in Wyoming and the Four Corners Area to the Pacific Coast. The document should consider alternative renewable energy transmission needs and also the benefits of distributed generation, which would greatly reduce the need for long distance transmission lines.

50535-001

50535-002

The document fails to adequately address the issue of "choke points", those areas where there isn't physical space for a 3500 foot wide corridor. One such place is Las Vegas, NV, where the proposal calls for a 150-mile detour around the Spring Mountains. The document fails to consider other alternatives or the impacts to the Desert National Wildlife Range or to the north and west sides of the Spring Mountains which currently are impacted by only one or two (depending on area) relatively small power lines. No discussion is given to the costs of the detour to builders of power lines or pipelines. At least one energy company is already looking for routes other than the proposed route around Las Vegas.

50535-003

The document fails to discuss the impact of new and expanded corridors on Sage-Grouse populations in habitat traversed by new or greatly expanded corridors. Sage-Grouse

50535-004

populations have declined precipitously over a large portion of the bird's range. The petition for listing as either a threatened or endangered species was denied in part due to State conservation plans which are currently being implemented (at least in Nevada). Power lines have been identified as a significant cause of population declines within a couple of miles of the power line. The north-south corridor in Eastern Nevada traverses over two hundred miles of good Sage-Grouse habitat.

50535-004
(cont.)

The corridor from Reno to Las Vegas doesn't seem to fill any pressing needs. Even with full development of all the proposed geothermal projects in Western Nevada that corridor is not critical. It appears to cross some relatively pristine roadless areas rather than follow US Highway 95, although it is hard to tell exactly where the corridor goes based on the maps provided.

50535-005

All in all this Draft EIS is a deficient document and needs extensive work to address its many short comings.

Sincerely,

John E. Hiatt
Conservation Chair, Red Rock Audubon Society
8180 Placid Street
Las Vegas, NV 89123

From: coridoreiswebmaster@anl.gov
Sent: Friday, February 15, 2008 12:01 AM
To: mail_coridoreisarchives
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50536

Thank you for your comment, Mike Kelsey.

The comment tracking number that has been assigned to your comment is WVECD50536. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 15, 2008 12:01:00AM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50536

First Name: Mike
Middle Initial: O
Last Name: Kelsey
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Address 2:
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State: ID
Zip:
Country: USA
Email:
Privacy Preference: Withhold address only from public record

Comment Submitted:

With the abundance of federal lands in the west, all energy corridors to benefit the public at large must be situated on public lands. All companies building power lines must be required to locate them on such properties. The government must respect private property and also the environmental concerns in respect to wildlife and delicate ecosystems. Alternate technology should be examined to expand the capacity of the current system.

50536-001

50536-002

Questions about submitting comments over the Web? Contact us at:
coridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster at (630)252-6182.

From: corridoreiswebmaster@anl.gov
Sent: Friday, February 15, 2008 12:04 AM
To: mail_corridoreisarchives; corridoreiswebmaster@anl.gov
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50538

Attachments: West-wide_Energy_Corridor_Programmatic_EIS_WVECD50538.doc



West-wide_Energy
_Corridor_Prog...

Thank you for your comment, Kirk Robinson.

The comment tracking number that has been assigned to your comment is WVECD50538. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 15, 2008 12:03:26AM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50538

First Name: Kirk
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Last Name: Robinson
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Attachment: C:\Users\Circuit City\Documents\My Documents\WWC\West-wide Energy Corridor Programmatic EIS.doc

Comment Submitted:
Please see attachment.

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster
at (630)252-6182.

February 14, 2008

Thank you for this opportunity to comment on the West-wide Energy Corridor Draft Programmatic Environmental Impact Statement.

Western Wildlife Conservancy is a non-profit wildlife conservation organization located in Salt Lake City. Our mission is to protect wildlife and wildlife habitat in the Intermountain West, as well as archeological sites. We are opposed in principle to designating any land for energy corridors based solely on a speculative future need. Thus, we are opposed to this proposal.

We are convinced that this proposal can only result in unnecessary harm to the land, to wildlife and to archeological sites. We are being assured that before any actual significant expenditure of federal funds affecting the quality of the human environment can take place, and thus before a designated energy corridor can be subjected to development for the purpose of energy transmission, a regular environmental review will have to be completed. Perhaps so, but we are also told that "applicants using the corridors could take advantage of an expedited application and permitting process." (ES-20) We fear that an expedited application and permitting process would lead inexorably to quick and dirty environmental reviews and minimal public involvement.

50538-001

We don't think an expedited application and permitting process for energy corridor rights of way is a good idea, particularly because the PDEIS also states that "Potential direct impacts typical of project construction and operation include the use of geologic and water resources; soil disturbance and erosion; degradation of water resources; localized generation of fugitive dust and air emissions from construction and operational equipment; noise generation; disturbance or loss of paleontological and cultural resources and traditional cultural properties; degradation or loss of fish and wildlife habitat; disturbance of resident and migratory fish and wildlife species, including protected species; degradation or loss of plant communities; increased opportunity for invasive vegetation establishment; alteration of visual resources; land use changes; accidental release of hazardous substances; and increased human health and safety hazards." (ES-20, 21)

50538-002

We also fear that official designation of a system of West-wide Energy Corridors will adversely affect the value of private lands located between designated corridor segments on adjacent federal land. Combined with an expedited application and permitting process for rights of way within the designated energy corridors, this could not only depress the value of private lands within the physical parameters of a corridor, but might lead to a federal taking of the private land under Eminent Domain at the reduced price.

50538-003

The truth is that there is no pressing need for a system of designated West-wide Energy Corridors on public land.

50538-004

For all the reasons presented above we support the No Action Alternative.

Sincerely,

Kirk C Robinson, PhD, JD
Director, Western Wildlife Conservancy
68 S. Main St., Suite 4
Salt Lake City, Utah 84101

From: corridoreiswebmaster@anl.gov
Sent: Friday, February 15, 2008 12:36 AM
To: mail_corridoreisarchives
Subject: Energy Corridor Draft Programmatic EIS Comment WVECD50545

Thank you for your comment, .

The comment tracking number that has been assigned to your comment is WVECD50545. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 15, 2008 12:36:06AM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVECD50545

First Name:
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City:
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Country: USA
Email:
Privacy Preference: Withhold name and address from public record

Comment Submitted:

I oppose the siting of the West-wide Energy Corridor through the Siskiyou Crest and Colestin Valley area. As a resident of this area, there are several reasons for my objections. These include: 1) the ecological importance of the Siskiyou Crest and adjacent lands would be threatened by a corridor; this could undermine the only high-to-high migration corridor in the Northwest and endanger an important winter deer range in the Horseshoe Wildlife area; 2) The area is geologically unstable and subject to mountain shifting and slides; 3) Emergencies would be difficult to address due to extreme weather conditions and limited accessibility (the recent snowstorms serve as an excellent warning); 3) Building the corridor along a steep mountain pass would require extra labor and specialized equipment, thus unnecessarily raising expenditures of taxpayer's money.

50545-001

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster at (630)252-6182.

From: corridoreiswebmaster@anl.gov
Sent: Friday, February 15, 2008 12:52 AM
To: mail_corridoreisarchives
Subject: Energy Corridor Draft Programmatic EIS Comment WVEC50548

Thank you for your comment, Kay Kelsey.

The comment tracking number that has been assigned to your comment is WVEC50548. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 15, 2008 12:52:11AM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVEC50548

First Name: Kay
Last Name: Kelsey
Address:
Address 2:
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Country: USA
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Privacy Preference: Withhold address only from public record

Comment Submitted:

I am very concerned that deviating from the proposed energy corridors could have an extremely negative impact on landowners and wildlife, as well as accessability to landing strips for small aircraft. As a government "for the people", all efforts should be made to preserve the rights of the individuals/landowners and keep the power lines on government land where they would be less intrusive. Since my husband and many of his friends are pilots we are concerned about the safety of light aircraft if power lines are not confined to a specific corridor. We know that such structures would drastically reduce land values as well.

50548-001

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster at (630)252-6182.

From: coridoreiswebmaster@anl.gov
Sent: Friday, February 15, 2008 1:13 AM
To: mail_coridoreisarchives
Subject: Energy Corridor Draft Programmatic EIS Comment WVEC50549

Thank you for your comment, Eric Alberdi.

The comment tracking number that has been assigned to your comment is WVEC50549. Once the comment response document has been published, please refer to the comment tracking number to locate the response.

Comment Date: February 15, 2008 01:12:31AM CDT

Energy Corridor Draft Programmatic EIS
Draft Comment: WVEC50549

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Comment Submitted:

In my opinion, all potential high voltage power line corridors should be located on Federal lands. Additionally, any companies constructing such power lines should be restricted to these corridors. Large "Tower" line projects should not be located within close proximity to any populated areas if alternative routes are available. Also, alternative solutions such as new advances in cable capacity (for existing transmission lines) should be exhausted prior to construction of any new towers. I urge the government to respect the private property rights of any and all land owners that are within view of a given corridor. Additionally, I urge the government to consider the scenic view corridors and wildlife migration corridors that would clearly be damaged by any proposed tower construction. If a tower corridor is established, its location should not be based upon costs, but rather on its impact to the environment.

50549-001
50549-002
50549-003

Questions about submitting comments over the Web? Contact us at:
coridoreiswebmaster@anl.gov or call the Energy Corridor Draft Programmatic EIS Webmaster at (630)252-6182.