U.S. DEPARTMENT OF ENERGY

Public Scoping )
Comment Period )
)
In Re: West-Wide Energy )
Corridor Programmatic )
EIS )
)

CERTIFIED COPY

PUBLIC MEETING
TUESDAY, NOVEMBER 1, 2005
2:00 P.M.

Held At: Radisson Hotel
500 Leisure Lane
Sacramento, California

Reported by: Desiree C. Tawney, CSR No. 12414

NCCR
Northern California Court Reporters
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Joseph Kennedy, II, and provides low-income households with assistance with their utilities across the United States.

As a partner in our Green Path project, Citizens Corporation will provide financial support to IID Energy, transmission upgrades and, in turn, will subsidize electric bills for elderly customers of the IID Energy service territory.

We appreciate the opportunity that we've had in the past to work with you. We look forward to working with your agency in the future.

CA06

Thank you for your time.

MR. JOHNSON: Ms. Cynthia Wilkerson.

MS. WILKERSON: Good afternoon. My name is Cynthia Wilkerson. I'm the California representative for Defenders of Wildlife. The defenders of wildlife are dedicated to the protection of all native wild animals and plants in their natural community. The Defenders of Wildlife has nearly 500,000 members nationwide and nearly 100,000 of which are Californians.

I'm pleased to be here today to provide comments for the scoping period to be used in the preparation for the Programmatic Environmental Impact Statement for designation of energy corridors on Federal land in the 11 western states.

Especially because of the project level placement of pipelines and associated infrastructure may be afforded a categorical exclusion under the newly released Energy Policy Act, the guidelines and criteria for siting of said pipelines and associated infrastructure covered under the PEIS must require significant examination in order to fully analyze the potential impact.

In terms of wildlife impact, there are several impacts that must be included in the siting process. These include impact studies in the construction, ongoing use and maintenance of the energy corridor infrastructure. As such, the PEIS must meet the legal standards set forth by the Migratory Bird Treaty Act the Bald and Golden Eagle Protection Act, the California Fish and Game Code and the California and Federal Endangered Species Act.

Additional state law must be followed by any private entities proposing to build energy infrastructure on Federal land. In California, this includes meeting the minimized and fully mitigated standards set out by people.

Roads and other linear structures such as energy corridors present a particular challenge to wildlife in the form of habitat fragmentation. Continued habitat fragmentation forces the wildlife to live on ever-shifting islands of habitat, where it is more difficult to find food, water, shelter, mates and protection from predators.

Genetic problems such as inbreeding appear and populations become more susceptible to catastrophic events, such as wildfire.

The resulting fragmented habitat inevitably leads to smaller populations of wildlife and extinction of the populations of species become more likely.

We specifically request that the impact to the following be included in the PEIS as stated: Minimize project footprints. Avoid steep slopes in order to reduce the erosion impact. Avoid sensitive and rare natural communities. Analyze, avoid, minimize and otherwise fully mitigate impact of wide ranging species. Require structures that discourage perching by raptors. Avoid identified wildlife corridors. Avoid the flyways especially for raptors. Avoid development of priority areas as established in State Comprehensive Wildlife Plans. Each state now has the Comprehensive Wildlife Plan. Avoid development that serves as habitat corridors set out in any state connectivity plans. The Defenders of Wildlife is currently working with UC Davis Center for Road Ecology and the U.S. Forest Service and other partners to create California connectivity plans. Avoid wetland resources including the upland elements of the watersheds that support the wetlands themselves. Avoid impact to species of plants and animals listed in the

State and Federal Endangered Species Act. Avoid overlaps of designated critical habitats for federally listed species. Be consistent with State and Federal recovery plans for the listed species. Avoid local State and/or Federally protected lands. Be consistent with regional conservation plans, both current and in their draft form as they -- these have a lot of input in terms of time and money by multiple entities. Minimize growth inducing impacts. Be consistent with the conservation priorities existing regional land management plans for Federal Lands including BLM lands. Minimize impacts due to ongoing maintenance of pipelines, transmission lines and distribution facilities. Minimize cumulative impacts due to existing plans development in the region. Actively restore native vegetation to the project footprints after the infrastructure has been constructed.

Electricity corridors pose particular problems for birds in the forms of collisions and infrastructures or collisions and electrocutions. Raptors and large birds are electrocuted through the phase to phase and phase to ground contacts, while smaller birds are more inclined electrocution from bushings and transformers as well as other pole hardware.

Nationally, impacts from power lines have been documented for nearly 350 species with a rough estimate

ranging from tens of thousands to 1.5 million collisions. And current research indicates that the number of that of deaths is actually drastically underestimated.

These mortalities have contributed to the decline in local and regional population. As part of the specific flyways, California in particular is a critical movement corridor for a large number of the wintering birds that utilize our refuges and flood our agricultural fields.

Electrocutions most often occur along distribution lines in less than 70Kv and collisions are most likely to occur in a greater amount of voltage. Collisions are also more likely to occur when the transmission lines are within the daily use areas of the birds, areas they move along to forge and roost and when they're migrating through the area. Body size maneuverability and height of flight also contributes in the collision risks.

We request that you follow the Avian Protection Plan Guidelines set forth by the Edison Electric Institute Avian Power Line Interaction Committee and the U.S. Fish and Wildlife Service in April 2005. The document can be found on the internet and detailed construction design standards, management procedures, avian reporting systems of risk assessment methodology, mortality reduction measures, avian enhancement options and quality control.

Specific recommendations that should be included in

the PEIS are site analysis and bird use surveys to avoid collision problems, bird flight diverters to make lines more visible, avoid high bird areas, site accordance to topographic features, minimize spacing of 60 inches, minimum space of 60 inches between phase to phase and phase to ground, cover or insulate ground wires and cover conductors and changing cross-arms in installing perch guards.

Avoidance measures must be tailored to specific locations of species of concern, as current research indicates, varying success of different techniques. For example, a study in Colorado demonstrated that perch guards may shift raptors to unsafe portions of the power pole.

Any actions designed to avoid, minimize or otherwise mitigate impact to wildlife should be monitored adequately to demonstrate success for the need for adequate measures. Not only will this ensure the techniques are effective, it will also provide critical data to inform the state of the knowledge of the effective methods that can be employed in other areas.

The PEIS must require that contingency plans and adapted measures be implemented and monitored for success as well in order to fully address the potential environmental impacts.

Further, it must be considered collisions and electrocutions also cause wildfires, power outages and reduce reliability of the service. The wildfire impacts will undoubtedly have broad ecological impacts.

Thank you for hearing our comments today and we look forward to their inclusion in the Programmatic EIS.

MR. JOHNSON: Thank you. Is there anyone else in the audience that did not sign up but would like to do so? If you would like to, we have the time. So if you would put your name on the card and bring it forward, we will be more than happy to have you do that.

We have one more after this. It would be Brent Schoradt.

CA07

MR. SCHORADT: Good afternoon. My name is Brent Schoradt with the California Wilderness Coalition.

The California Wilderness Coalition is a non-profit organization whose mission is to protect the last remaining wild lands in California. The CWC is very concerned of the corridors potential to negatively impact roadless areas, wild and scenic rivers, designated and potential wilderness areas throughout California.

Since the passage of the Wilderness Act of 1964 California residents and our congressional representatives have set aside 14 million acres of Federally owned land as wilderness. The California wild land is a national

CA06

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**Testimony of Cynthia Wilkerson, Defenders of Wildlife**
**NEPA Scoping Hearing on Programmatic Environmental Impact Statement for "Designation of Energy Corridors on Federal Land in the 11 Western States"**
**November 1, 2005, Sacramento, CA**

Good Afternoon. My name is Cynthia Wilkerson and I am the California Representative for Defenders of Wildlife. Defenders of Wildlife is dedicated to the protection of all native wild animals and plants in their natural communities. Defenders has nearly 500,000 members nationwide, 100,000 of which are Californians. I am pleased to be here today to provide comments for the scoping period to be used in the preparation of a Programmatic Environmental Impact Statement for "Designation of Energy Corridors on Federal Land in the 11 Western States."

Especially because the project-level placement of pipelines and associated infrastructure may be afforded a Categorial Exclusion under the newly released Energy Policy, the guidelines and criteria for citing of said pipelines and associated infrastructure covered under the PEIS must require significant examination in order to fully analyze the potential impacts.

In terms of wildlife impacts, there are several impacts that must be included in the siting process. These include impacts stemming from the construction, on-going use, and maintenance of the energy corridor infrastructure. As such, the PEIS must meet the legal standards set forth by the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the California Fish and Game Codes and the California and Federal Endangered Species Acts. Additionally, state law must be followed by any private entities proposing to build energy infrastructure on federal lands. In California, this includes meeting the "minimize and fully mitigate" standard set out by CEQA.

Roads and other linear structures such as energy corridors present a particular challenge to wildlife in the form of habitat fragmentation. Continued habitat fragmentation forces wildlife to live on ever-shrinking islands of habitat, where it is more difficult for them to find food, water, shelter, mates, and protection from predators. Genetic problems such as inbreeding appear, and populations become more susceptible to catastrophic events such as wildfire. The resulting fragmented habitat inevitably leads to smaller populations of wildlife, and extinction of populations or species becomes more likely.

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We specific request that the impacts to the following be included in the PEIS as stated:

- Minimize the project footprints
- Avoid steep slopes in order to reduce erosion impacts
- Avoid sensitive and rare natural communities
- Analyze, avoid, minimize, and otherwise fully mitigate impacts to wide-ranging species
- Require structures that discourage perching by raptors
- Avoid identified wildlife corridors (see Missing Linkages project in CA)
- Avoid fly-ways, especially for raptors
- Avoid development of priority areas as established in state comprehensive wildlife plans
- Avoid development that severs habitat corridors set out in any state Connectivity Plans (Defenders is currently working with UC Davis Center for Road Ecology, U.S. Forest Service and other partners to create a California Connectivity Plan)
- Avoid wetland resources (including the upland elements of the watersheds that support the wetlands themselves)
- Avoid impacts to species of plants and animals listed under the state and federal Endangered Species Acts
- Avoid overlap with designated critical habitat for federally listed species
- Be consistent with state and federal recovery plans for listed species
- Avoid local, state, or federally protected lands
- Be consistent with regional conservation plans (both current and draft)
- Minimize growth-inducing impacts
- Be consistent with the conservation priorities of existing BLM regional land management plans
- Minimize impacts due to on-going maintenance of the pipelines, transmission lines, or distribution facilities
- Minimize cumulative impacts due to existing and planned development in the region
- Actively restore native vegetation to the project footprints after the infrastructure has been constructed

Electricity corridors pose particular problems for birds in the form of collisions and electrocutions. Raptors and large birds are electrocuted through phase to phase and phase to ground contacts while small birds are killed by bushings and transformers as well as other pole hardware. Nationally, fatal impacts from powerlines have been documented for nearly 350 species (Manville 1999) with a rough estimate ranging from tens of thousands to 1.5 million collisions (Erickson 2002; and current research indicates that the number of deaths is drastically underestimated). These mortalities have contributed to declines in local and regional populations. As part of the Pacific flyway, California is a critical movement corridor for a large number of wintering birds that utilize our Refuges and flooded agricultural fields. Electrocutions most often occur on distribution line less than 70kV and collisions are most likely to occur on lines carrying a greater amount of voltage. Collisions are most likely to occur when the transmission lines are within the daily use areas of the birds – areas that they move amongst to

roost and forage – and when they are migrating through an area. Body size, maneuverability, and height of flight also contribute to collision risk.

We request that you follow the Avian Protection Plan Guidelines set forth by the Edison Electric Institute's Avian Power Line Interaction Committee and the U.S. Fish and Wildlife Service in April 2005. This document can be found on the internet and details construction design standards, nest management procedures, an avian reporting system, risk assessment methodology, mortality reduction measures, avian enhancement options, and quality control. Specific recommendations that should be included in the PEIS are: site analysis and bird use surveys to avoid collision problems; bird flight diverters to make lines more visible, avoid high bird use areas; site according to topographic features; minimum spacing of 60 inches between phases and phase to ground; cover or insulate ground wires and cover conductors; and changing cross arms and installing perch guards. Avoidance measures must be tailored to the specific location and species of concern as current research indicates varying success of different techniques. For example, a study in Colorado demonstrated that perch guards may shift raptors to unsafe portions of a power pole (Harness 1999).

Any management actions designed to avoid, minimize, or otherwise mitigate impacts to wildlife must also be monitored adequately to demonstrate success or need for adaptive measures. Not only will this ensure that the techniques are effective, it will also provide critical data to inform the state of the knowledge on effective methods that can be employed in other areas. The PEIS must require that contingency plans and adaptive measures be implemented and monitored for success as well in order to fully address the potential environmental impacts.

Further, it must be considered that collisions and electrocutions also cause wildfires, power outages, and reduce reliability of service. The wildfire impact will undoubtedly have broad ecological impacts.

Thank you for hearing our comments today and we look forward to their inclusion in the Programmatic Environmental Impact Statement.