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Public Hearing on
Energy Policy Act—Section 368
Energy Corridors in the West:
Draft Programmatic Environmental Impact Statement

Speakers who asked that their name and address or just their address be withheld from the public record have that information replaced by xxxxx's.

Albuquerque, New Mexico, January 24, 2008, 2:00 p.m.-5:00 p.m.

LaVerne Kyriss:

Good afternoon. I'd like to thank you for joining us for a public hearing on the Draft Programmatic Environmental Impact Statement on Designating Energy Corridors on Federal Lands in the West.

Now, for those of you who are standing in the back of the room, we do have some chairs up in the front. So, if you'd like to sit down, we certainly welcome you to come and take the chairs up here.

I'm LaVerne Kyriss from the Department of Energy and I will serve as today's hearing officer. Before we begin the formal hearing, Jesse Juen, Bureau of Land Management's associate state director, will make a brief opening statement.

But first, if you have not yet signed in or let us know that you want to speak at this hearing, you can do so right now at the registration table, which is just outside here.

Handout materials. And we have a one-page fact sheet on the proposal with a map on the back. And we have another handout that gives you an example of our siting process. Also, the Draft EIS on a CD are in a table at the back of the room to my right.

Restrooms are located in the lobby, just past the elevators on the right. In the event of a fire or other alarm, we'd ask you to please take your personal belongings with you and evacuate the building as quickly, quietly, and safely as possible. To evacuate the building, just past the elevators there's a stair down to the first floor. At either end of the building are stairways.

With us today representing the federal interagency team managing this work are Bob Cunningham from Forest Service, right here, and—okay. Kate Winthrop from the Bureau of Land Management. And I don't see where Kate is in the room. Maybe she stepped out for a moment. And Ron Montagna in the back of the room from Bureau of Land Management. We also have staff from the contractor support who are helping us put this together.

But now, I'd like to turn the mic over to Jesse.

Jesse Juen:

Thank you, LaVerne. Hello, everybody. I'm Jesse Juen. I'm the associate state director with BLM.

In a few minutes you'll be hearing a brief presentation about the document, the Draft Programmatic Environmental Impact Statement for the Designation of Energy Corridors on Public Lands in the West, and which the Departments of Interior, Energy, and Agriculture are preparing to meet the requirements in the Energy Policy Act of 2005.

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Currently, our applications for rights-of-way to cross federal lands with pipelines or electric transmission infrastructure are considered on a case by case basis, without a whole lot of coordination and interaction between the other agencies involved.

In 2005, Congress directed the federal agencies to address this situation by designating energy transport corridors, and also performing necessary reviews of the environmental impacts of those designations. A Programmatic EIS, developed under the National Environmental Policy Act, known as NEPA, represents the environmental review.

[Muffled, audio pause]
Is this better? Oh, yeah. It is.

It's important to note that another round of site-specific NEPA analysis will be completed for each project proposed for locations in the designated corridor. The Department of Energy, the BLM and the Forest Service developed the corridor locations proposed in the Draft PEIS using a three-step process which is detailed in the document, in a handout available—if you didn't get a handout, there's some available at the back of the room there on the table—and which the presentation will also describe for you today.

In essence, today's hearing represents Step Four in that process. The public comments will help the agencies further refine the locations of corridors so that important goals of the projects are met, balancing the need to improve energy delivery in the West with our responsibility to protect the many important and valuable resources found on our federal lands.

From the beginning, the agencies have been committed to this strategy. And your comments will be very valuable in helping us to ensure that it is carried through to the end of this planning effort.

Representatives from DOE, BLM, and the Forest Service are here to receive your comments. And on behalf of all three of these agencies, I want to thank you again for your interest and your participation today.

LaVerne Kyriess:

Thank you, Jesse.

Today we're here to receive your oral comments on the Draft PEIS. You can also submit comments via the project website, by fax, or by mail.

This hearing is being webcast and transcribed, so speakers are asked to speak clearly and distinctly into the microphone. If you're having trouble hearing a speaker, please signal me and I will let the speaker know accordingly. After everyone who wishes to comment has spoken, I'll close the hearing.

So far, we have about 13 people who have requested to speak on this issue today. Each of you will have an initial five minutes to make your presentation. When you have 30 seconds remaining, I'll notify you so you can wrap up.

This hearing is to take comments on a Draft Programmatic Environmental Impact Statement prepared in response to direction given by Congress to five federal agencies: Energy, Agriculture, Interior, Commerce, and Defense. Section 368 of the Energy Policy Act directs the secretaries to designate corridors for oil, gas, and hydrogen pipelines, and electric transmission lines on federal lands in 11 western states to perform the necessary environmental reviews. Partly because of this requirement, we decided to prepare this

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Draft EIS, that's the subject of this hearing, and to incorporate these designations into land use, land management, or equivalent plans.

And I believe we're getting some more chairs for those of you who are seated in the back of the—or standing in the back of the room.

A separate and distinct public process is expected to begin later this year to identify corridors in the other 39 states.

And there are—there are some chairs up here as well. And I see a couple of chairs in this area, also.

The statute requires that when the secretaries designate these corridors, they must specify the corridor center line, the corridor width, and the corridor compatible uses. Congress also directed the secretaries to take into account the need for electric transmission facilities to improve reliability, relieve congestion, and enhance the capacity of the national grid to deliver electricity.

The Draft PEIS proposes designating more than 6,000 miles of corridors. Sixty-two percent would incorporate existing locally-designated corridors and/or rights-of-way; 86 percent would be on BLM land; and 11 percent on Forest Service land. The Draft PEIS identifies 166 proposed corridor segments in all 11 western states. If all are included in the follow-on decisions, this would involve amending 165 land-use or equivalent plans.

Previously designated corridors are outlined in yellow on the project map. Some of these are proposed for upgrade only. In the case of existing previously designated utility corridors, amendments to land-use plans designating these as 368 corridors would subject these corridors to the interagency coordination processes described in the PEIS, and they would be assigned Section 368 criteria; in effect, the centerline, width, and compatible purposes.

Using existing corridors alone would not meet the requirements of Section 368. So, we've identified an additional 2,300 miles of proposed corridors. The proposed corridors also vary in width. We used a 3,500-foot starting point to provide flexibility for siting multiple rights-of-way.

An energy corridor is defined as a parcel of land identified through a land-use planning process as a preferred location for existing and future utility rights-of-way, and that it is suitable to accommodate one or more rights-of-way which are similar, identical, or compatible.

Corridor designations assist in minimizing adverse impacts and the proliferation of separate rights-of-way. A right-of-way is a specific land use authorization—not a change in ownership—granted to allow construction and operations of a specific project that's often linear in character, such as a utility line or a roadway.

Right-of-way permits include requirements for compatible land uses and are not granted until a project applicant has complied with all relevant requirements, including appropriate environmental review.

In November 2007, we published the Draft PEIS. Comments are due February 14th. We will analyze and respond to the comments and complete the tasks necessary to prepare a Final EIS. We expect to have this ready sometime in mid-2008.

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The land management agencies will then be able to sign records of decision to designate corridors through amendments to land-use plans no sooner than 30 days after the Final PEIS is issued.

The Draft PEIS analyzed two alternatives: taking No Action and the Proposed Action. Choosing to adopt the No Action alternative would result in continuing ad hoc, uncoordinated development, as is done now. The Proposed Action is the result of a three-step corridor siting process described in detail in chapter two of the Draft PEIS.

The first step was to incorporate comments provided by the public during scoping and after the draft map was released in 2006. Then the agencies worked closely with local federal land managers to accommodate local land-use priorities, incorporate local knowledge of the areas, and avoid areas known to be incompatible with potential future development. A handout summarizing this process for determining where the proposed corridors would be located is on the information tables. Additional examples of specific corridors are also available on the project website.

We believe that the analysis of these alternatives meets NEPA's requirement for a hard look. Because the proposed action does not involve any site-specific, ground-disturbing activities, site-specific NEPA review will be required to support all proposed projects within a 368-designated corridor.

And today, we don't know when and where any projects will be proposed by applicants seeking to site pipelines and/or transmission lines. As a result of this uncertainty, the environmental effects described in chapter three of the Draft PEIS are necessarily more general than a site-specific analysis for a known project would be.

Comments will be most useful if they are specific, if they include suggested changes or methodologies, they provide a rationale for your suggestions, and refer to the specific section or page number of the Draft PEIS.

Finally, we encourage you to submit your comments via the project website. It's easy for you, it speeds our ability to get comments into the database for analysis and up on the website for public review, and it doesn't require stamps or envelopes.

Now, we're going to go over today's hearing process. I will call on speakers in the order in which you registered. We ask you to please step up to this microphone and clearly state your name and organization, if you're representing an organization, before you make your comment. Please limit your oral comments to five minutes so that everyone who wants to speak today may have a chance to be heard. I will advise you when you have 30 seconds left so you can wrap up. And I have this lovely little sign that I'll wave at you, so you'll see that.

We will call on the people who registered in advance first, then I will call on the people who registered to speak here. Then, I will call for people who haven't yet registered, but want to speak. We'll give each of you a chance. Then, we'll go back to other people who have already spoken but, because of the time limit, want to speak again. We'll go through that until everybody has had a chance to speak. After everyone has had a chance to make their comments, we'll then close the hearing and remind you of when comments are due and how to submit them.

Now, if you are speaking from a prepared statement, we'd also ask you to please leave a copy with us at the registration desk. If you're not able to do that today, we'd ask you to submit that via the project website.

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Agency representatives won't be answering questions during the hearing, but we will stay afterwards to discuss the Draft PEIS with you.

Are there any questions on the process for how we're going to conduct the hearing today?

Yes, sir.

Unidentified Participant: [Can we discuss the project and ask questions or only make comments? .]

LaVerne Kyriss: Sir, we will take a break and we will go off the record and we'll enter in to discuss it. Yes, sir. If we need to go back on the record so you can make comments, we're happy to do that.

Are there any other questions? I see no other questions. So, if there are no other questions, we'll now begin taking your comments.

Our first speaker is Lee Rickard. And Lee will be followed by Alfred Bennett.

Lee Rickard: Can you hear me? My name is Lee Rickard. I am from the University of New Mexico. The reason I'm here is to make you aware of a project called the Long Wavelength Array. In this project, the University of New Mexico is acting as the executive agent for a consortium of universities and federal agencies.

The project is funded by DOD. And in short, it is to construct an advanced radio telescope operating in the spectral region between 10 and 88 megahertz. So, that's just below the FM band. Primarily intended for astronomy and also for studies of the ionosphere, which is in fact the reason why our colleagues in DOD and DOE are interested in this project.

What this involves is laying out 53 stations, each of which consists of a small field of telescopes, radio telescopes. They basically look like TV antennas. These 53 stations would be scattered all over the state. We are currently doing our initial work in the vicinity of the very large array, which means out on the Plains of San Agustin.

Our primary concern relating to this project is radio frequency interference. This is something which is not actually being considered right now in the criteria in the EIS. We are very badly disturbed by interference like that. We need to have a certain amount of standoff distance between sources of interference and our telescope stations. So, we need to be able to coordinate what we're doing with what eventually comes out of this sort of activity.

Our sites are all on state land—or at least right now they are—so there's no direct correspondence. But as you know, these things are all sort of jumbled together. We of course need to work with fairly flat, dry areas that are in reasonable access to electric power and data communications cable which means, amongst other things, that we have sites down along the I-25 corridor.

We have to choose our site locations also on the basis of the final imaging performance of the instrument. In other words, we can't just scatter them willy-nilly over the state. They are actually chosen by some very specific criteria about how you're doing the imaging, the astronomical imaging. That means that we're less flexible in relocating than one would like us to be.

To the extent that we understand the standoff distances required, there was a study done by the National Radio Astronomy Observatory indicating that our band standoff distances

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from things like high voltage lines and such would have to be about eight kilometers, which is of course well in excess of the width of the proposed corridors. So, we have to be wary about what's going on.

What we are doing right now, again, is simply providing the information that the project is going on and expressing our eagerness to work as well in advance as possible to coordinate and make sure that we don't overlap.

I have a little handout and we'll submit more details on the Web.

LaVerne Kyriess:

Thank you, Mr. Rickard. Our next speaker will be Alfred Bennett. And Alfred will be followed by Elouise Brown.

Alfred Bennett:

Good afternoon. It's an honor and a pleasure to be before you. I'm sorry I didn't make the meeting in Window Rock, Arizona, yesterday.

I'm Navajo. Diné. I'm originally from Shiprock. And I've been living here in the Albuquerque area for the past 13 years, working in the VD/mental retardation field as a guardian for my brother, and in the construction industry.

You know, this is a very complicated and complex issue, especially just being shoved at us as a people, especially on the Navajo Nation. One of the things that I came across was that our leaders on the Navajo have never informed us. Grandma and grandpa out there, who don't even speak one word of English, and who are having problems out there. And they want to run all these corridors through the Navajo Nation. We were looking at, you know, the maps.

And you know, our leaders, our president, Joe Shirley, has just let us down because they were keeping this from us. Maybe it's because, too, I'm with Dooda Desert Rock and we're opposed to the Desert Rock generating station being build on the Navajo. They—in their terms, in it a good project and they're using it to more or less tell the people that, you know, you'll create jobs but we have a high unemployment rate. The jobs will come and go. And it'll be union. And a lot of the workers, we don't have the skilled craftsmen to build that, also. Very limited.

But you know, as I said, even our council, our Tribal Council has let us down in this area because some of them don't even know about this. And the ones that are privy to this information just haven't told nobody.

As I look at our nation, and it's always been a dream and a hope that we control our own destiny. I have always looked at us to one day becoming an independent nation, where we can take care of our own. As I said, you know, I look at history and I look at the treatment of Native Americans by this country throughout history. As I wear my T-shirt, Homeland Security. We've been through 500 years of "terrorism." And you know, up until 9/11, it finally sunk into America about terrorism.

When I was talking to some of my friends after 9/11, they were along the transmission lines. And a military jet flew over, was flying the transmission lines out of Four Corners Park land. And the Navajo police came right on their tail and chased the guys away because, you know, they were freaked out because they don't want this military jet following the transmission lines.

And more or less, as I looked at this and I looked at the corridor and I see that this is just more or less like another Oregon Trail back in the 1850s, '60s, when The Plains wars was going on. As we look at America's treatment of us through treaties, through promises,

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and even recently through legislation, whereas you look at the San Juan River Settlement or the Rio Chama and the San Juan River, what they promised us. About 100,000 irrigated acres, 500,000 acre feet of water. In federal law. And then when the settlement came in for the state of New Mexico and the U.S. government, they took us down to 360,000 acre feet. And they said, you know, you guys really don't need that water. Whereas, in the Rio Chama project, they made those tunnels twice as big. Because they already knew at the beginning they were going to steal our water. So, every time you drink that Rio Chama water, think, it's Navajo water taken by the U.S. government.

But yet, they never finished the Navajo Indian Irrigation Project. They only got half finished with that, 65,000 acres we brought under cultivation. But yet, they needed that water for down in this area. Yet we were not adequately compensated and that's why I'm saying our government has really let us down.

But yet, you know, I want to leave you with something. You know, I know that, you know, there's a lot of issues still to be talked about. But my people, we need to hold public hearings within our own Nation and a referendum. But, I'm going to leave you with this. The legislator and historian Robert C. Winthrop says, "Professed patriotism may be made the cover for a multitude of sins." Thank you very much.

LaVerne Kyriess: Thank you, Mr. Bennett. Our next speaker will be Elouise Brown, and she will be followed by Reid Bandeen.

Elouise Brown: [Speaking Navajo.] I just introduced myself in my own language. My name's Elouise Brown and I am from about 30 miles south of Farmington, New Mexico, Southwest. And I'm representing all the Navajo elders, the grandpas and the grandmas out there that can't get on the internet to realize what's going on about this public hearing here on the energy corridor. And they also can't read the newspaper. They can't read or write English. And I'm here representing them.

Although I'm not the Navajo Nation president, but I'm also—I'm the president of a group called Dooda Desert Rock, which means No Desert Rock in our language. And Desert Rock Energy project is a 1,500 megawatt coal-burning fire plant that's coming up—or that's being proposed, which is not going to happen because of us. And I strongly believe that, if you really get out there and be heard, you can make a difference.

And we've already got two coal-burning power plants out there and we don't need another coal-burning power plant. Within that 25-mile radius, there's already two. And there's another one within the 75-mile radius, which will make the Desert Rock Energy Project the fourth coal-burning power plant. They're killing us with pollution out there. People don't realize that so we need your help out there. And it's not only affecting the people that live out there, it's affecting the whole world. It's a global issue. It's not a Navajo issue, it's not a Burnham issue, it's not a New Mexico issue.

But anyway, on the energy corridor, we—I feel like we—you know, I want to make a request like I did in Window Rock, Arizona, last night—or yesterday—that I would like to ask the people that are here, that are holding the public hearing, to put up more public hearings on this because we didn't get enough notice, although I was told that several entities were told that this public hearing was going to happen.

But like I said, again, throughout our Navajo Nation, not very many people are on the internet. It just so happens that, you know, I'm constantly browsing the Web. That's how I found out about this energy corridor. Otherwise, I wouldn't have been here. And I'm really glad that I came across this so that, you know, my voice could be heard.

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Although the Navajo Nation's not here—I am surprised that none of them are here to speak out for the Navajo people—but I'm always going to be speaking out for the Navajo people, the New Mexicans, the United States.

I went out to serve my country to protect my people, the United States. And I feel like, okay, I'm going to go home; you know, I'm going to have my personal life. But yet, I'm out here in the front lines with the Desert Rock Energy Project opposing it. People are calling it the David and Goliath story. So, I guess it could be the Davina and Goliath story. But, we know who won on that so we kind of have an idea of where this is going.

So, on the request that I'd like to make on the corridor, I'm requesting to get more—to have more hearings done—please—on the reservation and also in New Mexico so that more people would know what's going on rather than just saying, okay, we had this hearing.

Sometimes I feel like we're not being heard, no matter what we say to the government. They don't—I mean, it's like, if you don't care to listen to the people, why are you doing this? That's how I feel sometimes. When I talk to, you know, the government, it seems like nobody listens.

But again, I'm requesting the people that are holding this public hearing to please hold more public hearings. That's my main request.

And out there—I remember when I was just a child. I don't know how old I was. But, back on the reservation, there was a transmission line that was put in. I didn't know what it was at the time. We were just having fun running around playing. And all these helicopters were coming in, bringing in these giant objects and I guess it was the power line that they were building. So, I live right under the power line. I don't know how much damage that could do to a person or a human life, but I live right under the power line.

So again, I'm basically here to make that request on behalf of our Navajo Nation and New Mexicans. Thank you very much.

LaVerne Kyriess:

Our next speaker will be Reid Bandeen. And Reid will be followed by Peter Pino.

Reid Bandeen:

Hello. I'm, as she said, Reid Bandeen. I'm the current president of the Las Placitas Association based in Placitas, just north of here. And I'll do my best to compress my hour and a half presentation into five minutes.

Las Placitas Association works as a local nonprofit engaged in watershed restoration, conservation, and education in open-space preservation. And we've been at that for about 15 years, vigorously engaged in these activities for the benefit of the community.

I'd like to begin by just commenting that we absolutely recognize the need for well-planned and professionally-operated energy resource transmission systems in the western United States and the rest of the country. And given the need for these corridors, however, we're quick to recognize the fatal flaw in the West-wide Energy Corridor proposal in that it really doesn't get us corridors, but only segments of corridors and only on federal lands. So, as such, the entire project is essentially kind of a giant exercise in false advertising.

The incomplete and disconnected segments of the corridors presented in the plan will deliver zero additional energy. If indeed the project is intended to create a corridor system and a West-wide network of completely linked and continuous corridors, it should

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be presented as such. It should be conceived, designed, and proposed as such, and the project should undertake the necessary notifications and consultations that enter into a dialogue about the project as such.

NMA04-001
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A completed corridor network would certainly have much impacts on more than federal lands, and those impacts clearly need to be thoroughly assessed, accounted for, and mitigated rather than completely ignored or mentioned only as a hypothetical impacts as in the plan presented.

NMA04-002

The complete plan, including the corridor route such as the map that shows a planned route through the middle of Placitas, on private land, though this was not published in the EIS document, these sorts of things need to be fully disclosed. And all the attending impacts, whether they're environmental, cultural, socioeconomic, public health, must be fully assessed and addressed with proper mitigated measures.

A proper plan, unlike the current plan, would provide proper notice and consultation to the affected local governments, as required in Section 368 of the 2005 Energy Policy Act. Last week at a Sandoval County Commission meeting, the planning authorities present in the meeting and the county commissioners indicated they had not been consulted, and most were even unaware of the very existence of the project.

NMA04-003

Conflicts with the land-use plans of master plan communities within the private land corridors were not addressed as required by Section 1502.16 of the National Environmental Policy Act. The representatives were not consulted as required under the Energy Policy Act of 2005.

NMA04-004

The creation of a massive interstate energy corridor system is comparable to the creation of the interstate highway system in America in the 1950s and '60s. Unlike the current energy corridor plan, those interstate highway plans were very thorough in dealing with and consulting with state governments as far as relying on them for information as the most feasible private lands corridors. The state authorities with the greatest knowledge of the local socioeconomic and environmental impacts were essential in establishing those corridors for the highway system. In this case, the state governments have not been properly consulted and involved in the designation of the private lands corridors that, you know, pretty much remain undisclosed, again, in violation of the Energy Policy Act.

NMA04-005

To further follow that logic of the state highway system, during that project a substantial highway trust fund was created to properly reimburse impacted private property owners losing their land via the eminent domain process. No process for such reimbursement has been presented as part of this plan. And the staggering impact to present and future private property values as a result of the project remain wholly undefined and unaddressed in the plan as proposed.

NMA04-006

Although the full extent of the environmental impacts, health impacts, and socioeconomic impacts remain unquantified and a huge unknown, I acknowledge the authors of the EIS for at least mentioning impacts that can be expected from the actual construction and operation of the corridors.

So, I'd just like you to think about these for a second and see them unfolding in your neighborhood, and quote them as listed in Section Four:

NMA04-007

We have contamination of soil and water resources, Earth moving and blasting, toxic spills and releases, soil erosion, private security impacts due to increased accessibility, vandalism and theft, dust emission, exhaust emissions, fuel combustion emissions, evaporative emissions from crude oil, petroleum products and hazardous chemicals,

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increased ambient noise levels, injury and destruction of ecological resources, increased invasive vegetation, reduced vegetative growth and density, changes to hydrologic regimes, wildlife and plant habitat disturbance and loss, injury and mortality to wildlife, decreased visibility from light pollution, degradation of visual quality, decreased visibility from dust emissions, changes—we assume to be decreases—to private property values, changes in the local tax bases, adverse health impacts due to the electromagnetic radiation fields, conflicts in land use, occupational hazards, and respiratory impairment.

That appears to be a fairly thorough list to me. I could probably add a few things, but we at least thank you for notifying us what to expect.

Thanks for your time.

LaVerne Kyriess: Thank you, Mr. Bandeen. Our next speaker will be Peter Pino, followed by Richard Hughes.

Yes, sir?

Unidentified Participant: I missed yesterday's hearing. Can I get a copy of those comments?

LaVerne Kyriess: Yes, we are webcasting this so people can listen to this online live, and it's also archived. They are transcribed and then they will be posted on the website. So, you can go get that transcript, you can go listen to that later. And they will be transcribed and you can get that.

Unidentified Participant: Who's getting these comments? Who's responsible for answering?

LaVerne Kyriess: The people that I introduced at the beginning of the meeting, Bob, Ron, myself, are the project managers from the agencies. We are getting those. We will be reviewing every comment and preparing responses to every comment, considering all of the comments as we prepare the Final Environmental Impact Statement. Clarifying point, yes.

So, please, sir.

Peter Pino: Again, my name is Peter Pino. I'm the tribal administrator for the Pueblo of Zia. Zia Pueblo is located 35 miles northwest from here. I state that because many people, even local people, don't know where Zia is.

Zia has a corridor that goes through its land at this point in time. And the pueblo itself supports the congressional mandated effort to identify the corridor and make the process of locating the right-of-way across federal lands more efficient. We are proud that we have a play in being able to distribute the energy in the West and through other parts of the country.

However, we feel that the corridor that's going to be going through the reservation, in no way will we allow that 3,500-foot right-of-way. That's too wide. We would like to believe, and it's our understanding, that the federal government would be able to work with the pueblo in adjusting the width of that right-of-way that goes through the Pueblo of Zia lands. And we certainly would oppose any lines that would go through sensitive, culturally and environment-sensitive areas.

We believe that the PEIS should consider the probable impacts of the corridor designation on tribal communities lying between the corridor segments. The federal government has trust responsibility over tribal lands. And we would certainly hope—and

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NMA05-001

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it's our desire—for the federal government to consider their trust responsibilities to the pueblo and to other tribes as being important.

And if there's any questions about what areas are sensitive culturally and environmentally, I would welcome the federal government to sit down individually with the pueblo to be able to go over the areas that would be impacted by the corridor going through pueblo lands.

NMA05-001
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LaVerne Kyriss: Thank you, Mr. Pino. Our next speaker will be Richard Hughes. And Richard will be followed by Gary Miles. And John's going to adjust the computer.

Can we get it cooler in this room? It seems like it's really warm to me.

Unidentified Participant: We've asked the hotel to adjust the room temperature.

LaVerne Kyriss: Okay. Thank you so much. Thank you. We're working on the adjustments.

Richard Hughes: Thank you. My name is Richard Hughes. I'm an attorney. I represent the Pueblo of Santa Ana. Santa Ana is located just to the north and west of Bernalillo. It stretches from just east of I-25 to the eastern boundary of Mr. Pino's Zia Reservation.

I have basically two sets of comments to make on the PEIS. First of all, the National Energy Policy Act does not require a federal agency to avoid adverse environmental impacts in actions that it takes. It merely requires them to disclose those impacts candidly. I find it rather disingenuous that the PEIS, throughout the draft, insists that the mere designation of energy corridors will have no environmental impacts directly. That just strikes me as ludicrous.

NMA06-001

The whole point of this process—obviously it was intended by Congress to influence the location of future energy rights-of-way. And we know that there are going to be future energy—new energy rights-of-way throughout the West as energy demands grow and as the abundant energy resources of the West are tapped. Consequently, Congress meant that the corridors should be situated in a way that would cause these corridors—these rights-of-way to be grouped in the corridors rather than spread willy-nilly across the landscape. It's a wise and sensible goal.

NMA06-002

But certainly, that process itself necessarily means that the areas within those corridors will, in fact, have heightened environmental impacts as a result of the grouping of those rights-of-way. It's going to happen, even though the mere drawing of the lines on the map itself doesn't create an impact, those—the legal designation of those corridors certainly does.

And Congress, even in Section 368, obviously knew that and expect that, in this process, the agencies would actually consider those environmental impacts and not try to dodge them by just saying, "Oh, no. There's no impacts that are going to happen." It stated that the secretaries were to—after the designation process has occurred, expedite applications to construct or modify oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities within such corridors, "taking into account prior analyses and environmental reviews undertaken during designation of such corridors."

NMA06-003

I submit that the agencies have not—simply not done their job to do a fair, balanced, and in-depth analysis of the environmental impacts of the inevitable clustering of energy rights-of-way that will occur once this designation process is final.

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I want to totally concur with the remarks of the gentleman from Placitas about—moreover about the fact that this is a kind of a screwy process in that they're only looking—supposedly looking at corridors on federal lands. Obviously, if you have a corridor that comes to this edge of your private or tribal area and to this edge, there's going to be an assumption that the lines—those segments are going to be connected somehow.

NMA06-004

Now, Santa Ana might insist, well, you'll just have to find a way around because we're not going to agree to any more rights-of-way. We've got plenty to suit us at the present time. But, I note that the bureau has produced maps like this one, which came from the BLM, showing a 3,500-foot-wide strip running across through Placitas, running across Santa Ana land here, across Zia land here, and across some Jemez land further to the west.

Now, BLM is saying, oh, we're not designated in corridors on tribal and private land and that this is just hypothetical. I submit that that is not a hypothetical line that is mapped across these corridors. I believe the suggestion that was made is entirely well taken. This process should necessarily—in order to be fair to all concerned, should involve not just consultation and the opportunity to present these sort of hollow statements, but actual working with the local governments and landowners concerned to assure that, when the government puts the end of the corridors on either side of your land, you are satisfied that the connecting line—that inevitably has to exist there—is not going to needlessly impact sensitive areas that—which, as Mr. Pino suggested, on tribal land are quite abundant.

NMA06-005

I believe that the BLM and the DOE have considerable more work to do on this project and it should not simply issue a Final Environmental Impact Statement responding to these comments. I think they should do a far more thorough job of consultation and planning, and of analysis of the unavoidable environmental impacts that this process will cause.

LaVerne Kyriess: Thank you, Mr. Hughes. Our next speaker will be Gary Miles, and Gary will be followed by Gina Constant.

Gary Miles: I've got a question for you. Are you guys hired or what agency are you actually from? I missed the early part because I was at the other—.

LaVerne Kyriess: —Sure—

Gary Miles: —A different location.

LaVerne Kyriess: Sir, I'm the project manager for the Department of Energy. Bob Cunningham is with the Forest Service. Ron Montagna, who is somewhere in the back. Ron Montagna back there raising his hand, and Kate Winthrop is also with the Bureau of Land Management. We are federal employees, sir.

Gary Miles: Okay. Thank you. I have just—we've had meetings where they have hired people to come in and present to us and, you know, we don't care for that.

I live in Placitas and I'm fairly close to the pipeline, within a mile. We have four pipelines running through Placitas as we speak. And they zigzag—it was very poor planning, by the way, of this corridor that exists now. It zigzags through Las Huertas Creek, crisscrossing up and down on each side and going through the creek. So, every time it rains the pipeline company has to come out with their big bulldozers and big concrete slabs and relay the pipeline.

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NMA08**

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We've had diesel spill in the creek, you know, where the pipeline broke. And we've had a 50-foot geyser, or 100-foot geyser going up on the other side of the interstate on Santa Ana land. I believe that was diesel or oil at that point.

It's very—if you're going to plan this, plan it right. And let us know a year in advance, two years in advance so we can move. Because I do not want to live any closer to these pipelines than I already am.

We've got another pipeline that is 50 years old. And I'm not sure of the company—I can't remember the company's name. But, they wanted to run jet fuel through this 50-year-old pipeline, through Placitas. It used to run oil through. Now Giant Industries has bought that pipeline because we've made a big stink about it because, why would you run highly explosive jet fuel through a pipeline that's 50 years old? It's unconscionable. But, that's what these guys will do. Now Giant has bought it and they want to reverse the oil flow, going back to Farmington from Southern New Mexico. The logic in that is not there.

Now, if you want to do an energy corridor—and I would support it—put up wind generators. Huge corridors with wind generators. I'll support that any day. I'll go—you won't see me at another meeting if you do that. Solar panels. Germany right now is putting in solar panels on their—can't remember the name of the big highway that—and everybody knows the highway. They're putting solar panels on the hillsides right alongside it, thousands and thousands of them. And they're supplying their own energy that way.

If our federal government would quit giving money to Halliburton and would put money into solar panels, wind generators, I would support that. I've been out in California and seen those wind generators. It's just magnificent to me. You know, they may be ugly to other people, but to me it's a really neat thing because it's natural. It's being created naturally instead of having the pipelines come in, re-dug, the landscape torn up for a year or two before it finally grows back. You know, we've had that happen in our place, where they've come in and put a third, a fourth pipeline in. And every time the landscape is torn up and it's ugly. And it takes years for it to come back.

But, you know, I would highly suggest rethinking going through Placitas. I'm reiterating because that corridor that now exists, in one word, it really sucks. You know, it's environmentally nasty. And I'm sorry for using that word, but it just—it really—somebody wasn't thinking when they put it through there.

Thank you.

LaVerne Kyriess:

Thank you, Mr. Miles. Our next speaker will be Gina Constant, and Gina will be followed by Alex Daue.

Gina Constant:

I'm Gina Constant, an attorney with the Rodey Law Firm, representing Diamond Hill Estates I, the owner of a private residential development located north and east of the Village of Placitas. I want to point out that there are two major legal problems with the designation of energy corridors proposed today, among others, but I'm just going to talk about two.

The first is that the assessment of the environmental impact to our state has not been adequately addressed under the National Environmental Protection Act, or NEPA. And the second is the violation of the taking clause of the Fifth Amendment of the Constitution, which prohibits the taking of private land for public use without just compensation. First, the environmental concerns.

NMA07-001

NMA08-001

NMA08-002

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Alternative locations for these corridors were not seriously examined with the goal of assessing the environmental impacts to our national parks, our forests, wildlife refuges, Open Space, our water supply, culturally and historically important lands, etc. The claim is that, once groundwork to bury these pipelines is imminent, a complete study will be done. But the fact is that, by that time, these corridor locations will have been finalized.

NMA08-003

The local agencies and utility companies who will do those on-the-ground assessments won't have the authority to move them. So, the time to balance the need of a national energy infrastructure, which in itself is not a bad idea, but the time to balance the need for that with the need to protect the environment, wildlife, and people of our beautiful state is now, before the locations are finalized, not later when there will be little we can do about it.

Further, the map of the proposed corridors shows dash lines—as Richard Hughes was showing you—dash lines crisscrossing our state from the Northwest corner to the Southeast corner, and from the Southwest corner to Central New Mexico. In most cases, unlike the Placitas area, no corridors on the private land between the dashes have been contemplated. How can you assess the best location on federal land without considering the location of the corridors on private land that connects them? The answer is, you can't. So, the environmental impacts to our state and its citizens have not been evaluated and the time to do so is now before these locations are finalized.

NMA08-004

The second legal problem is the inevitable taking of private lands. It looks like the energy corridors were drawn crisscrossing our state in support of a national energy infrastructure—again, not necessarily a bad idea—and then a portion of the lines were erased where the corridors crossed tribal and private land. The energy corridors will not function, and not one watt of electricity will make it to California, without connecting the dots. And connecting the dots is not addressed in this plan. And remember, this is no ordinary five- or six-foot utility easement. This is a 3,500-foot-wide—that's two-thirds of a mile wide—swath of land.

A proposed plan that does not take into account a necessary requirement for its success is not a viable plan. This plan, which does not take into account how or when private land will be acquired, how a just compensation—which is required by the Constitution—will be calculated, is an incomplete plan that cannot stand on its own and must not be approved.

NMA08-005

Additionally, if these federal energy corridors are designated and approved, the land line on a trajectory connecting the federal corridors will be effectively condemned. There will be an instant depressing impact on that private land, both as to value and to use. People will be reluctant to develop the land, buyers will be reluctant to buy the land with all of that uncertainty attached to it. Will the corridor on my property be a straight line between those two points? Will it veer 10 miles to the north? Will it be south? The tying up of that land for potentially years to come is a government eminent domain of private property without just compensation and it's unconstitutional.

To summarize, there are at least two major problems; one, the environmental impacts for us. They have not been properly examined and now is the time to do so, not later when we can't relocate the corridors. And two, the plan ignores the constitutional due process requirements related to the taking of private property. Both of these deficiencies make the proposed plan for locating the energy corridors unviable and unworkable, and it should not be approved.

NMA08-006

Thank you.

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LaVerne Kyriess: Thank you, Ms. Constant. Our next speaker will be Alex Daue, and Alex will be followed by Sandra Johnson.

Alex Daue: My name is Alex Daue and I'm with the Wilderness Society. We're a national nonprofit conservation organization with over 300,000 supporters and members. And we've been working for over 70 years to protect our public lands. I'd like to start by thanking the Department of Energy and cooperating agencies for having this public hearing and allowing us to come and speak.

The proposed designations in the Department of Energy's Draft PEIS would have massive impacts to our public lands. Six thousand miles of corridors impacting nearly three million acres of our publicly-owned lands. There will be impacts to wildlife habitats, cultural resources, recreation opportunities, clean air and water, and many other resources that we value on our public-owned federal lands.

NMA09-001

Now, when the Department of Energy and cooperating agencies took on the responsibility of designating these corridors, they also took on the responsibility of doing it right. We have seen significant improvements from the preliminary draft released several years ago, but there are still significant concerns that remain.

One of the major concerns is the impact to special places. We've seen from the preliminary drafts that they have moved corridors out of many special places. But, national parks, national wildlife refuges, monuments, proposed wilderness areas, Forest Service roadless areas and many other special places in our public lands are still impacted by the proposed corridors.

NMA09-002

If the Department of Energy and cooperating agencies wanted to do this process right, they would need to do the following. They would need to analyze whether the new pipelines and power lines were actually needed. They would need to look at distributed generation, improved efficiency, new technology which might allow us to accomplish our energy needs without designating new corridors.

NMA09-003

They would also need to examine whether the federal lands are actually the appropriate place for these corridors, and they would need to make sure that special places were avoided altogether. Here in New Mexico, Sevietta National Wildlife Refuge and five proposed wilderness areas are impacted by the proposed corridors.

NMA09-004

The Department of Energy and cooperating agencies would also need to make sure that risks to federal and other affected lands are realistically assessed and that damages are mitigated. That includes damages and impacts to private, state, and tribal lands. Currently, as many of the other speakers tonight have said, there are just dots and dashes on the map. But, when those corridors are connected, there will be impacts to the other lands and those impacts should be analyzed.

NMA09-005

Further, consideration should be given to improving access to renewable energy. The corridors as proposed seem to facilitate existing and proposed coal-fire power plants. The Department of Energy says that they have analyzed potential for solar, geothermal, and wind, but they have not presented an alternative which emphasizes these renewable energies. The energy future for the West can either be dirty coal or it can be clean renewables. And these corridors currently are facilitating dirty coal.

NMA09-006

The last and important thing that the Department of Energy would need to do is present alternatives for the public. Currently, there is the No Action alternative and the Action alternative. And so, the only option for the public is to say what they don't like about the plan. The public needs to be presented with alternatives. The Department of Energy and

NMA09-007

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the cooperating agencies have the information. They need to give us alternatives which examine renewables and increased efficiency.

NMA09-007
(cont.)

The encouraging part about this whole process is that we are having this hearing. The Department of Energy and cooperating agencies are here to listen to you speak. And what we've seen so far throughout the process is that they are listening. When people get up and speak, when they testify, and when they comment on these proposed plans, they listen. And that's what we all need to do. If there's a special place that you care about that's being impacted, or if you care about where our energy future is going, you need to get involved. Stand up today at this hearing and speak if you can. And if you can't, write a written comment which will be then analyzed later.

NMA09-008

So, thank you very much.

LaVerne Kyriss: Thank you, Mr. Daue. Our next speaker will be Sandra Johnson, and she will be followed by Nathan Small.

Sandra Johnson: Good afternoon. It's good to see so many people here, especially a lot of people from my neighborhood.

I'm representing the Pathways Wildlife Corridor of New Mexico. It's a new group that's formed in Placitas and we've been working very hard to establish wildlife corridors from the crest of Montezuma down through the state, and to funnel wildlife—which we do have, by the way—through the natural watersheds and areas of Placitas, down through some of the southern mountains and to connect the whole state so animals can move with the seasons and with the availability of water.

This corridor is going to adversely affect some of the work we've been doing. And as a lot of people have pointed out, I think we are most concerned with the 3 percent of the 23,000 miles of private lands, all those little white spots that everybody's been talking about. And so, what I am here to do is to urge the commission to do a thorough study that includes that 3 percent of the land, and that takes into account a few things.

NMA10-001

We'd like to know, first off, a map that was flashed around here earlier today shows private lands involved in the corridor to Placitas. We are curious about how that land was selected because we've—we heard a contradiction. We heard that the energy corridors are going to map with the existing corridors. The one that I seen through my neighborhood goes right through the middle of the north boundary and the south boundary.

LaVerne Kyriss: Can I make a clarifying—

Sandra Johnson: —Sure—

LaVerne Kyriss: —point about this map people are talking about? That map was not prepared as part of this 368 process. It was prepared by local BLM folks looking at conceptual ideas. It is not part of 368. We are not doing anything on non-federal lands.

Sandra Johnson: But that's why we're here, because we are part of that 23,000 miles that's not being considered under the study. So what we're looking at is Las Huertas Creek being very vulnerable to the only watershed and the only [unintelligible] creek we have in the area.

NMA10-001
(cont.)

The other thing that we're concerned about is there's—because we're private property owners and because we don't see anything in the study about a trust, we're not sure whether we would have to deal with each individual gas carrier, liquid hydrogen

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transmitter, all those folks. And will we have to deal with them over a period of years? Would we each be negotiating our own deal with them? Would it be aboveboard? Would it be honest? Would it be transparent? Would we know what to expect when we did deal with them?

Therefore, lastly, I think I want to echo what Reid was saying. Where's the state in all this? Our state knows where the historical lands are, the sacred sites, the cultural sites. They also know where the habitat for protected wildlife is. And we don't see how the state is currently being involved. They also—the state also knows what the community land acts are.

We're concerned about that 23,000 miles of corridor, 3 percent of it, which isn't covered by your plan. So, what I'm asking and requesting on behalf of my neighbors and my group is that we get a comprehensive, complete study that talks about the contiguous corridors, not the patchwork corridors that we're seeing in the plan now. So, we urge that to be done and to be done before any other work is completed.

LaVerne Kyriess:

Thank you, Ms. Johnson. Our next speaker will be Nathan Small. Mr. Small will be followed by Pat Beckett.

Nathan Small:

Good afternoon. My name is Nathan Small. Just drove up from Las Cruces, New Mexico where I'm a city counselor. And I also work with the New Mexico Wilderness Alliance.

I'd like to briefly comment and to thank LaVerne and others who have taken the time out today to, as a couple speakers mentioned earlier, listen to community concerns. Down in Las Cruces, we've been very fortunate to have a very large increase in public participation in land management issues, from growth to others, which we really are fortunate to have.

Here in Albuquerque we've got the Sandia Mountains, right? Anybody who's ever been down to Las Cruces, you've seen the Organ Mountains. And truly, the thing that sets not only Las Cruces apart, but sets New Mexico apart, having your two largest cities—we're the second largest city in New Mexico—with such stunning landmarks, natural features.

And here in the Sandias, imagine a two-thirds—potentially two-thirds of a mile wide corridor with different power lines running through it, right next to the Sandia Mountains wilderness, or inside of it. That's the situation in a very small part, but a significant part of proposed protection areas down in the Organ Mountains.

And so, you know, we're asking today—I'm asking today—for careful consideration to be given both to move the siting a little bit west so that we present less aesthetic damage, as well as on the ground damage to traditional land uses, from hunting to grazing, other types of recreation. If anybody didn't know who has horses, Las Cruces is one of the top seven communities to retire with horses. So, if you want to come down there, you're more than welcome. I ride myself. But, that careful consideration be given to that.

And further that the public participation aspect of this process really be given its chance to shine. Because I think we see here today that there are very many folks who are interested in this. We have a strong contingent of interested public who don't always agree down in Las Cruces, but who do work diligently to do what we—they—we think is best for the future of that area. As you know, we're experiencing tremendous growth. White Sands Missile Range is undergoing a significant expansion. So, the area is destined to continue growing. And we have many natural qualities that set our region apart.

NMA10-001
(cont.)

NMA11-001

NMA11-002

NMA12

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With that said, I appreciate your time again, LaVerne and others, and we look forward to moving forward and working with this. One, in that southern area to move the siting slightly. But, in a general way to work together and to come up with something.

Final thing I would mention. In Las Cruces we maybe even have more sun than Albuquerque. And just last week we were very fortunate to have three different solar projects come online. Now, these were residential. Nowhere near the scale that's going to be in these transmission lines. But as our country faces up to its energy questions, our world faces, you know, one of the top if not the top issue, it seems like it makes a lot of sense, as was mentioned before, to work to prioritize renewable energy when we're going to do—undergo such a massive undertaking.

NMA11-003

Thank you very much for your time.

LaVerne Kyriss:

Thank you, Mr. Small. Our next speaker will be Pat Beckett. Pat will be followed by William Sapien.

Pat Beckett:

Thank you, Counselor Small. Las Cruces is great.

I'm Pat Beckett. I am president of the El Camino Real de Tierra Adentro Trail Association. That took up my five minutes, I think. But, I'm going to be very specific on dealing with what we're concerned with on the Jornada del Muerto, which the El Camino Real is on.

For those of you who are not familiar with the El Camino Real, it was—parts of it were originally used by the Indians. And in 1598, Oñate came up from Mexico on it. And it was used consistently until the 1880s. It is the major trail going south to Chihuahua and other places.

Can you hear me in the back?

The National Trust recently placed the El Camino Real as one of the most 11 endangered places in the United States. And between the space port, and other kinds of activities that are now taking place on the Jornada del Muerto, we are really concerned because it is rapidly disappearing. And it is one of New Mexico's true historic places.

And one of the things that we're interested in is the aesthetics of—the visual aesthetics. And when you start placing transmission lines, especially new lines and others, or other kinds of activities close to that trail for people that are trying to enjoy that trail—and there are future things going on in which we're going to try to have it as a horse trail for portions of it, as visitors' places along the trail. And we're working—we've been working with the New Mexico Space Authority on that because that is not far from the trail. And they have already agreed to put some power lines underground and other things.

NMA12-001

Now, our concerns are, is that already some of these corridors cut across the El Camino Real. And it's important that we try to move those—that corridor away from the real close proximity to the trail for the—for the value of the trail to stay the way it is. Also, we're concerned about the cultural resources along that trail that span 10,000 years.

NMA12-002

So, I guess the point that I'd like to make is that I know there are existing transmission lines and other things through that. In some cases it'd be widened. But, that trail is so long that I'm not sure of how close the new corridors would be to it. And we would like to at least maintain that which the BLM has designated for the national trails of a five-mile on either side visual—no visual obstructions on that.

NMA12-003

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Thank you.

LaVerne Kyriess: Thank you, Mr. Beckett. Our next speaker will be William Sapien. And Mr. Sapien will be followed by Mark Dankert.

William Sapien: Good afternoon, ladies and gentlemen. I recognize I stand between you and the break so I'll be very brief.

I am the—my name is Bill Sapien. I come from the town of Bernalillo. And when I was a county commissioner I used to go around the county and make a speech. I told them I came from the heart and soul and the cultural center of New Mexico. And people were looking up at the roof, at the ceiling, and down at the floor and whatnot. But then I would tell them that Bernalillo is a site—one of the oldest European settlements in America, having taken place in 1540. And so I'd really gather the group back in. So, I'm trying to build rapport with you.

I'm also the chairman of the Eastern Sandoval County Arroyo Flood Control Authority. And we're working hard to get our bonds passed, our authority renewed so that we can have a flood control program in the eastern part of Sandoval County. I'm also a former commissioner. Have been—served as chairman twice through the [unintelligible] period that I was there. And work that I enjoyed very much.

I hope not to be redundant here because there's been already a lot of good comments. So, let me just really thank the agency for the opportunity to visit with you this afternoon. Obviously, you're going to be hearing, and have heard, a lot of compelling statements on both sides of the issue, and I will not be redundant by repeating some of those issues that have already been raised.

At the end of the day, it's everyone's fervent hope that a viable common ground will be shared by all. It will be difficult with America's love for its vehicles, it's going to be tough to come up with a plan that's going to be—make everyone happy. But we need to recognize that we're still going to have to have fuels, combustible fuels type, if you will, transported across our state.

In three very unscientific studies I've just performed coming into town, for every 10 vehicles that I saw on the highway, on the interstate, 6 or 7 of those vehicles were SUVs. And then I'd wait a little while and count another 10 and there again. So, we do have a love of our vehicles, which we also have to recognize we must have a love of gasoline because that's one of our alternatives.

The goal must be to minimize the pain and to maximize the transportation of fuels, where we actually need to send them. I believe that a solution can and must be found. The Eastern Sandoval County Arroyo Flood Control Authority is committed to that and that is to isolate the challenge and come up with some solutions.

Our goal in life is to build—building flood control devices that are located in [unintelligible] points, and if that means that we have to build them above pipelines, we're going to do that. And also that they be aesthetically constructed in a way that they're pleasing to the eye.

We recognize that that is a large order, but we are determined to be participants in it as we are stewards of the public land, as many of the agencies here are, and many of the applicants here, then we must come up with a plan that will stand scrutiny, and stand the scrutiny of time. It will not be easy. We will need to return to the well many times and

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draw on that well of ideas and concepts we may not even have crossed now and come up with. We may be somewhere on the drawing board when that common ground is found that we haven't even thought about or even been mentioned this afternoon.

I am interested. And when someone says that we should cross the lines—and I say it respectfully—and locate them in a different location, then that means that someone else is going to be bothered by those lines being transposed to their location. It's like when I hear people say, you know, I want to be efficient and they ask me to do something and I'm the one that ends up being inefficient, if you will. So, we have to take that, balance it out, and it's going to be very, very tough.

I'm looking forward to the final analysis of what comes out of this hearing so we can come up with some logical steps to follow. And that we have been respectful of each other's ideas and comments.

So, I do want to again thank the agency for holding this hearing. I want to reiterate what a lot of the people have already said, that this is a first step. As a Chinese Proverb says, a journey of a thousand miles begins with a first step and that's what we're doing today by holding this hearing. So again, I thank you for coming and I look forward to hearing more comments. Thank you very much.

LaVerne Kyriess: Thank you, Mr. Sapien. Our next speaker is Mark Dankert. He will be followed by A.L. Ouellette. And I probably mispronounced that horribly.

Mark Dankert: I'm Mark Dankert. I'm from xxxxx. I came without any prepared remarks. But, sort of in the spirit of the speaker from the Wilderness Society, I have decided to speak on behalf of something I love, and that's my home and that's my community, and that's xxxxx. And this project runs right up to our neighborhood. And I find that very disingenuous.

This whole process is disingenuous in the sense that you would run it right to your front door and say this won't affect you, when obviously it will. And I think, as has been proven over and over in the past with large federal projects, that you can't count on the federal government to protect you from them. And I think that's the situation we're in now.

It strikes me that this project—Mr. Bandeen talked about it being very analogous to the interstate highway system. And it strikes me that this project is sort of like designing the interstate just about the time we're running out of oil in that we don't even know what—where this energy is coming from that we're going to be carrying. And we're going to destroy land, neighborhoods, all sorts of things without even knowing why we're doing it.

So, I would like a reconsideration of certainly sending this project through my community and my home. We love our community and our home and I think when we're doing something presumably for the benefit of the community, we shouldn't be destroying the community at the same time.

LaVerne Kyriess: Thank you, Mr. Dankert. Our next speaker is A.L.—I don't think—Will. Okay. Okay. Ouellette. He will be followed by Bob Wessely. And if you can pronounce your name for the webcast for us. Thanks.

Will Ouellette: Thank you. I'm Will Ouellette and I'm speaking for myself and also for the Coronado Soil and Water Conservation Districts, which I'm chairman.

NMA13-001
(cont.)

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I have many concerns about this corridor. From my own standpoint, I live two ridges away from it. The second ridge is the boundary of Diamond Tail. And the ridge there is only about 50 to 100 feet. And I'm wondering what's going to happen if that extends to 3,500 feet, which is mountainous and rolling hills.

From a soil and conservation part, I'd worry about erosion problems and I would worry about flood problems. When you clear away 3,500 feet, or whatever you're going to do to it, I'm sure that upsets the natural flow of water.

NMA15-001

I'm also worried about this corridor going through the Placitas area, or through actually the district area. One problem I see is going across the Rio Grande. As we all know, pipelines are not the safest in the world. We've had a serious problem up in Bellingham, Washington. In fact, I was walking with my granddaughters two weeks before that big explosion up there that killed several people. A few months or a year, I can't remember what, we had a same problem in Carlsbad.

NMA15-002

If this corridor is close to where the present corridor is, I believe that's going to affect our Open Space that's near the Placitas area. It's also going to go right close to the Placitas Elementary School, which I'm not too happy with. It also comes very close—not very close, in the parking lot, actually—of the Senior Citizens Center in Placitas.

NMA15-003

And also, just listening to people speaking here today and some of the comments that were made, and knowing that we can't secure our own borders, how are we going to protect 3,500 feet of corridor, 6,000 miles or whatever it is long? And I would think that would be a terrific terrorist opportunity. It could knock out quite a bit of our corridor very easily in one step.

NMA15-004

I thank you for listening to me and I hope from our standpoint, and the people living in the Placitas area, this doesn't happen in the near future. Thank you.

LaVerne Kyriss:

Thank you, Mr. Ouellette. Our next speaker will be Bob Wessely. He will be followed by Ashton Collins.

Bob Wessely:

Thank you for allowing us to speak. I think it's good to have this kind of conference. My name is Bob Wessely. I'm vice president of the Water Assembly. And while we have some federal officials here, I'd like to point out that what we really need to do in the long term is figure out how to have low water-use energy and low energy-use water. Each is eating the lunch of the other now.

That having been said, I'd like to speak for myself at this meeting. The idea of a corridor concept, planning ahead, is a good idea. But, I think what I've seen of the Environmental Impact Statement is less than smart in at least two ways. Perhaps I'm going to be redundant with some of the earlier speakers, but I'd like to point out those two ways.

The first comes from the fact that some years ago the BLM was shepherding a pipeline project from up in Utah, down across New Mexico down to Texas. And they wanted to have an EIS, Environmental Impact Statement, for a piece of Utah and a piece of New Mexico and a piece of Texas. And after a lot of flack, the courts told them no, no, no, you need to have the whole project.

NMA16-001

We have this set of dotted lines that have been spoken about, which is clearly less than the whole project. And setting up to have the court tell us the same thing we were told before is less than smart.

NMA17

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The second point is a question on the effectiveness of the quest for local knowledge that we were told earlier. This is just an example, but it makes me worry about how well that quest was done across the West. The example is the routing in and around Placitas. Over the last 20, 25 years, Placitas has grown from a very sparsely populated rural area to an area with a high density of appallingly expensive homes. Setting up the costs of condemning utilities through those expensive homes is less than smart. And that, it certainly would be clearly understood from an acquisition of local knowledge.

NMA16-002

The alternatives, which could be obvious, is running the route somewhat north. There's a Highway 22 that's very sparsely populated. It would affect some folks, but nowhere near the cost it would take you to run through Placitas.

NMA16-003

So, I guess my comments overall are the idea of having corridors, planning ahead, makes good sense. But, let's do it smart. Let's do our homework first. Thank you.

LaVerne Kyriess:

Thank you, Mr. Wessely. Our next commenter will be Ashton Collins, and Ashton will be followed by Jerry Crockford.

Ashton Collins:

Thank you and good afternoon. Thanks very much for the opportunity to express some views. I'd first like to subscribe to and support the statements of Reid Bandeen of the Las Placitas Association, and Richard Hughes representing the Santa Ana Pueblo, Gina Constant, representing Diamond Tail.

And now to myself, I'm Ash Collins. I am a resident of Placitas and spent a lifetime career in the energy field. I do know something about the energy field and about the need for energy and about the need for a coordinated effort to make for the most efficient land use. And the most compellingly un-trespassing element of that land use that must be occupied by distribution of energy resources.

But, there are some specific questions that I'd like to ask now without duplicating the earlier statements from Placitans, and these are as follows.

The proposed route appears to cut directly through the Placitas Open Space. This is a culturally and wildlife- and Native American-sensitive, highly valuable resource. The first question relative to that is, why was this swath through the Placitas Open Space selected?

NMA17-001

The second question is, was the 2002 Placitas Open Space master plan consulted as this proposed swath was selected?

Third, there is an existing 345 kV electric transmission line running from the four corners, connecting the dots from border to border, throughout Hedonas, east to the Blackwater AC/DC intertie. It's a very valuable line. It runs well and comfortably to the north of Placitas in essentially untrammled Open Space. Been there for quite some while. As an intertie, it is very effective in transferring energy between the Texas interconnect systems and the Western Coordinating Council.

NMA17-002

This is an existing corridor. It connects the dots. It requires no inverse condemnation to run other energy through that area. Why, therefore, does the Placitas community have to bear the burden of this proposed swath of 3,500 feet?

Thanks very much.

LaVerne Kyriess:

Thank you, Mr. Collins. Our next speaker will be Jerry Crockford. Jerry will be followed by Tony Lucero.

NMA18

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Jerry Crockford:

Don't worry. Don't worry, I'll make it.

I'm speaking for myself and my wife. I'm a retired federal employee. And since then—I retired a year and a half ago and, since then, we've had a little consulting firm and we've dealt extensively with approval of rights-of-way. And so, we've had to use plans like this one.

And I've become real operational so I'm going to focus my comments on the interagency operating practices that are in chapters one and two, and not a lot of them. I just went through a few. And I think that, for the most part—I'm going to call them IOPs, but for the most part the IOPs in chapters one and two need a lot more definition, a lot more details, a lot more direction to—actually, for the public and for the agencies to use it. And I almost think it needs more definition since it's in the proposed actions for a good analysis to occur. So, as a result, my comments are going to come from an operational perspective.

NMA18-001

The PEIS states the agencies should designate a centerline of each corridor. And that needs to be taken a step further in chapter one and it needs to state that each corridor centerline will be designated by using existing right-of-way centerline, or a centerline established by using a GPS instrument or a similar method.

NMA18-002

The centerline or boundary of each designated corridor needs to be tied to something. It cannot float out there. And if this is stated someplace in the document, things I'm commenting on, I overlooked it, didn't read it. So, it's maybe there.

Number two, Draft chapter two. The IOP 10 needs to include road access locations. It talks about road access, but the design of their access road needs to consider a long-term use of the entire corridor, and not necessarily serve only the initial existing—or existing rights-of-way. Proliferation of road access needs to be controlled.

NMA18-003

Another chapter two IOP 20 needs to be more specifically—specificity about managing corridors. I think there needs to be more direction in that area. This needs to be emphasized focusing on engineering, safety, and reliability while consolidating facilities within the corridor so the corridor is utilized to the maximum. This may require some rights-of-way to overlap adjoining ones as much as safety permits and reliability.

NMA18-004

There's a number of IOPs that deal with the cultural resources and endangered species. There's—as far as I could find, there's one that deals with—kind of a sideways shot at clean water act situation, storm water plans. And there needs to be more direction, more emphasis put on storm water plans. They just—it just mentions controlling erosion. And if you compare that to the—lots of words, actually, that are said about cultural resources, protecting the, protecting endangered species, and most of the storm water plans are kind of sitting on a shelf and they shouldn't be that way. There should be more emphasis placed on them.

NMA18-005

It also talks about the need in IOP number 6—this is chapter two, section 2.4.2. IOP number 6 says something about being careful when you're crossing arroyos and rushes. Well, there's a lot more to this being careful that's—you've got the Corps of Army Engineers Clean Water Act Section 10, Section 404, Nationwide Permit Notification, original conditions. There's a lot of different things and they vary from different states depending on the privacy that needs to be considered. And again, all I found was just one mention.

NMA18-006

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So, I think that for a person that is trying to implement the plan, both on the government side and on the pipeline, power line, the contractor side, they need to have more direction because it helps the guesses to be a lot less.

NMA18-006
 (cont.)

Thank you.

LaVerne Kyriss: Thank you, sir. Our next speaker will be Tony Lucero followed by Arden Kucate.

Unidentified Participant: Please repeat the name of the last speaker.

LaVerne Kyriss: Yes, sir. Let me—. That was Jerry Crockford.

Tony Lucero: You know, our people in Placitas have been there since 1765. And we're the oldest government in Placitas and we weren't notified about this. We're a political subdivision of the state. And there's a treaty that's called the Treaty of Guadalupe Hidalgo. Matter of fact, on the 2nd of February we have a celebration of it each year during the legislative session. And that treaty says that our people and our property is supposed to be protected under the treaty. And we haven't been notified of any activities so far. It's just what we've read in the newspaper.

And we're actually—at the present time, we're—we've got—I think there are four oil lines going through there. One is a CO₂ line. And then there's the line that is for the electrical, the high one that you were speaking about. And they all go in and around the village. And like somebody said, they go—one of the lines goes right by our community center which, the land grant gave the property for the center to the county so that they could have that there. And there's a school, like somebody mentioned, close by.

But, there's also people. And like I say, our community, the Community Land Grant of San Antonio de las Huertas, has been in existence for a long time, since 1765. And we would like to have some consideration from the federal government as to what goes on in our area in the future, since we are the oldest government entity in the area. There are sequias [ph], of course. But, we are the oldest.

And you know, one of the things that I think sometimes it seems to me that the clarity from people that are in the government—maybe they don't know exactly what they're going to do, but it sounds like what they're trying to do is figure out what the opposition may be so they can figure out how they're going to handle it, it seems like. And I think that if there was more openness regarding this, it would be worked out much better with the people that are going to be involved.

NMA19-001

I guess right now, it's very impressive to me to say that—see that the department—the secretary of Agriculture, Commerce, Defense, Energy and Interior are all involved in this. And it must be—I've read some of the information on it. I don't have a lot, but there must be some real good reasons other than maybe just supplying a line for the oil companies. There must be areas that they must be addressing—that need addressing for the need of our nation, whatever they are. I'm not really familiar with them at this time. But, I would like to know.

And so, maybe if they came to us, whether it's the pueblos or the villages, and talked to us about it before it got to this point, maybe we could understand this a little bit better and maybe we could work with them.

Like I say, there are two corridors. One of them is just within feet of one of our oldest cemeteries that we have there. I imagine that if they expand that particular one, which goes right up through the Las Huertas Canyon, they would have to take our people—

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would they move our people from there? What would happen? I don't know. I mean, they have a right to exist, too, even though they can't speak for themselves. We are the ones that are—the ones that speak for them.

And as far as the young school children and our senior people, they can also speak but I don't see any of the people from the senior center here today, or any people from the school district here. I imagine that they should have some kind of voice in this also.

And there are a lot of historical sites. One of the other corridors goes by one of the oldest colonial Spanish undisturbed sites in the U.S. There is a line that went through there some years ago. I think Shell Oil was the one that went through. And they actually went through some of the sites. And in answer to somebody that asked what do they do—I think somebody was questioning what they do—is they dig it up, take pictures and put the line through. That's basically what they do. And so, I guess that's within the area of what the government's responsibility is. In other words, I haven't seen the pictures that they took. They uncovered some artifacts in that area.

But, I wish that they would give us a little notice, talk to us about it, or at least give us some information so we could—the only map that I have is this one, which doesn't show much. And like I say, there are two corridors that go through Placitas. So, I would like to have a little bit better communication with the government agencies.

Thank you.

LaVerne Kyriess:

Thank you, Mr. Lucero. Our next speaker is Arden Kucate. He will be followed by Dan Dennison. And I may have mispronounced your name, sir.

Arden Kucate:

[Speaking Native American language.] Good afternoon to each and every one of you. My name is Arden Kucate. I come from the Pueblo of Zuni, representing over 10,000 people. And I am an elected official. I serve as a tribal council member, and I also serve as the vice chairman for the Native American Advisory Group, which is an advisory group to the Advisory Council of Historic Preservation at the Washington level.

It's very evident that there are quite a lot of specific concerns that I'm listening to and observing. And it would have been probably much better if there was really a truly coordinated effort in what exactly was the whole intention when Congress created this whole Energy Policy Act back in 2005.

I've been sort of following this along with the first meeting that was here in Albuquerque and then they also had another meeting in Phoenix, Arizona as well. But, the missing piece of the puzzle throughout the meetings has been really the lack of tribal consultation throughout, you know, the creation of this whole Energy Policy Act.

I do also have the lieutenant governor for the Pueblo of Zuni here that would also elaborate a little bit more on what I'm talking about here.

But since then, with the comment period and the requirements that were set forth as far as our input and response, we've sent numerous letters to different agencies, you know, indicating our concerns specifically in a lot of the different wide-range area, cultural resources that will be most likely desecrated and disturbed.

And I'm hoping that the Programmatic Environmental Impact Statement would truly, clearly identify some of the tribal comments and inputs that have been provided since then. Because, as the vice chairman for the Native American Advisory Group, I was curious to enquire on what exactly the type of documentation they have so far since the

NMA19-001
(cont.)

NMA20-001

NMA20-002

NMA20-003

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meetings have been taking place. And it's very minimal, to none at all, as far as the historic preservation component of it is a concern to the tribes.

And knowing that there's going to be a Programmatic Environmental Impact Statement coming out for further comment and review, I'm asking you federal folks to make sure that all the concerns that are—that were heard as of then is truly incorporated for public review. Because, you know, as modern men, modern people, we know for a fact that what it was intended for was really, truly, you know, applied with the most bare requirements that really is a risk to each and every one of our livelihoods.

And yes, we do have certain needs into the future and so forth, but we also have to take a look at how it sort of contradicts when we're being told about preserve America heritage sites and all the other things where, you know, for that all-mighty dollar, you know, we have to come together as such that we're voicing our concerns before you federal officials.

And we're hoping that there'll be a better coordination effort and a concerted effort that all these statements that are being recorded today would be greatly shared with the people at the top. Because, you know, it's a question of whether—the way that they're determining and wanting to designate the transmission corridor—if these people have actually physically come out and taken a look at what all you folks are talking about. There's a lot of value in what we're talking about and what it means to us as Native people, and as also ethnic groups of people that are represented here. And so, I'm asking you federal folks to make sure that everything that's being recorded today would coincide with what has already been recorded from the beginning of your—of community meetings.

And I think that for the most tribes in the New Mexico area, the biggest concerns that we've had since day one is the lack of tribal consultation. If we can spend all kinds of money in other needed areas, I'm pretty sure for fairness that there should be, you know, a much more concerted effort from the federal agencies to make sure adequate consultation has been done.

Because, from the meeting that we had with the Rio Puerco Field Office back in May of '07, when I looked at some of the comments that were generated then it was just a very small three-line paragraph statements saying that, well, we're going to suggest that consultation should be done with the Bureau of Indian Affairs for tribes. And since then, we have not had any response on some of our correspondence that were sent directly to the representatives at the Washington level.

And with that, I'm asking that you take our message back in making sure that everything that's being recorded today, including the Programmatic Environmental Impact Statement coming out, is going to be fully reviewed by everyone that's concerned here. Because, it's very evident that we all have the same concern. And if there's other alternatives or other better way of mitigating or whatever, that's something that needs to be made known to this group of people. Thank you very much.

LaVerne Kyriess:

Thank you, Mr. Kucate. I apologize for mispronouncing your name earlier.

Our next speaker is Dan Dennison and he will be followed by Dancy Semplicio.

Dan Dennison:

Thank you. My name is Dan Dennison. I live in Placitas. And I'm here of interest for three reasons. Number one, I live in Placitas. I live in a community called Cedar Creek. And in a minute I'll show you why that means something. Secondly, I'm the vice president of the Eastern Sandoval Arroyo Flood Control Authority under Bill Sapien.

NMA20-003
 (cont.)

NMA20-004

NMA20-005

NMA21

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And I'm also the vice president under Reid for the Las Placitas Association. So, my concerns are multiple.

And I believe that the comments that I have, while they apply to Placitas, I think—specifically to Placitas—I think clearly they apply throughout the entire program when I look at this. So, it's not just our little neck of the woods. And I wrote everything down because there were so many things, I wanted to try to do this proficiently.

First of all, clearly we understand that a need for the energy corridors. There's no question about that. Secondly, I have in front of me a map that was prepared through the BLM. And this map shows the projected or planned connection between the federal corridors that would go through this particular piece of it, which is Placitas. Up here's the interstate. This is the patchwork quilt here. The dots. [Inaudible] and this is the 3,500 feet that goes through here. And the reason I'm concerned about living in Cedar Creek is here's Cedar Creek, right in the middle of this.

NMA21-001

Designating corridors only on federal land is not a solution to address the expanding energy needs. It's like buying just tires to solve a transportation problem. Until it's determined how the corridors and federal land are connected through private properties, not one watt or one drop of oil will be added to the nation's energy supply.

Common sense tells us that isolated pieces of corridors must be connected to function. The fragmented segments identified in the EIS fail to consider how they will be connected. How do we know that the corridors and federal lands are optimally located if we don't know whether, or even if, they will be connected?

NMA21-002

These connections can create undisclosed and unevaluated negative impacts on private lands including: disturbance of areas of historical and cultural significance; aesthetic damages, especially from overhead utilities; disruption of existing and practiced land-use patterns; disturbance to vital community Open Spaces; potential health impact from overhead power lines and underground utilities with the risk of leaks; socioeconomic impacts on property values, which will occur even with the uncertainty of if or when the rights-of-way might occur; disruption of the cohesion of established master plan communities and other existing residential neighborhoods.

It's my opinion that this process has been reaching decisions that are flawed when considering the requirements of our National Environmental Policy Act, NEPA. The entire thesis behind NEPA is the idea that decisions should be thought through, both as impacts of the actual project, and the reasonably foreseeable future impacts. This relates to what Bob was mentioning earlier. While this Federal Energy Act requires corridors to be designated on federal land, I'm not aware of any guidance in the legislation that says that the policies of NEPA do not apply.

NMA21-003

The process as summarized in the Executive Summary, page ES1, requires consultation with the Federal Energy Regulatory Commission, states, tribal or local units of government as appropriate, effective utility industries and other interested parties. And you're hearing a common theme with this. To our knowledge, this consultation—not just notice—has been minimal or virtually nonexistent with several of these parties.

NMA21-004

The reality is that many of us really didn't understand the impact of these energy corridors until the EIS was published only a couple of months ago. And we were not aware of any comprehensive evaluation with local government or other interested individuals. At least we don't know of any around here.

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To do an EIS and declare there are not an unfavorable impacts totally ignores the necessity of performing a thorough and reasonable analysis of all the areas that will be impacted. Since we happen to have a map of connecting corridor on private land that was created during the EIS process, it's clear to me that those doing the process understood that connecting segments through private lands are foreseeable. If the intentions of NEPA were being followed, the studies would have evaluated and disclosed the impacts to these identified private lands.

NMA21-004
(cont.)

While the EIS does not specifically address impacts on non-federal private lands, it does acknowledge, for example in Section 2.6, quote, "Corridor designation could result in effects to land use on non-federal lands adjacent to or between corridor segments. The type and magnitude of effect would depend upon the current and anticipated future land use in these areas."

With this being understood, it seems totally disingenuous to claim the validity of an EIS performed only on segments of the potential full corridors. With this selective partial official designation of future energy corridors, it's highly probably that future energy infrastructure providers would naturally assume that these segments would be connected in essentially straight lines, unless connecting portions they would avoid negative impacts of private lands had been also identified in the process.

With this—with the partial disclosure of corridors in the EIS—it could reasonably be assumed that foreseeable actions of future energy providers will result in massive eminent domain, likely without the benefit of environmental analysis. The predictable argument would be that an EIS was already done on the federal lands and the corridors had been preapproved and, therefore, impact analysis on the connecting portions would not be necessary.

NMA21-005

If these federal corridors are preselected as proposed, the federal government could effectively be encouraging eminent domain or taking of private lands when time comes for the normal process as described of acquiring rights-of-way as needed by the utility companies. If these corridors are approved without identification of specific connecting segments through non-federal land, then all landowners will be confronted with the absolute unknown of potential future impacts on their communities, as well as their property values.

It's understandable that utility companies would not want future rights-of-way identified in advance because this would initiate—this could initiate speculative land purchases by individuals anticipating economic gain if they sell their property for rights-of-way in the future. However, the concern for future energy suppliers is not sufficient reason to leave future specific routes unidentified and uncertainties left to private landowners.

The structure of the process of offering only two choices of either Action or No Action is flawed and unrealistic. Common sense and prudent management would provide in the process an alternative for the evaluation of choices, including designation of the connecting segments between the federal lands.

NMA21-006

And interesting note to residents of Placitas is that an initial scoping located—initial scoping located potential corridors along highways, and the virtual straight line route through Placitas was received after the scoping. This is the document right here. That's 2.1-1. And it's very clear. It shows—right here, it says, "Proposed energy corridors received during and after public scoping."

NMA21-007

Well, during scoping is yellow and it goes on the highways. That makes sense. That's kind of consistent with what they said. And then other proposed corridors—so

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	<p>somebody—I mean, this is not some mysterious little thing. And for some reason, somebody had to come up with how are we going to connect the dots. And this is the result of that. Now, whether that's where it would be or not, we don't know. But clearly, it was part of what was referred to in this document.</p>	NMA21-007 (cont.)
LaVerne Kyriess:	Mr. Dennison, can I get you to wrap up?	
Dan Dennison:	<p>Comments proposed during the scoping hearing noted that the PNM was going to provide GS data showing centerline information and we'd like to know if these lines that are on this map are those that were proposed by PNM.</p> <p>If Placitas—in the planning corridor, that private land also falls in Las Huertas Creek Arroyo, which has recently encountered massive erosion damage from storm events, and we are very concerned about that.</p> <p>As difficult as it may be, this whole process requires a pause. The purpose of NEPA is to make better decisions; not necessarily low-impact decisions. The underlying concept, as I understand it, is for the agencies to think through decisions before taking actions. The consequences of actions need to be understood before committing to decision while there still are opportunities to modify them.</p> <p>These corridors fly in the face of those concepts. Instead, these corridors cause us to incur some cost in the fragmented segments without thinking through the steps required to make the final decision functional. As difficult as it will be, we strongly encourage a more forthcoming and thorough evaluation of how to completely identify these corridors while providing utility providers a reasonable assurance that their provision of energy commodities can proceed as required for the needs of our consumers. Thank you.</p>	NMA21-008
LaVerne Kyriess:	Thank you, Mr. Dennison. Our last registered speaker is Dancy Simplicio, and I may be pronouncing that wrong. I'm sorry. You're going to clarify it for me, though.	NMA21-009
Dancy Simplicio:	<p>[Speaking Native American language.] Good afternoon, everybody. My name is Dancy Simplicio and I'm the lieutenant governor for the Pueblo of Zuni.</p> <p>This took me two and a half hours to get here to be at this meeting. But, it was very important for me to be here. Our lands are on the northwestern side of the state of New Mexico. Our lands also go into the state of Arizona.</p> <p>I thank Councilman Arden Kucate for bringing up a lot of our issues also. But since 2005, this has already affected us. There was a <i>Federal Register</i> publication with regard to the Indian Energy Policy Act. We do realize that our nation, you know, has serious concern about energy. But, as it's been noted, there's a lot of flaws here.</p> <p>We responded to the federal government. And I appreciate the fact that there are various federal agencies here today. But, the one agency that should be here also as a part of this is the Bureau of Indian Affairs. We have written letters to the federal government. They gave us a timeframe in the <i>Federal Register</i>. It was December 9th, 2005. And we had to comment no later than January 20th, 2006.</p> <p>On January 20th, our tribal leaders did submit letters to the Department of Energy and Economic Development. We wrote and we asked them to give us additional time. We felt so strongly about what this was going to mean for tribes, especially our lands, because it is federal lands. And there are a lot of things at stake.</p>	NMA21-010
		NMA22-001

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I feel for the village of Placitas because, like your land, it affects us too in many ways. We have written to our congressional leadership. We didn't get a response. It is very disappointing when federal agencies do not respond to us. We've already gone through this as far as consultation is concerned. I was at the Albuquerque consultation meeting. There is—there's so many issues, especially with the need for process.

We have, like everybody else, we've been here for time immemorial. The cultural aspect of our lives is connected to this land, the air, and everything that we breathe in. And it's really difficult for us to just sit back and not say anything and not comment. But, I believe it's very important, though, that you also include the Bureau of Indian Affairs in a lot of the consultation meetings.

And I know that tribes will—you know, we'll stand together because I have heard from representatives from the different pueblos that are represented here today. We have the same concerns. We are concerned about rights-of-way. We have concerns about how they impact and the consent that was going—that was required.

It's—our tribe did a tribal resolution saying that these are the principles that we are addressing. And still, in submitting these to Washington, to—it was addressed to Mr. David Meyer. I know there's a lot of shuffling in the federal government, but there was a letter that was addressed to Mr. David Meyer, U.S. Department of Energy, and Mr. Bob Middleton from the U.S. Department of Interior, Bureau of Indian Affairs.

Well, as I said, you know, we were concerned about the right-of-way study that was going to be conducted. But, we were also very concerned about the disconnect as far as the lines of how this corridor was going to run. The dotted lines just didn't make any sense. You have to have some connection somewhere and those connections weren't clear to us, and it's still not clear to us.

But, I do want to say that there's a lot of flaws in this. More meetings. This is a roomful of people and I'm very surprised. But, you know—because before we didn't see this many, but only because you probably weren't aware of how this corridor was going to affect the people here. But, it's very good to see this many people. And I hope this evening's session will also be a good crowd. But, I appreciate it. Thank you very much.

LaVerne Kyriss: Thank you. And can I get your pronunciation again? I'm sorry.

Dancy Simplicio: Simplicio.

LaVerne Kyriss: Simplicio. Thank you, Ms. Simplicio.

Our next speaker will be Bill Lenoir.

Bill Lenoir: Thank you. I'm a brand new resident of Placitas. As a matter of fact, I've had New Mexico plates on my car for about four and a half hours. I have two concerns; one personal, and it's very much like I've heard from everybody else here. I would summarize it as saying not in my backyard. And I think there's probably 100 very valid reasons why not. We've heard about 50 of them here today. I'm not going to repeat those, nor am I going to try to talk about the other 50.

My other concern is, as an American, a taxpaying American. I'm a retired aerospace engineer, having served 40 years in the aerospace industry as an engineer, operator, manager, senior administrator, both in the government and in a private industry. My professional experience tells me that the patchwork method that we're using to do this

NMA22-001
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NMA23-001

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guarantees that it will cost more, take longer, disenfranchise more people, and deliver less than a properly run, top-down, complete system approach.

NMA23-002
(cont.)

The three specific areas that I would recommend that we step back and look at is what are the requirements? This is the answer to what problem? Quantitatively—not generally, but quantitatively—what are we trying to solve?

NMA23-003

The second thing is we need a complete answer. I have very quickly looked at the EIS online and tried to look at it. My conclusion is there's nothing here. It's a disconnected set of points and it's a partial answer. In this particular case, a partial answer is no answer at all. And I don't frankly think it's worth my time to pick it apart at the detail level when, putting it together, it won't work. It needs to be a complete system.

NMA23-004

Apparently, we started with the federal lands, I would guess, because it's easy. I would have suggested that we should have started with the private, the tribal and the state, county, and civic municipal lands because it's hard. And then we could fit in the easy part. But in any event, here we are. We've got to fill in the gaps. We shouldn't be reviewing anything that's less than a complete program.

NMA23-005

And at every step, the third point is we must have involvement of the potentially impacted stakeholders. It looks to me like that hasn't happened. We've heard a lot of people here representing various potentially impacted stakeholders who weren't involved. If we really want to get this done, then we should step back and decide what is it we're trying to solve, what are the options for the complete answer—not partial answer—and let's get everybody involved so we can all stand behind the final answer and push it through. There will be compromises to be made and it'll—there'll be some pain. But, let's get together and work on it. Thank you.

NMA23-006

LaVerne Kyriss:

Thank you, Mr. Lenoir.

Mr. Lenoir is our last registered speaker, but now I would like to ask other folks in the audience who haven't registered if you would like to speak. If you want to come up to the microphone, state your name and if you're representing an organization, and I'll call on you as I see your name.

So, sir, I believe you're the first--.

Rick Kossow:

--Hi. I guess I'm probably representing one of the more radical elements.

LaVerne Kyriss:

Your name, please?

Rick Kossow:

My name's Rick Kossow. And I don't even have my New Mexico plates yet, yet I just bought a house in Placitas, right in Cedar Creek. So, it's no surprise to me that they're going to run giant power lines through there because I'm moving here from Northern California where we used to have these giant Redwood trees. They're like this big around. And no matter how many thousands of people showed up for every kind of demonstration we could ever come up with, and everything we ever tried to get through the legislation and the federal government, there was nothing they could do to stop them from cutting them all down. Now there's hardly any of them left.

And big business and the government are obviously, as anyone knows, completely in bed together. And it's wonderful that we can all get together and try to talk about this and do something about it, and I'm not saying we should stop. But, it's pretty frustrating, you know, when you try and you try and you're butting your head up against the wall.

NMA24

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You know, when you talk about federal lands, you know, all this land was stolen, you know. The Native Americans up in our area, there in Northern California and Oregon, no one could have ever guessed that we could have cut those trees down. I mean, there were so many gigantic trees, you know. And there's so many people with my color skin who loved those trees and who loved the land and who love the sky and the air and everything. And to see it desecrated left and right, every time you turn around, is just heartbreaking, you know.

And it would be wonderful to think that there's some sort of process that anyone could do that would affect this machine that's been running ever since whatever happened in Europe to affect all those people, in England or whatever, to make us have this mindset where we could just bulldoze everything in our path and take over every people we ever came across, it would be great to think that something could affect that. And some day something's got to, you know.

One of the main reasons I moved here is because, you know, our Native Americans have been just about wiped out everywhere else, you know. And here the Navajo Nation is big. There's the Pueblos. There's the Hopis. And I was just, like, you know, hoping beyond hope that it could be different here and I'm hoping it can. And I'm hoping there's something that someone can do about it to make a difference and stop the train, you know.

NMA24-001

Obviously anybody, even the hardest-core Republican, that looks in their heart of hearts, knows that this is wrong. And that this desecration of the land and the taking over of every little corner, you know, and making bigger corridors to run power through, you know.

And what he was saying about how we love our vehicles, that's great, you know. But they came up with electric cars. And some of them were being sold. And then they rounded them all up and squashed them, you know, and put that whole thing down. Whereas, you know, it looked like it was going to take something over. You know, the Detroit—well, that's not Detroit anymore, but there was going to be some alternative. And they squashed it.

I mean, anyone that's got any kind of insight or can think things through, realizes that it's a finite thing here, whether we're trying to use up fossil fuels and stuff. And obviously, solar power and wind power is the way to go. And to think that we should, like, run these power lines and, you know, fuel lines through, the amount of money it would take to do that, if you put it into research for solar and wind power it would make way more difference, you know.

NMA24-002

Like the military budget he was talking about. Down in Las Cruces they've got some other big missile project. Well, if you took a tiny portion of the military budget and put it towards solar research or wind research, obviously, you know, that is going to—it would take off exponentially, you know. And all it's got to take is something really, really serious, you know.

There's some—I've been a member of pretty radical society since I was a kid. My parents dropped out in 1966 and decided that being, you know, lawyers and whatever was not what it was all about. And so, I was raised this way, you know. And I raised my kids this way. And maybe that's what's really got to make a difference is just people instilling it in anybody they can get through to and talk to that, you know, the status quo and the way it's gone all this time is not working and it can't possibly work.

NMA25

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And you know, I know people in the far, far left, like I represent—and actually, the far right comes way around and kind of meets us in the fact that they don't trust society. You know, like the farthest right-hand people, they don't want anything to do with energy and society and everything like that. And when it can come full circle like that, maybe something's going to happen, you know. But, I know people on the far left that believe that what you should do is vote for the hardest-core Republicans. Register Republican. Vote for the Republicans. Because there's never going to be any kind of revolution until it gets bad enough, okay?

And so, putting Band-Aids over it and trying to make everything all right and, like, keep the liberals going, you know. It's like maybe that's taking away from the eventual, you know, when it comes right up against the wall and the gas is gone and people get—the rich are so rich and the poor are so poor that something's got to give, you know. It's kind of hard for me to come from—talk about that because I bought a house in Placitas, right?

LaVerne Kyriss: Mr. Kossow, can I get you to wrap up?

Rick Kossow: Yeah. Yeah. You know. Wrap it up, right?

But so, I know, you know, there hasn't been one person here that spoke that said, hey, this is a great idea. Let's run lots of power and electric lines on federal land, you know. Everybody that's spoken has said that they'd have serious, serious reservations about it. And, you know, something's got to give, man. Some day. Some day something's got to give.

NMA24-003

LaVerne Kyriss: Thank you, Mr. Kossow.

We had another person back over here who wanted to make a statement? And is there anyone else who wants to make a statement? If you could give us your name and then, if you're representing an organization, that organization's.

xxxxx:

Good afternoon. My name is xxxxx. I'm the Sandoval County commissioner for a lot of the areas that this corridor's going to affect. It's not going to only affect the areas in the corridor, but the surrounding communities. And I think this is something that has to be really worked on with the surrounding communities.

NMA25-001

Sunday I went to talk to one of the—some of the tribal leaders at one of the pueblos. And they said they weren't aware of this meeting. And I don't see how anybody can plan to run a corridor through somebody's reservation and not notify the tribe. Unless the [unintelligible] letters were misplaced and then got shuffled. But, this is an important matter. It just cannot be corresponded by an email or some kind of text messaging. And this is an important matter.

NMA25-002

It's going to be something that requires a lot of compromise. I don't think that any corridor has to be three-quarter miles wide. I mean, that's—I just can't see that and not—and affect so many communities.

NMA25-003

This—I'm going to ask these people that are present here to meet extensively with the leadership of the different communities, especially the tribes. And people in Placitas, not only the community, but the different subdivisions, and communicate with them very strongly and listen to their concerns.

NMA25-004

But, I still feel very strongly that no one needs a three-quarter mile wide corridor. I don't think that's required. Thank you very much.

NMA25-005

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LaVerne Kyriss: Thank you, sir. And sir, I didn't get your last name.

xxxxx: xxxxx.

LaVerne Kyriss: I'm sorry, your last name?

xxxxx: xxxxx.

LaVerne Kyriss: xxxxx. Thank you. I'm sorry, I couldn't hear it.

Are there other folks who wanted to speak? Yes, sir. Please step up to the microphone.

Lewis Fisher: My comments will be very brief.

LaVerne Kyriss: Your name, sir?

Lewis Fisher: My name is Lou Fisher and I live in the La Mesa subdivision of Placitas. And I just have one observation and two questions. My observation is that there are—some of the general comments we've heard from the speakers here have been along the lines of—it kind of sounded like an assumption that this plan is a done deal, if you will. There's been questions like how about if we move it a little bit this way, or how about if we move it a little bit that way, assuming that—it kind of suggests that maybe the people asking that think this is all forgone. That's just an observation.

NMA26-001

My question really is—my two questions are—and I'll ask the question and if you choose to answer it, please do. But, I think it's a question for all of us that we might need down the road, depending on how things unfold. You know, the first question is who is the individual or the entity who will ultimately approve, bless, confirm, permit to go forward, whatever term you might want to use, who is the individual or the entity who will approve this plan such that it can go forward? I think we all need to know who that is, or who they are. They—whatever.

NMA26-002

And lastly, who is the entity or organization who can instruct you to stop? I mean, there has to be someone who can say stop. There has to—in other words, there has to be someone who says go and there has to be someone who says stop. That might be the same entity. But who, pray tell, might those individuals or entity(s)—who might that be? I'd like to know, if you'd care to answer.

LaVerne Kyriss: Actually, those are points of clarification. I would be happy to answer those. The individual or entities who are the approving of the plans, the proposed decision. When we get to that point it will be the land agency, so it will be the Bureau of Land Management, Forest Service, Department of Defense, the agencies where they will be changing designations for any corridors that might be in place. They will be amending land-use plans. And so, the senior officials in those agencies who will be amending those plans will be the deciders.

Lewis Fisher: So it's a multiplicity of agencies, it sounds like?

LaVerne Kyriss: The land-use plans that would be amended in each agency. So, corridors affect different lands. So, a corridor might be across both BLM and Forest Service lands and so both of those organizations might have to amend a plan.

The organization that can instruct us to stop would be Congress. We are responding to specific direction from Congress to designate corridors.

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Lewis Fisher: All right. Thank you.

LaVerne Kyriss: Do we have other speakers who would like to make a comment? Yes, ma'am. Please come to the microphone.

Joan Lucero: My name is Joan Lucero and I live in Placitas. And I'm wondering if—I came in just a little bit late—if anyone has mentioned there's only one road in and one road out of Placitas. If there ever were some major disaster with some of these lines that are being installed or proposed, what would happen then? And does a road and all of the infrastructure need to be considered when you're thinking of areas to put these lines through? Thank you.

NMA27-001

LaVerne Kyriss: Thank you, ma'am. Are there other folks who want to make a comment?

I took that as a comment because we're not proposing any specific infrastructure, so I took that as a comment. We are not proposing any power lines, any transmission lines. We are only proposing designating corridors for future potential infrastructure. I'm sorry if we weren't clear in that. We're not proposing any specific projects.

Yes, sir.

George Hidy: Yes. My name's George Hidy. I'm the President of the Overlook Homeowners' Association in Placitas. And we support the Las Placitas Association's presentations and those of other responsible homeowner associations within the Placitas area. Thank you.

NMA28-001

LaVerne Kyriss: Thank you, sir. Other folks who want to make a comment?

If there are no other speakers right now, I'm going to close our hearing. We'll go off the record. We will stay around to discuss this issue in more detail with you, either in a large group or in small groups. If folks want to make a comment officially, we'll go back on the record.

I have a question here? Yes, ma'am?

Laura Tweed: Can I make a comment?

LaVerne Kyriss: Yes, ma'am, you certainly can.

Laura Tweed: My name's Laura Tweed [ph]. I live in Placitas also. And although I—can you hear me now? My name's Laura Tweed and I live in Placitas also. And although I work with several groups that are involved with this project, I'm just making the comment that I'm about to make as a citizen of the community. And there's been already a lot of good comments that everyone's made. And I'm just going to put some logic on it.

NMA29-001

In a prior life—I'm a realtor in the area now, farm and ranch and residential. In a prior life I was an aircraft dispatcher. And from point A to point B is the straightest course. And I've done dispatch internationally. And it just makes sense that somebody, like several of the comments that have been made, should put point A to point B and go there and work from the top down and do the hard problems first, solve those, and then the easy problems will take care of themselves.

LaVerne Kyriss: Thank you, Ms. Tweed.

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Are there any other folks who wanted to make a comment? If not, then we will close the hearing and have informal discussion. Again, I said if someone wants to go back on the record and make a comment, we will do that.

I want to remind you that comments on the Draft PEIS are due February 14th and can be submitted online via the project website, by mail, or by fax. The website is on the handout in the back of the room. All comments received by February 14th will be considered in preparing the Final PEIS. Comments submitted after February 14th will be considered to the degree that's possible for us to consider them.

Again, I would like to thank you for your attention this afternoon. And we will stay around to informally discuss the Draft PEIS with you.

Albuquerque, New Mexico, January 24, 2008, 6:00 p.m.-8:00 p.m.

LaVerne Kyriss: Good afternoon—or good evening. I'm LaVerne Kyriss. I'd like to thank you for joining us for a public hearing on the Draft Programmatic Environmental Impact Statement on Designating Energy Corridors on Federal Lands in the West.

I'm LaVerne Kyriss and I'm from the Department of Energy. I will serve as this evening's hearing officer. Before we begin the formal hearing, Jesse Juen, who is the BLM associate state director, will make a brief opening statement.

But first, if you haven't signed in yet at the registration desk, or let us know that you want to speak at this hearing, you can do so right now at that registration table.

We also have handout materials for you. We have a map that gives you an example of our siting process, and we have a one-page fact sheet on the project that has an overall map on the back. And this is a state-specific example.

Restrooms are located in the lobby, past the elevators on the right.

In the event of a fire or other alarm, we'd ask you to please take your personal belongings with you and evacuate the building as quickly and quietly and safely as possible. The nearest exit is just past the elevators. There's a stair down to the first floor and out. There are also exit stairwells on each end of the building.

With us today representing the federal interagency team managing this work are Kate Winthrop from BLM here, Ron Montagna also from BLM back there, and Bob Cunningham from Forest Service here, and me, your hearing officer.

Now I'm going to turn the mic over to Jesse.

Jesse Juen: Thank you, LaVerne. I also want to welcome you all this evening and appreciate you coming to give your comments on the Draft Programmatic Environmental Impact Statement for the Designation of Energy Corridors on Federal Lands in the West.

In a few moments you're going to hear a brief presentation about the document, which the Department of Interior, Energy, and Agriculture are preparing to meet the requirements in the Energy Act of 2005.

Currently, applications for rights-of-way across federal lands with pipelines or electric transmission infrastructure are considered on a case by case basis, without much

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coordination among the various federal agencies whose lands are often involved in the projects that transport energy long distances across our country.

In 2005, Congress directed the federal agencies to address this situation by designating energy transport corridors, and also performing necessary reviews of the environmental impacts of designations. A Programmatic PEIS, developed under the National Environmental Policy Act, NEPA, represents that environmental review.

It's important to note that another round of site-specific NEPA analysis will be completed for each project proposed for locations in a designated corridor. The Department of Energy, the BLM, and the Forest Service developed the corridor locations proposed in the Draft PEIS using a three-step process which is detailed in the document, in a handout, as LaVerne said—there's more in the back as well—and which the presentation will also describe for you today.

In essence, today's hearing is Step Four in that process. The public comments will help the agencies further refine the locations of corridors so that important goals of the projects are met, balancing the need to improve energy delivery in the West with our responsibility to protect the many resources found on our federal lands.

From the beginning, the agencies have been committed to this strategy, and your comments will be very valuable in helping to ensure that it is carried through to the end of this planning effort.

Representatives from DOE, BLM and the Forest Service are here to receive your comments. And on behalf of all three of the agencies, we thank you again for your interest and your commitment and participation.

LaVerne Kyriss:

Thank you, Jesse.

We're here this evening to receive your oral comments on the Draft PEIS. You can also submit comments via the project website, by fax, or by mail.

This hearing is being webcast and transcribed, so speakers are asked to speak clearly and distinctly into the microphone right over here. If you're having trouble hearing a speaker in the room, please signal me and I will advise the speaker accordingly. After everyone who wishes to speak has—wishes to comment has spoken, I'll close the hearing.

So far, we have about eight people who have requested to speak to this issue this evening. Each of you will have an initial five minutes to make your presentation. When you have 30 seconds remaining, I'll notify you so you can begin to wrap up.

This hearing is to take comments on a Draft Programmatic Environmental Impact Statement prepared in response to direction given by Congress to five federal agencies: Energy, Agriculture, Interior, Commerce and Defense. Section 368 of the Energy Policy Act directs the secretaries to designate corridors for oil, gas, and hydrogen pipelines, and electric transmission lines on federal lands in 11 western states; to perform the necessary environmental reviews. Partly because of this requirement, we decided to prepare the Draft PEIS that's the subject of this hearing and to incorporate these designations into land use, land management, or equivalent plans. A separate and distinct public process is expected to begin later this year to identify corridors in the other 39 states.

The statute requires that, when the secretaries designate these corridors, they must specify the corridor center line, the corridor width, and the corridor compatible uses. Congress also directed the secretaries to take into account the need for electric transmission

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facilities to improve reliability, relieve congestion, and enhance the capacity of the national grid to deliver electricity.

The Draft PEIS proposes designating more than 6,000 miles of corridors. Sixty-two percent would incorporate existing locally-designated corridors and/or rights-of-way; 86 percent would be on BLM land; and 11 percent on Forest Service land. The Draft PEIS identifies 166 proposed corridor segments in all 11 western states. If all are included in the follow-on decisions, this would involve amending 165 land-use or equivalent plans.

Previously designated corridors are outlined in yellow on the project map. Some of these are proposed for upgrade only. In the case of existing previously designated utility corridors, amendments to land-use plans designating these as 368 corridors would subject these corridors to the interagency coordination processes described in the PEIS, and they would be assigned Section 368 criteria; in effect, the centerline, width, and compatible purposes.

Using existing corridors alone would not meet the requirements of Section 368. So, we've identified an additional 2,300 miles of proposed corridors. The proposed corridors also vary in width. We used a 3,500-foot starting point to provide flexibility for siting multiple rights-of-way.

An energy corridor is described as a parcel of land identified through a land-use planning process as a preferred location for existing and future utility rights-of-way, and that is suitable to accommodate one or more rights-of-way which are similar, identical, or compatible.

Corridor designations assist in minimizing adverse impacts and the proliferation of separate rights-of-way. A right-of-way is a specific land use authorization—not a change in ownership—granted to allow construction and operation of a specific project that's often linear in character, such as a utility line or a roadway.

Right-of-way permits include requirements for compatible land uses and are not granted until a project applicant has complied with all relevant requirements, including appropriate environmental review.

In November 2007, we published the Draft PEIS. Comments are due February 14th. We will analyze and respond to comments and complete the tasks necessary to prepare a Final PEIS. We expect to have this ready sometime in mid-2008.

The land management agencies will be able to sign records of decision to designate corridors through amendments to land-use plans no sooner than 30 days after the Final PEIS is issued.

The Draft PEIS analyzes two alternatives: taking No Action and the Proposed Action. Choosing to adopt the No Action alternative would result in continuing ad hoc, uncoordinated development, as is done now. The proposed action is the result of a three-step corridor siting process described in detail in Chapter Two of the Draft PEIS.

The first step was to incorporate comments provided by the public during scoping and after the draft map was released in 2006. Then the agencies worked closely with local federal land managers to accommodate local land-use priorities, incorporate local knowledge of areas, and avoid areas known to be incompatible with potential future development. A handout summarizing this process for determining where the proposed corridors would be located is on the information table. Additional examples of specific corridors are also available on the project website.

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We believe that the analysis of these alternatives meets NEPA's requirement for a hard look. Because the proposed action does not involve any site-specific, ground-disturbing activities, site-specific NEPA review will be required to support all proposed projects within a 368-designated corridor.

And today, we don't know when and where any projects will be proposed by applicants seeking to site pipelines and/or transmission lines. As a result of this uncertainty, the environmental effects described in chapter three of the Draft PEIS are necessarily more general than a site-specific analysis for a known project would be.

Comments will be most effective if they are specific, include suggested changes or methodologies, provide a rationale for your suggestions, and refer to the specific section or page number of the Draft PEIS.

Finally, we encourage you to submit your comments via the project website. It's easy for you, it speeds our ability to get comments into the database for analysis and up on the website for public review, and it doesn't require stamps or envelopes.

Now I'm going to go over the process for our hearing this evening. I will call speakers in the order in which you registered. We'd ask you to please step up to this microphone and clearly state your name and organization—if you're representing an organization—before you make your comment. We'd ask you to please limit your comments to five minutes so that everyone who wants to speak this evening will have a chance to be heard. I will advise you when you have 30 seconds left so you can begin to wrap up. And I have a nice little sign that I show in front of you.

We'll repeat this process until everyone who's registered to speak has had a chance to provide comments. I will then ask if anyone else wants to speak. After those people have had a chance to speak, we'll go back and ask if anybody who has already commented wants to speak again, or if other people want to speak. We'll do that until everyone who's had a chance—who wants to speak has had a chance to offer comments. After everybody has had a chance to speak, we'll close the hearing and remind you of when comments are due and how to submit them.

Now, if you're speaking from a prepared statement, we'd also ask you to please leave a copy at the registration desk. If you're not able to do that this evening, we'd ask you to send that to us electronically via our website.

Agency representatives won't be answering questions during the hearing, but we will stay afterwards to discuss the Draft PEIS with you.

Are there any questions on the process for our hearing this evening? I don't see any questions. So, if there are no questions on how we're going to conduct the hearing, then we'll begin taking your comments.

Our first speaker will be Reid Bandeen. He will be followed by Todd Monson.

Reid Bandeen:

Thank you, again, for the opportunity to speak on this issue. Once again, I'm Reid Bandeen. I'm the current president of the Las Placitas Association. We're an organization that's a nonprofit based in Placitas and we're actively engaged in watershed restoration and conservation and education in open-space preservation in the Placitas area. And we've been working very hard on behalf of the community in that regard for about the past 15 years.

**NMA04
(cont.)**

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And I was able to present my comments more extensively in the afternoon session. And the BLM has been kind enough to let me address a couple of points that I was not able to include earlier based on the time limit. And so, I'm just going to concentrate on those. And I'm sure other speakers will probably touch on other points that I raised earlier.

But, one thing that impresses me about this process is that when we meet with BLM and other federal authorities on—to have input on projects like this, they always counsel us to just not provide opinions and personal preferences, but data. You know, be specific and show us data that demonstrates how the impacts of projects will occur and how land-use plans will be affected. What risk are there to human health and the environment that will be incurred in quantifiable terms?

So, in the spirit of gauging community opinion, at least to start with in a measurable way, we conducted a community survey. And recently sent this out to our membership and found that 92 percent of the respondents were opposed to any further expansion of energy corridors in the Placitas area. And then, you know, pretty much the other ones just basically didn't respond on that point.

NMA04-008

But, you know, when I search the EIS and I look for the part that addresses environmental impacts and mitigation measures, I really get a lot of vagueness there. And I understand by some tokens that this stage does need to be vague, but you know, we never find any numbers and really find only subjective references that just get really tedious after a while. So, I guess that's just some input on the writing of this document.

You know, just repetitively running into phrases such as "could occur," "may occur," "possible impacts," "may sometimes occur," "not expected to impact," "not anticipated," and "should be minimized," when describing environmental impacts, "minor losses," "small impacts." And then again, when we're talking about mitigation measures, "could reduce," and "should minimize the likelihood, magnitude, and extent of the impacts." So, I guess I would like to encourage BLM to take a little bit—or BLM and the other agencies—to take a bit of their own advice and just say based on what. You know, there needs to be a basis for those statements. And you can at least reference applicable standards and some numerical criteria on which you can base a statement like that.

NMA04-009

Another consideration in addition to the exhaustive list of the potential environmental impacts we might expect from projects that are listed in chapter four, which I won't enumerate again, but I think we need to add the one about explosion hazard from damaged pipelines. Recently in large floods in the Las Huertas Creek, where live pipelines extend right through the creek bed, pipelines became exposed, and dangerously so as subsequent floods heaped large rocks directly on top of the pipes. And after reading about, you know, catastrophic accidents like in Carlsbad a few years back that became a major concern, for obvious reasons, in the community. And we think that needs to be addressed as a potential impact in the document as well.

NMA04-010

Also, in discussions with federal officials, the issue of national security as a further justification of the need for the corridors has been raised. And really, we question if a large and visible and highly centralized network of pipelines and transmission lines, with no backup system, leaves our country more vulnerable to disruptions from a terrorist attack than smaller, more localized and therefore shorter and more widely dispersed transmission systems.

NMA04-011

Now, the agencies have also acknowledged the need for transmission capacity for new alternative energy sources such as solar and wind energy that need to come online. And it occurs to me that, you know, possibly smaller systems, more locally based on

NMA04-012

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<p>alternative energy sources might be more amenable to accomplishing transmission, you know, more safely for these locally generated alternative sources.</p>	<p>NMA04-012 (cont.)</p>
<p>And earlier speakers—I'll wind up, but earlier speakers pointed for the need for more alternatives in the document, and I really must agree with that. We've kind of got a take it or leave it proposition here. And an additional alternative might be how we might upgrade current corridors to somehow include more capacity and leave them pretty much as they exist now, or with, you know, smaller scale improvements to those existing corridors as opposed to, you know, the giant two-third-mile-wide network.</p>	<p>NMA04-013</p>
<p>Thank you.</p>	
<p>LaVerne Kyriss: Thank you, Mr. Banded. When we finish our speakers, we'll come back and give you an opportunity if you want to add to your comments.</p>	
<p>Our next speaker will be Todd Monson and he will be followed by Jack Bates.</p>	
<p>Todd Monson: So, I'm Todd Monson. I'm just a concerned citizen here in Albuquerque. I just basically have a few brief comments. I feel that basically they—the process needs to look at alternatives that will have the least impact on the remaining wilderness areas that we do have in the state and in the Southwest. Also, we should maximize travel whenever possible of these corridors along existing power corridors and along road systems, such as I-70, I-25, things like that nature.</p>	<p>NMA30-001 NMA30-002</p>
<p>Also, I believe we should, as the gentlemen just said, consider new and potential locations for renewable energy, which is particularly important here in the Southwest and in New Mexico, things such as wind and solar and things that would be more distributed and localized, and we need to accommodate those and plan for those.</p>	<p>NMA30-003</p>
<p>And finally, I do have one concern—specific concern for an area outside of New Mexico, and that is the potential of a corridor passing right outside Arches National Park, which is an area which I've hiked in and I've really found to be a beautiful area. And I found the vast expansiveness and the great views that you could get from that park to be wonderful. And any potential power lines and pipelines I think could really detract from the experience of anyone that wants to visit that area.</p>	<p>NMA30-004</p>
<p>That's really the—that's really all my comments. Thank you.</p>	
<p>LaVerne Kyriss: Thank you, Mr. Monson. Our next speaker will be Jack Bates and he will be followed by James Jackson.</p>	
<p>Unidentified Participant: Which mike should I use?</p>	
<p>LaVerne Kyriss: Sure. That one..</p>	
<p>Unidentified Participant: Here we go.</p>	
<p>LaVerne Kyriss: Okay.</p>	
<p>Jack Bates: Thank you. I'm here speaking for—well, first off, [unintelligible]. That's not 100 percent. I'm here to speak for the 3 percent of private property owners that they're talking about putting this in. I live on Commune de las Huertas in Placitas—.</p>	
<p>LaVerne Kyriss: —Can I make a—can I make a clarifying point? The 3 percent is not on private land. It's on other federal agencies, such as Department of Defense.</p>	

NMA32

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- Jack Bates: I see a proposed line drawn right across my house, ma'am.
- LaVerne Kyriss: That's not a 368 line, sir.
- Jack Bates: Okay. Well, it—what you're trying to do, I believe, is manufacture a situation where you can come in and use eminent domain to evict people from their land, okay? And in looking at the proposed corridor right through Placitas, it would have to be over 100 houses that you're talking about there, that we're talking about putting a power line right over or putting another pipeline right through. So, that's why I'm here. NMA31-001
- In addition, just about two miles north of this proposed corridor that you have here, there's an existing power line across BLM land, not private land, that I would guess is over two-thirds of a mile wide, that area there. It—gigantic, huge power lines. You can see them for miles. I don't see why we need to be going right through an area of—I won't say densely populated, but there are a bunch of people who live out there—right over their heads, when there's an option literally about two miles away to the north. NMA31-002
- Let's see here. I don't want to spend any more time than I have to.
- In addition, Reid brought up the problem with explosions. Well, forget about that for a minute. There was an incident a while back where a bunch of jet fuel was leaked out of a pipeline right into the Las Huertas Creek area. We're all on wells out there, okay? You pollute our water we don't have anything to drink, or we have to get it trucked in. So we were essentially at that point drinking diesel fuel.
- Okay. One final point. And it's related to the jet fuel spill. They just reactivated a pipeline that runs along Commune de las Huertas. That piece of pipe is over 50 years old. And there were workers that spent literally months in the Placitas area discovering and fixing the leaks in that pipe. And I just do not believe that the commitment to safety has been expressed in any of the prior projects around. NMA31-003
- So, I'm just not getting a feeling of credibility about this being done in a manner that is safe for the people who live out there. And one of the reasons we lived out there is to get away from this kind of stuff. And that's all I had to say. Thank you.
- LaVerne Kyriss: Thank you, Mr. Bates. Our next speaker will be James Jackson, and he will be followed by Bob Wessely.
- James Jackson: My comments are going to be very short. And I'm with the state Land Office. The request is we would like more consultation as a state agency as far as where you're going and how you're doing it because a lot of it impacts on us. I will follow that with written comments later on. So, that's the only comment I got. NMA32-001
- LaVerne Kyriss: Thank you, Mr. Jackson. Our next speaker will be Bob Wessely, and he will be followed by Nada Culver.
- Bob Wessely: Excuse me. My name is Bob Wessely. I made some comments this afternoon and then, during the between-session break realized that there were some amplification that I think was necessary. So, I'd like to make some comments that to some extent follow up on this afternoon's comments talking about limited coordination with tribes, with local governments, with local folks.

**NMA16
(cont.)
NMA33**

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Congress apparently has asked these federal agencies to design corridors on federal land. But, that doesn't give the federal agencies the excuse through NEPA to ignore the other lands on which there may be serious impacts.

NMA16-004

I believe the agencies need to follow a few more steps. First, to get much more substantive local knowledge. Second, to redefine the federal corridors—federal land corridors in terms of that local knowledge. Three, to conjecture connections between the federal land dots through which the corridors will run. Four, to conjecture specific examples of probable projects. Then, and only then, appraise the impacts and then bring a much better Draft EIS back to this public meeting.

NMA16-005

If the agencies don't have time to do it right now, they surely will not have time for a court-directed do-over. Thank you.

LaVerne Kyriss: Thank you, Mr. Wessely. Our next speaker is Nada Culver and she will be followed by Piers Ramsay.

Nada Culver: My name is Nada Culver. I work with the Wilderness Society.

LaVerne Kyriss: Nada, can you speak up.

Nada Culver: I'm a little too short for the microphone, LaVerne.

LaVerne Kyriss: Pull it down a little bit.

Nada Culver: Okay.

LaVerne Kyriss: Let me help you.

Nada Culver: Fine. I can think on tip-toe if I have to.

LaVerne Kyriss: We can hear you now.

Nada Culver: Okay. My name is Nada Culver. I work for the Wilderness Society. And we at the Wilderness Society focus a lot on our public lands and how they should be used and preserved for all generations. And we've been following this process since it started. And while we believe there are some good ideas in this process about considering how our federal lands could be used for energy transmission, we think there's some serious considerations that still need to happen before these designations are finalized.

And we will be submitting specific and detailed written comments, but I wanted to take the opportunity while I'm here to talk about what I've seen so far, which is we're on our 10th set of public hearing now. And while I haven't attended them all or listened to all the webcasts, I've seen a lot of reports of them.

And I think what's really clear to me, and I'm hoping is clear to the agencies, is how many people care about this issue, about how our federal lands are used and about the resulting impacts on not just our federal lands, but all of the other natural resources and private lands that could be affected by this. We're talking about 6,000 miles of corridors. In New Mexico we're talking about over 300 miles of corridors, about 130,000 acres that would be dedicated to this type of use. This is a serious effect on the public lands and also the surrounding lands.

NMA33-001

And I think there are certain concerns that we keep hearing and that we've already heard today from a lot of speakers. So, I just thought I'd summarize again and urge the

NMA33-002

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agencies to take very seriously. One is special places and special values, things like the Sevieta National Wildlife Refuge. I'm not really sure that's the place we should be having an energy corridor. Places like proposed wilderness areas. These are places that we need to prioritize avoiding and protecting.

NMA33-002
 (cont.)

Renewable energy, wind, and solar. One of the things that we have an opportunity to do here is to make sure we're not designating more corridors that just support the same old energy. And we've seen a lot of commitment in New Mexico. There's a commitment to have 20 percent of energy from renewable resources by 2020. And the state also have a commitment to being a provider of renewables. This network, if we're going to designate it, we should be explicitly considering how to support renewable energy, not just coal.

NMA33-003

Also, I think there are things that could be considered that seem to be missing. They've been highlighted by a bunch of the preceding speakers already. Things like impacts to wildlife. We know that there are state wildlife agencies. And New Mexico has a comprehensive wildlife conservation strategy that has already gone ahead and identified a wildlife habitat and where it's at risk and where it needs to be conserved.

NMA33-004

None of this information is really in the PEIS right now in terms of the impacts or how it could be avoided or protected. Similarly, special status species, endangered species like the Pecos sunflower, which is right in the crosshairs of the line through Sevieta as well and should be explicitly referenced and considered for protection.

And then impacts on the values of all of our land when you basically connect the dots. And I know people have referenced this. I do think, based on what that gentleman was indicating before, there is enough information out there to know generally where these corridors are going, and when those dots are connected to understand what those impacts could be.

NMA33-005

I know that—I understand that the agencies have tried to take into account some of the information that states have given them about wildlife habitat or private property or state priorities, like state parks or state monuments or recreation areas. But, I think that needs to be explicit and comprehensive.

NMA33-006

I understand—you know, I heard at the beginning of this the description about what Congress told you to do. And I think that the approach that's been taken to say, well, we're just designating this on federal land and so we don't need to connect the dots is really an overly narrow interpretation of what Congress told you guys to do. There's nothing in the Energy Policy Act that says you can't look at or you shouldn't look at what's going to happen when we connect these dots.

NMA33-007

I don't think any of us believe that those dots won't be connected and that we can't predict generally where those are going to and generally what that will do to both public and private land. And if we don't at least make an effort to do that and try to understand what that will do to the land and the values and the people, then we can't try to avoid the same damage. So, I think that's something we'd really like to see.

NMA33-008

And going forward, what I hope to see is that you hear what the public has been saying. Not just take note of it, but actually respond to it and take into account all the values that people have been talking about today, making sure that we site these corridors correctly on federal land to protect all the values that are already out there and to support renewable energy. To commit that, once we find the right places for these corridors we actually keep them—we keep the projects in the corridors so we know that they're in the right place. And to provide alternatives, things like distributed generation or upgrading

NMA33-009

NMA34

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existing. Again, I don't think that the congressional direction you've received would keep you from doing that in any way.

NMA33-009
(cont.)

And once that's done, I don't think there's a need to rush. I think you should take the time to come up with a new opportunity for us to actually have alternatives to comment on. And then we can take another round and see what we can come up, which I think could be a vastly better document and a vastly better effect for all of us.

NMA33-010

Thanks.

LaVerne Kyriss: Thank you, Ms. Culver. Our next speaker is—I think it's P-I-E-R-E-S Ramsay. I may have gotten that wrong. And after Mr. Ramsay will be Peter Callen.

Piers Ramsay: I'm a long-time resident of Placitas and I actually live out by the power lines that are north of Placitas. And ironically enough, most of the people that live in close proximity to those power lines live on alternative energy because it's off grid because of its location.

The—obviously—and I'm sure a lot of this has been said before, but obviously there's a patchwork of land out there between BLM and private property that is a real checkerboard situation. And obviously, as has been stated before, you know, establishing a corridor needs to encompass all the private land that is in the way of this corridor. And there's a substantial amount of it in Placitas.

I think that an important thing to try to recognize is that we're at a threshold right now of rethinking how we're doing all of these things. And this is a great opportunity to look at our alternative choices here that make these types of corridors more and more obsolete just by their nature. And this is an opportunity in its timing to rethink it, to see our other alternatives, to try to—not necessarily take established corridors and build up on them, but perhaps take these established corridors and downsize them as we look at more reasonable ways to establish our energy needs throughout the country.

NMA34-001

So, this really is an opportunity to really approach this from a different angle and, you know, still have a yield that satisfies the needs of the people. And we do have to look at the local areas that are drastically affected by a corridor like this and recognizes that they—you know, the pipelines have had very negative effects on Placitas. And the power lines have had a negative effect, too, all along. Some of those effects are less visible than the pipelines because the pipelines have had leaks and things that are—you know, have been more in the news. Though the power line effect is there, it's just more subtle, if that's the right word.

NMA34-002

But again, our opportunity here is to look at where we are right now really in history. We're in a place where everything's changing and it's changing quickly. And it's an opportunity for the federal government, the state governments, and everyone involved to look at other alternatives and to recognize the unique opportunity to make different coherent positive choices about how this problem is addressed.

NMA34-003

Thank you.

LaVerne Kyriss: Thank you, Mr. Ramsay. Our next speaker is Peter Callen.

Peter Callen: Hello. I'm a private citizen here in the area. I wanted to ask who I'm addressing as far as who brought the meeting together here tonight. I came in a little late.

LaVerne Kyriss: Let me answer that as a clarifying question. My name is LaVerne Kyriss and I'm from the Department of Energy. And I have colleagues here from the Bureau of Land

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Management and from the Forest Service. And we're charged with preparing this Draft Programmatic Environmental Impact Statement.

Does that answer your question, sir?

Peter Callen:

It does. Thank you.

I just wanted to say thank you for getting us all in the room tonight so that we people that came, the audience, can talk to each other about how we can produce and use our own energy right here, locally, and not have to go to any more meetings like this. That would be nice, huh?

NMA35-001

And you know, if that sounds far-fetched, I just would like you to think about the possibility of that, of creating our own energy and using it right here. And I know some people are already doing that, making their own electricity, working toward building locally owned and produced power. It's basically local production for local use.

So, I would like to, you know, meet you all and talk about that and join in that effort. I think it's a very timely—as the last speaker said—and important step. I know we all have jobs and we're making money so that we can pay our bills, but you know, to work—if there's an opportunity to create something that we can control here, I think that's a worthwhile effort.

And I'd just like to say in regards to corridor—energy corridors in general, this West-wide energy corridor, I learned a little bit from the Enron situation in the years past, and that is that it's very easy for utilities to move the energy around. You know, why would I want to, you know, make energy here and then send it far away to have somebody else pay a premium for it? Just so that they can do the same thing back to me. You know.

NMA35-002

So, under the guise of making things easier and cheaper, which is, you know, the standard sales pitch, the new infrastructure would also make it easier and cheaper for big energy companies to charge us to maximize their profits, which is what they are in business to do. That is their duty, to make money. So, just so you know, that's what I think's happening.

And thank you.

LaVerne Kyriss:

Thank you, Mr. Callen.

I have no more registered speakers, but are there any folks here who would like to make a statement? Yes, ma'am. If you'd come to the microphone and please tell us who you are and if you're representing an organization.

And anybody after her while she's coming up? Okay. Well, if not, we'll give people who've already spoken a chance to ask if they want to add to their comments.

Tell us who you are.

Deanna Archuleta:

My name is Deanna Archuleta and I'm the Southwest regional director for the Wilderness Society. I also happen to be a Bernalillo County commissioner as well.

First, I'd like to read a statement that one of our partner groups has sent with me because she was unable to be here. This is Nicole Rosmarino.

**NMA30;
NMA31
(cont.)
NMA36
NMA39**

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Pecos sunflower is listed as threatened under the Federal Endangered Species Act and should therefore enjoy full protection under the ESA from this project. An important population of the Pecos sunflower exists within the corridor's path on the La Hoya State Refuge north of Sevieta National Wildlife Refuge. The West-wide energy corridor project must entail full consultation with the U.S. Fish and Wildlife Service over impacts of the corridor to this listed plant.

NMA39-001

In addition, there are currently critical habitats proposed for the sunflower which include the La Hoya population critical habitats in this area would significantly upgrade the obligation of federal agencies involved in the West-wide energy corridor to conduct full consultation with Fish and Wildlife Services on this population. Thank you.

Now, for my comments. I just wanted to include that there are 13 special places that these corridors will cross. Those include wildlife refuges, wilderness—previously designated wilderness, one wilderness study area, and additional citizens-proposed areas. Six of those are currently roadless areas. Which we know, we just celebrated the 35th anniversary of roadless.

NMA36-001

I just want to include that it's important to know the impact on special places that these corridors can have. It's not just one, but clearly many throughout the West. And I'm hoping that the departments and folks involved will take that into consideration and keep that in mind, to make sure that these are protected.

Thank you.

LaVerne Kyriss:

Thank you, Ms. Archuleta.

Are there any other folks who would like to make a comment tonight? Are there folks who have already spoken who would like to add to their comments? Okay. I believe also—did you want to add to your comments, sir? You were our first speaker? Okay. Then we've got one here and one here. Absolutely. Please. Come up and tell us who you are again because on the Web they don't know that, you know?

Todd Monson:

I'm Todd Monson. And I'm also now very concerned about the lack of the PEIS—or failure to address what's going to happen in between the federal lands, and basically what's going to happen when they connect these dots. So, I'd like to add for the record that I'm very concerned about that. And I think that needs to be addressed in any PEIS.

NMA30-005

And also, I'm very in favor of protecting any remaining roadless areas that we do have. We have very few roadless areas and those are very precious, great places to go enjoy and we should preserve those, also, and try not to damage them in any way.

NMA30-006

LaVerne Kyriss:

Thank you, Mr. Monson. And I believe this is Mr. Bates?

Jack Bates:

Yes.

LaVerne Kyriss:

Tell us your first name again, sir.

Jack Bates:

I'm Jack Bates. I tried to stick with the facts earlier. But, the folks talking about alternative energy made me think of something. And this'll be quick.

I read a report recently that said our current war for oil—that's an opinion—has cost each American family \$20,000. Okay? Do you know what that buys you? That buys you the solar equipment to never pay another electric bill for 25 years. And that's all. Thank you.

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LaVerne Kyriss: Thank you, Mr. Bates.

Are there other folks who would like to make a comment this evening?

Okay. If there are no other speakers right now I'm going to temporarily close this hearing. If people want to make a comment later, we're going to go back on the record and make those comments. But for the moment, I'm going to close the hearing.

I'd like to thank you for joining us today to provide oral comments on the Draft PEIS, proposing to designate energy corridors on federal lands in the West.

Comments on the Draft PEIS are due February 14th and may be submitted online via the project website, by mail, or by fax. All comments received by February 14th will be considered in preparing the Final PEIS. Comments submitted after February 14th will be considered to the degree possible.

Again, on behalf of myself and my colleagues, I'd like to thank you for your attention. And we will stay around to informally discuss the Draft PEIS.

Yes, sir. Did you want to make a comment?

NOTE: The next section of this transcript was an informal, non-record large group discussion)

Unidentified Participant: Can I ask a question?

LaVerne Kyriss: Yes, sir.

Unidentified Participant: [Inaudible.] Once you've read the comments, what do you do next?

LaVerne Kyriss: What we will do is analyze the comments, prepare responses to them, determine the things we need to do. And I can't tell you now, because we haven't—I mean, we've heard a lot of comments, but we haven't analyzed them yet, we haven't prepared responses. So, we need to figure out what our game plan is. Our goal is to prepare a Final PEIS. But, I can't tell you all the things we need to do between then and—now and then.

Unidentified Participant: How long will this take?

LaVerne Kyriss: Well, it depends on what we decide we have to do with the comments. We heard tonight that we have a lot more work to do. And I need to fairly consider what it is we have to do. I heard Ms. Culver say that to me, so I was listening.

Unidentified Participant: So that's it?

LaVerne Kyriss: No. We'll be—we will be finishing our hearings and then we'll be trying to figure out—and we will be putting a schedule together. But I don't have it today. If you're on our mailing list, once we have that schedule we can get that out to you, which you can get on our—if you go to our website you can get on our mailing list.

Yes, ma'am?

Unidentified Participant: If we drag this out process out until next year, will this proposal go away?

LaVerne Kyriss: Ma'am, we're responding to a law. It's called the Energy Policy Act. As federal employees in the executive department, we have to respond to the law. If Congress changes the law then we can respond to a new law.

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- Unidentified Participant: Excuse me for asking an inappropriate question.
- LaVerne Kyriss: No, it's not an inappropriate question at all. I'm just trying to help you understand where we are in the executive department.
- Unidentified Participant: So you're not making a decision right now?
- LaVerne Kyriss: Section 368 of the Energy Policy Act of 2005 told the secretaries of the departments to designate energy corridors. And we're going through all the steps we need to do to get to that point. We're not there yet. We haven't finished the EIS. Decisions have not been made yet.
- Unidentified Participant: What's Section 368?
- LaVerne Kyriss: It's a section in the Energy Policy Act. There's a lot of sections in that. It was passed in 2005, on August 7th, 2005. Okay.
- Yes, sir.
- Unidentified Participant: Can I add to my comments?
- LaVerne Kyriss: Absolutely.
- Unidentified Participant: Can I leave this with you?
- LaVerne Kyriss: You can give us copies of your statements. You can give us additional written comments. Absolutely. All of those will count equally, whether you spoke, whether you give it to us in writing, however you choose to comment. All that counts equally and will be considered. It's not like if you spoke you get more points than if you give it to us in writing, or if you give it to us three times. It's not a vote. All comments count.
- Yes, sir.
- Unidentified Participant: A point of clarification. [Inaudible.] In other words, [inaudible] improved energy generation, or [inaudible] so we need to justify [inaudible].
- LaVerne Kyriss: Sir, the law told us to designate corridors that would be useful for future development. So yes, we are talking about future energy development. And it's not just coal. It's all resources. When we looked at--.
- Unidentified Participant:--[Inaudible] environmental process, these other potential things may never be approved and [inaudible] justification for it. [Inaudible.]
- LaVerne Kyriss: Sir, we don't know which future projects will be proposed. We don't know which future projects will come to the--.
- Unidentified Participant: [--Inaudible.]
- LaVerne Kyriss: We don't know—we don't know that.
- Unidentified Participant: What justifies this project?
- LaVerne Kyriss: The justification is responding to the direction by Congress, sir.

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Unidentified Participant: Can someone explain this map?

LaVerne Kyriss: Yes, ma'am.

Unidentified Participant: Can someone explain who brought it?

LaVerne Kyriss: Yeah. I'm going to get somebody from BLM to talk about that.

Unidentified Participant: [Inaudible.]

Jesse Juen: Let me introduce—Tom Gow is one of our managers in our local field office. I will reiterate it is not a 368 corridor. [inaudible]

Thomas Gow: Hello, everyone. Very good.

LaVerne Kyriss: Tell us who you are—.

Thomas Gow: My name's Thomas Gow. I am the Rio Puerco field manager for the Bureau of Land Management here in Albuquerque. When this entire process started a number of years ago, I went and was reviewing documents. And in that I saw, in the May 2006 meeting that was conducted here in Albuquerque, I looked at to see who the attendees were. And I noticed at that time that there were some tribes in my field office area that were not there in attendance.

Also, reading the consultation that was conducted by this team, they did send letters to the tribes saying this was—this action was going to occur. But in past discussion with tribal governors and the local chapters of the Navajos, every one of those governors, to a governor, let me know that, when we receive a letter that says "Dear Tribal Leader," we throw it away. We don't even pay attention to it.

So, knowing that—again, this is over experience, 10 years in this field office dealing with the tribes—you know, again, for this effort the requirement of consultation has been met by the team. It has. But for me locally and the relationship that I have with the tribes, I said ethically that is not enough. I'm going to take the extra step and let's consult with the tribes on this. We have to do this. And again, with all due respect to the members of the team, they did not realize, or had no knowledge that tribal governments, pueblo governments, change every year. There's a new governor, every year.

Unidentified Participant: What does that have to do with this?

Thomas Gow: I'm getting there. I've been—you know, Peter—give me time, Peter. I'll get there. I'll get there. I promise you, I will.

Unidentified Participant: [Inaudible.]

Thomas Gow: Don't do this.

So anyway, when I began the consultations, my first consultation meeting was with the governor of Zia. And all I had was the same map that all of you have in hand, which shows the—again, the energy corridors throughout the West, you know, gross scale. And it is, it's a gross scale.

I'm sitting there with the governor of Zia and he tells me immediately, "that map's incorrect." Right off the bat. Okay. So here I have to deal with something and I have to try to be able to have a good intelligent discussion with the governors of the pueblos and,

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as such, I created a map—and again, for planning purposes only, government to government consultation, not for release to the public, trying to connect points, trying to get an intelligent comment and discussion from the pueblo governors.

I'm sitting with the Navajos—and you've heard now from Navajos that, in this consultation process the local grassroots people at the chapters, they have no access to a website. They have no computers. They have no electricity. They do not read English. They do not write English. But yet, they want something from us. So, when I go to the chapters, that's the first thing they tell me. "We haven't heard of this proposal."

So again, with all due respect to the team, they did very well by sending consultation notices and processes to Window Rock, Big Navajo, but that didn't filter down to the chapters. That did not filter down to the locals. So, that's where I again, stepping in, let's talk to the locals. We need to talk to these people and try to get this word out so we can receive comments, feedback, your concerns. And that's what we filtered back up the chain to the contractor and headquarters office.

By the same token, working with Placitas' residents and other residents. Here I'm—you know, I'm reading the EIS. What you saw on the map shows existing corridors. You've heard it. You know it. There's a corridor with four lines in it. The Crest of Montezuma has a corridor to the south, the Crest of Montezuma has a corridor to the south—I mean to the north. And here I'm trying to have an intelligent conversation with you when I'm meeting with you and I need to know where that corridor is.

So, I created this map again. Again, purely for planning purposes, projected lines, nothing in concrete, nothing set in granite. Even the discussions with the tribes where I was telling them, could there be a potential that this reroutes? Is this theoretical, yes. Do we have applicants to go into the corridor and put the projects in the corridor? No, we do not. If we do receive an applicant, what does that applicant have to do? We'll guide them to our corridor, but the applicant must—must deal with the other landowner, whether it be private, state, tribal, and they must negotiate for lease, right-of-way, or some other type of document or mechanism to cross their lands. And I've been consulting that way.

Unidentified Participant: [Inaudible.]

Thomas Gow: I'm sorry, sir. I couldn't hear you.

Unidentified Participant: What about condemnations?

Thomas Gow: And again, the tribes brought that up. And as I told the tribes when I'm speaking to the governors, the federal government is not going to utilize eminent domain and that's what's stated in the Environmental Impact Statement. It's not going to be utilized.

Unidentified Participant: [Inaudible.]

Thomas Gow: Well, when I'm with a tribal governor and he says how is this line going to impact my members? And when we look at it—

Unidentified Participant: [Inaudible.]

Thomas Gow: —When we look at it very closely—let me finish. When we look at it very closely, as he said, at a 3,500-foot width, I've got to comment on that. Because if it does indeed come in at 3,500-foot width, then that width places a corridor right in the bedrooms of my members. Where I explained to him, no, tribal lands are not involved. It could be a

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3,500 width on the federal land but then, when it comes to the tribal portion, it's going to be constricted to whatever the tribe wants, if the tribe even wants it. Because I've had many tribes tell me it is not going to cross pueblo land.

So again, doing this consultation process, I'm doing this for them so they could see this, so we could have an intelligent discussion on this.

Unidentified Participant: So this isn't part of the EIS?

Thomas Gow: It's not.

Unidentified Participant: [Inaudible.]

Thomas Gow: Once again, as I explained. There's two existing corridors in Placitas, one south of the Crest of Montezuma, one north of the Crest of Montezuma, and I needed to see where this corridor went so I could have a discussion with them. That's what I did. Again, planning purposes only. Nothing more.

Unidentified Participant: [Inaudible.]

Thomas Gow: Right.

Unidentified Participant: So, you're responsible for drawing this corridor across the private lands.

Thomas Gow: Yes.

Unidentified Participant: [Inaudible.]

Unidentified Participant: [Inaudible.]

Thomas Gow: Right.

Jesse Juen: [Inaudible.] He can also make a map that doesn't have any corridors.

Thomas Gow: You know, I smile, sir, and I thank you for the comment for, you know, giving me that much credit to have that kind of authority, but no.

Unidentified Participant: [Inaudible.]

Thomas Gow: Well—well, again, for discussion purposes, when I'm looking at this—.

Unidentified Participant: —That's all I'm asking. So right now it's discussion purposes, get it off my property, and that's so somebody else can have a discussion [inaudible].

Jesse Juen: But, the important thing that I want to express here is that BLM managers, on a national [unintelligible] project like this, we wrestle with what it is that we need [inaudible]. So Tom and his folks sat down and started [inaudible]. Wrong, right, or indifferent, the line beyond where it stops on federal land doesn't have anything to do with [inaudible]. Could we have said [inaudible]. Many people came up here and said they're concerned that [inaudible]. But, we do that [inaudible]. Our mistake? Okay, fine. We'll take that responsibility.

But, I don't think Tom meant this is where the line will go. [Inaudible] went from here to here in this area, from here to here in this area [inaudible]. Again, speculation? Yes

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[inaudible]. But that's what they were attempting to do. And then that [inaudible] with you guys and it gets wrapped around the axle [inaudible].

Thomas Gow: Because I've also—I've also got to say this. What Jesse is saying is that, for discussion purposes, myself and my staff, we have done as much as we possibly can to consult with as many people as we can. And obviously I'm seeing now, here and at Window Rock, we have to do better. That's where—I'm going to throw myself at your feet and say I've got to do better. So after this, will I come speak to you? If you invite me, you bet. Let's talk about this.

Unidentified Participant: [Inaudible.] You know, it looks like the map is [inaudible]. [Inaudible] follows the old pipeline corridors [inaudible]. But that a big mistake, because the old pipeline corridors are way down [inaudible]. There's another pipeline right by the elementary school. So, I don't think it's a good idea to put the pipeline back in the old corridors [inaudible].

Unidentified Participant: If it's not part of this process, why did you bring it to this meeting?

Thomas Gow: I did not bring it to this meeting.

Unidentified Participant: Who brought it then?

Thomas Gow: I did not bring it to this meeting. And as a matter—,

Unidentified Participant: —Obviously somebody did.

Thomas Gow: Somebody did, yes.

Unidentified Participant: The federal people brought it.

LaVerne Kyriss: No, it wasn't federal people.

Thomas Gow: It was not. It was not. And even this map, I did not release this map.

Unidentified Participant: [Inaudible.]

[Inaudible conversation.]

LaVerne Kyriss: You want to make that comment on the record, ma'am? On federal lands?

Unidentified Participant: [Inaudible.]

[Inaudible conversation.]

LaVerne Kyriss: You want to make that comment on the record?

[Inaudible conversation.]

LaVerne Kyriss: Well, let's—let's open up the hearing again. And sir, if you would come up here and make that comment on the record so we've got it. That's a very important comment for us to hear.

Thomas Gow: Thank you.

Unidentified Participant: [Inaudible.] Earlier today, was there a congressional representative here ?

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LaVerne Kyriss: There was a staff member from an office of Congress. And I'll have to look. I've got her card. I'll look it up for you. But—

[Inaudible conversation.]

LaVerne Kyriss: Okay. Go ahead, sir. Tell us who you are.

Al Jones: Okay. I'm Al Jones. I'm a director of the Coronado Soil and Water Conservation District. And my comment is that the corridors that are outlined on the map, on the federal land, appear to vector right over the old pipeline routes through Placitas. Now, we know what's happened there, that those pipelines were there long before Placitas grew up around them.

So, it's a real mistake in my mind, and probably many others, to extend those corridors—or vector those corridors right through where the old pipelines are. It should go around in places that are uninhabited. Because we have an elementary school right by the existing pipeline. And you know, that's a mistake we shouldn't make again. I think the corridors are a good idea because it will tell where the development will go in the future, but let's not put the development right in the middle of where we've already got a lot of people living.

NMA37-001

LaVerne Kyriss: Thank you, sir. And can you tell me your name again so I make sure we get it on the record?

Al Jones: Al Jones.

LaVerne Kyriss: Al Jones. Thank you.

Another comment or question?

Laura Robbins: Yes.

LaVerne Kyriss: Oh, more comments. So, come on up here and make a comment.

We had a question on did we have a congressional representative. We had Danny S. Milo from Senator Bingaman's office, and Jane Pound from Congresswoman Wilson's office here this afternoon.

Oh, we have another staff member.

Laura Robbins: This is in line with what he said. And I'd like to—

LaVerne Kyriss: —Can I get you to speak into the microphone—

Laura Robbins: —Yes. My name is Laura Robbins. And I've been a xxxxx resident for, on and off, around 35 years. And I'm involved with Pathways and appreciate all the people who have been working to help preserve wilderness all throughout the country.

And I would just like to state a suspicion that I have, which is we have had incredible buildup in Rio Rancho and coming up east into Placitas. And tremendous traffic problems off of I-25. And my suspicion is that the government is waiting—or whoever's involved in the planning stages—are waiting to find out whether this corridor gets passed so that then this mega-highway could be—money would come for a mega-highway in the Bernalillo/Placitas area. And if we're concerned about the corridor going through wilderness land and private homes and tribal areas, I think we should be pretty concerned

NMA38-001

**NMA16;
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(cont.)**

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about how it's going to change the quality of life for human beings and for animals and for our entire area. There's so much development being planned tying any open area into more trafficked areas. So, it's a suspicion. Certainly I haven't heard anything about this happening, but it just would seem to make sense to me. So, thanks.

NMA38-001
(cont.)

LaVerne Kyriss: Thank you, ma'am.

Do we have other folks who want to make another comment? Yes, sir. Please come up and tell us who you are.

Bob Wessely: Bob Wessely. And I just feel the need to nag you again. And I guess the thing that concerned me is, on one of the very early slides, you said there were two options: do nothing or do what we've listed. And I think the whole process might be better if the agencies thought a little bit outside the box and came up with at least two choices beyond do nothing so that in any area, local area, they will have really looked at what makes the best sense, or the least poor sense, whichever way it goes. Thank you.

NMA16-006

LaVerne Kyriss: Thank you, Mr. Wessely.

Are there other folks who want to make comments on the record? Sir, yes. Please come up to the microphone and tell us who you are.

Tony Lucero: My name is Tony Lucero. I'm the president of the San Antonio de las Huertas Land Grant in Placitas area. We were established in 1765. And we are one of the few entities that are a political subdivision of the state and we represent the old families of Placitas.

There's a lot about this project that concerns us. And not because of so much of historical sites, but because of the people that have been living there for almost 250 years. We're concerned that some of the possibilities of these different routes might destroy our village, take the elementary school, the community center, the cemeteries, the historical sites, and the people. You're basically talking about going through the middle of our village and taking all of the things that we've established over 250 years which, by the way, is longer than the U.S. has been in existence.

NMA19-002

So, we would like some consideration from all these agencies that are trying to produce some kind of I guess plan for the benefit of the public at large, but to consider the people that have been in our area for 250 years. Thank you.

LaVerne Kyriss: Thank you, Mr. Lucero.

Is there anyone else who'd like to make a comment on the record? If there's no one else who wants to make a comment on the record, we will again close the hearing and we'll go back to informal discussions. And we can do that as a large group or we can do that one on one as you choose. Thank you again for your time and your patience and attention this evening.

ENERGY CORRIDOR COMMENTS
24 January, 2008

WEC_NMA21

Comments while
focused on impacts
to PLACITAS they also
generally apply to

- ◆ Understand need for adequate Corridors for expanding Energy Needs VIRTUALLY
ALL PRIVATE
LANDS
THAT WILL
BE
AFFECTED
- ◆ Provide map acquired showing "planned" connecting corridor through private lands in Placitas.
- ◆ Designating Corridors only on Federal land is not a solution to address expanding Energy needs. This is like buying just tires to solve a transportation problem. Until it is determined how the Corridors on Federal land are connected through Private properties not one watt or one drop of oil will be added to the nation's energy supply
- ◆ Common sense tells us that isolated pieces of corridors must be connected to function. The fragmented segments identified in the EIS fail to consider how they will be connected. How do we know that the corridors on Federal Land are optimally located if we don't know whether, or even if the segments can be connected?
- ◆ These connections can create undisclosed and unevaluated negative impacts on private lands including
 - Disturbance of areas of Historical and Cultural significance
 - Aesthetic damages, especially from overhead utilities
 - Disruption of existing and practiced land use patterns
 - Disturbance to vital community Open Space
 - Potential health impacts from overhead power lines and underground utilities with the risk of leaks.
 - Socioeconomic Impacts on property values which will occur even with the uncertainty of if and when ROW takings might occur
 - Disruption of the cohesion of established master planned communities and other existing residential neighborhoods.

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- ◆ It is my opinion that this process has been reaching decisions that are flawed when considering the requirements of our National Environmental Policy Act (NEPA). The entire thesis behind NEPA is the idea that decisions should be thought through, both as to the impacts of the actual project and the reasonably foreseeable future impacts. While the Federal Energy Act requires corridors to be designated on Federal land I am not aware of any guidance that the policies of NEPA do not apply.
- ◆ This Process as summarized in the Executive Summary , Part ES-1 , requires Consultation with the Federal Energy Regulatory Commission, States, Tribal or local units of governments, as appropriate, affected utility industries, and other interested parties. To our knowledge this consultation, not just notice has been minimal or virtually non existent with several of these parties. The reality is that many of us really did not understand the impact of these Energy Corridors until the EIS was published only a couple months ago and we are not aware of any comprehensive evaluation with local government or other interested individuals.
- ◆ To do an EIS and to declare that there are not any unfavorable impacts totally ignores the necessity of performing a thorough and reasonable analysis of ALL land areas that will be impacted.
- ◆ Since we happen to have a map of a connecting Corridor on Private land that was created during this EIS process it is a clear to me that those doing the EIS understood that connecting segments through Private lands are foreseeable. If the intentions of NEPA were being followed the studies should have evaluated and disclosed the impacts on these identified Private Lands.
- ◆ While the EIS does not specifically address impacts on Non-Federal, Private lands it does acknowledge, for example in section 2.6 "Corridor designation could result in effects to land use on nonfederal lands adjacent

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to or between corridor segments. The type and magnitude of effect would depend on the current and anticipated future land use in these areas." With this being understood it seems totally disingenuous to claim validity for an EIS performed only for segments of the potential future full Corridors.

- ◆ With this selective, partial official designation of future Corridors it is highly probable that future utility infrastructure providers would naturally assume that these segments would be connected in essentially straight lines Unless connecting portions that would avoid negative impacts on Private lands are also selected in this process.
- ◆ With this partial disclosure of Corridors in the EIS it can reasonably be assumed that foreseeable actions of future Energy providers will result in massive eminent domain likely without the benefit of the Environmental Analysis. The predictable argument would be that an EIS was already done for the Federal Lands and the corridors have been pre-approved and therefore impact analysis on the connecting portions is not necessary.
- ◆ If these Federal Corridors are pre-selected as proposed the Federal Government could effectively be encouraging eminent domain or taking of private lands when the time comes for the "Normal Process" of acquiring Rights of Way is needed by the Utility companies.
- ◆ If these Corridors are approved without identification of the specific connecting segments through non-Federal land then all land owners will be confronted with the absolute unknown of potential future impacts on their communities as well as property values.
- ◆ It is understandable that Utility companies would not want future ROW's identified in advance because this could initiate speculative land purchases by individuals anticipating an economic gain if they sell their property for Rights of Way. However, this concern of future Energy suppliers

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is not sufficient reason to leave future specific routes unidentified and the uncertainties to private land owners .

- ◆ The structure of the process of offering only two choices of either Action or No Action is flawed and unrealistic. Common sense and prudent management would provide in the process an alternative for the evaluation of choices including designation of connecting segments between the Federal Lands.
- ◆ An interesting note to residents of Placitas is that the initial "Scoping" located potential Corridors along Highways and the virtually straight line route through Placitas was received after the Scoping- See Figure 2.1-1.
- ◆ Comments provided during the Scoping Hearing from PNM (November 28, 2005) noted that they were going to provide GIS data providing centerline information for its (PNM) proposed Energy Corridors. PNM also attached a map to their comments of same date. Those of us in Placitas would like to know if this map and the coordinates provided by PNM are the basis for the "Planning" map that we acquired.
- ◆ If these Federal Corridors are approved then it would be highly unlikely that Energy Providers would want to change routes even if National needs determined the need for different distribution and delivery points in the Energy network
- ◆ For Placitas parts of the identified "Planning" corridor through private land follows the Las Huertas Creek Arroyo which has recently encountered massive erosion damage from sever storm events. This clearly presents a highly volatile environment for utility corridors, especially for Pipelines.

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- ◆ As difficult as it may be this whole process requires a pause. The purpose of NEPA is to make better decisions- not necessarily lower impact decisions. The underlying concept , as I understand it, is for agencies to think through decisions before taking actions. The consequences of actions need to be understood before committing to a decision while there still are opportunities to modify them. These corridors fly in the face of these concepts. Instead, these corridors cause us to incur sunk costs into fragmented segments without thinking through the steps required to make the final decision functional.

- ◆ As difficult as it will be, we strongly encourage a more forthcoming and thorough evaluation of how to completely identify these Corridors while providing utility providers a reasonable assurance that their provision of energy commodities can proceed as required by the needs of consumers.