

U.S. DEPARTMENT OF ENERGY
 PUBLIC SCOPING HEARING
 NOVEMBER 1, 2005
 BOISE, IDAHO

I N D E X

NAME	PAGE
Paul Kjellander	
Jim Jensen	
Brett Dumas	XX
Gene Bray	XX

BE IT REMEMBERED that the hearing was taken at the Harrison Plaza Hotel, located at 409 South Cole Road, Boise, Idaho, before Debra Burnham, a Court Reporter and Notary Public in and for the County of Ada, State of Idaho, on Tuesday, the 1st day of November, 2005, commencing at the hour of 2:00 p.m. in the above-entitled matter.

APPEARANCES:

For the DOE: MS. Julia Souder
 For the USFS: MS. Maryanne Kurtinaitis
 For the BLM: Mr. Bil Weigand

1 Whereupon the hearing proceeded as follows:
 2 MR. BENNETT: I think we're about ready to
 3 start. My name is K. Lynn Bennett, I'm the state
 4 director for BLM here, and I certainly would like to
 5 thank you all for coming to this session, this scoping
 6 session; and welcome you, This scoping session is in
 7 terms of energy corridor designations for federal lands
 8 administered by BLM and the Forest Service. The Energy
 9 Policy Act of 2005 requires the Secretaries of Energy,
 10 Agriculture, and the Interior to designate corridors
 11 for oil, gas and hydrogen pipelines and electricity
 12 transmission and distribution facilities on federal
 13 land in the 11 contiguous western states.
 14 The Act further directs the Secretaries to
 15 incorporate the designated corridors into the relevant
 16 agency land use plans and resource management plans or
 17 equivalent plans and to perform any environmental
 18 review that may be required to complete the designation
 19 of the corridors.
 20 For that purpose the Department of Energy,
 21 BLM and the Forest Service are preparing the West-wide
 22 Energy Corridor Programmatic Environmental Impact
 23 Statement.
 24 The West-wide Energy Corridor Programmatic
 25 Environmental Impact Statement will evaluate the

1 realty management program there, working on a lot of
 2 the special use authorizations, and working with the
 3 utility corridors and all that's going on with the
 4 implementation with the energy bill.

5 I am going to go over a little bit, reiterate
 6 a little more about what's bringing us all here today,
 7 and then we will get into some of the formal
 8 presentations.

9 Section 368 of the Energy Policy Act was
 10 signed in August of this year, and it directs the
 11 Secretaries of Agriculture, Commerce, Defense, Energy
 12 and Interior to designate utility corridors under our
 13 respective authorities on federal land in 11 western
 14 states; and we need to do this within two years.

15 The key to these designations will occur in
 16 our land use planning process. The agencies have
 17 determined that designating corridors as required by
 18 the Act is a major federal action. And from that, then
 19 we intend to prepare a Programmatic Environmental
 20 Impact Statement to address environmental impacts from
 21 proposed action and a range of reasonable alternatives.
 22 Also, public participation in the West-wide energy
 23 corridor study is very important. One thing that's
 24 out, one of the handouts, is a notice of intent that
 25 was published at the end of September, and that's

1 You can fax it to us, or just being here
 2 today by either presenting a formal presentation or
 3 filling out the comment cards there on the back table
 4 out in the hallway. What we are looking for in the
 5 comments is just outlining what's important to you,
 6 identifying compatible uses; also maybe describing from
 7 point A to point B of a specific corridor area.

8 With the handouts' also is a one-page -- It's
 9 kind of a takeoff from the Web site; very good
 10 information about what's going on with this background
 11 information that we just went over, and just some of
 12 the scoping processes that we're in now.

13 The formal comments that will be given
 14 tonight will be recorded in the official record.
 15 During the formal presentations we prefer not to have
 16 questions and answers; but once we turn off the
 17 recorder, then we can kind of -- we can take a break,
 18 and we will have an informal discussion with the agency
 19 representatives. And at this time -- 'cause we
 20 probably have some new folks. Those folks with the
 21 Forest Service and the BLM, if you care to stand up,
 22 and that way we can -- in case there's specific
 23 questions for the locals,

24 Great, Appreciate that. Thank you.

25 I guess we'll keep to ten minutes for

1 really good. And I will get into the Web site some
 2 really good information to get you started on the
 3 proposed action, where we're heading..

4 The intent of this scoping meeting is to
 5 solicit public comments for consideration to establish
 6 the scope and the content of this Programmatic EIS,
 7 It's for federal agencies, public interest groups,
 8 native American tribes, businesses and members of the
 9 public to respond. It's also to refine the preliminary
 10 alternatives that are listed in that notice of intent..

11 And again, we are holding meetings in 11
 12 western cities, same format in each of the cities.
 13 There are four ways that you can submit comments to us.
 14 The electronic comment process is through the Web site.
 15 It's -- The poster over there on that side will show
 16 the Web site address, and that's got very good
 17 information to review on the project as we move forward
 18 with this.

19 Regular mail, although -- It's kind of
 20 recommended that because all the federal agencies in DC
 21 still have to go -- Our mail goes through anthrax
 22 screening -- the time delay in that. And I don't know
 23 what happens to them. They come crumpled up in an
 24 envelope. So if you want to do hard mail, we'd ask you
 25 to use express mail. That will be the better route.

1 comments, although that's probably not a big deal for
 2 here, this evening, as far as that goes.

3 Really appreciate you all attending the
 4 meeting tonight.

5 Please turn off cell phones and pagers. This
 6 would be a good time to do that now. And I guess we
 7 will get started on the formal presentations now.

8 Are there any elected officials or tribal
 9 representatives that wish to speak?

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10 Okay. Well, then, I will go right into
 11 having Gene Bray come up with Western Watersheds
 12 Project. And you could use the podium here for
 13 presentation;

14 MR. BRAY: I thought we were going to start
 15 off with a dissertation by the agencies as to what was
 16 going to go on, and then we would respond to that, I
 17 haven't heard anything that gives me a hell of a lot of
 18 comment on yet.

19 MS. KURTINAITIS: Have you had an opportunity
 20 to read the notice of intent, Gene?

21 MR. BRAY: No, I just got here, got the
 22 package.

23 MS. KURTINAITIS: The whole idea with the
 24 scoping was to hear from folks; and as we go through
 25 these cities, there's some -- people sign up, just give

1 formal presentations of whatever.
 2 MR. BRAY: Every scoping meeting I have been
 3 through before this by an agency involves a
 4 presentation, sort of a general outline of what the
 5 geographic area is, and things like that; and then the
 6 attendees get a chance to comment relative to the -- to
 7 what the agencies or the combined agencies are
 8 intending to do in terms of the process or the content,
 9 But I guess I can respond with some concerns, if you'd
 10 like for me to do that, without any input from you
 11 folks.
 12 I do have several concerns. Apparently after
 13 the formal presentations, I presume other people are
 14 going to get up here and talk -- that there's going --
 15 You said you are going to turn off the recorder and
 16 then have informal sessions. Seems to me that
 17 oftentimes in the informal give-and-take discussions,
 18 important issues come out; and so it kind of implies to
 19 me that the comments in that, after informal exchange,
 20 are not going to go into the administrative record. So
 21 that does concern me.
 22 So the second thing, there is a fair amount
 23 of controversy going on on the difference between land
 24 use plans and more site-specific plans, like a lot of
 25 management plans, landscape management plans and so on;

1 going on. So up to this point, that's about all I can
 2 tell you about what I think you might say or what might
 3 come out in these deliberations over the next two
 4 year;.
 5 Any questions?
 6 MS. KURTINAITIS: Thank you, Gene.
 7 Is there anyone else who'd like to give a
 8 formal presentation?
 9 MR. BRAY: If you can count that one formal.
 10 MS. KURTINAITIS: All right. Then why don't
 11 we take a break as far as turn off the recorder, and we
 12 can break out to have some informal discussions, if you
 13 have questions and answers at this point. And then we
 14 will see if anyone else comes in a little bit later,
 15 and have a second round. Of if there are any formal
 16 presentations from anyone else who shows up a little
 17 later, maybe in 15 minutes. About 25 to eight we'll
 18 come back and we'll see if we have anyone else who'd
 19 like to give a formal presentation.
 20 (Whereupon a recess was had, and the hearing
 21 was concluded at 8:45 p.m.)
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1 and the conservation community frequently gets tarred
 2 with the argument, "Well, you should have brought this
 3 issue up in the global land use plan, like the
 4 southeast Oregon RMP, rather than waiting until the
 5 Trout Creek allotment management plan or landscape plan
 6 comes out."
 7 So there is sort of a shell game that goes on
 8 as to where is the appropriate place to comment on
 9 specific issues. And K. Lynn did mention that --
 10 something about site-specific analysis; and I am
 11 concerned as this process goes forward that under the
 12 heading of a Programmatic EIS, that site-specific
 13 concerns -- alternate A, alternate B in terms of a
 14 corridor -- is going to be that sort of discussion, is
 15 not going to be fully vetted in terms of the resource
 16 values that are involved in alternative A or
 17 alternative B.
 18 And so I am just a little confused at this
 19 point as to where it is appropriate to make site or
 20 corridor-specific comments, since at this point I don't
 21 think anyone in this room understands what corridors
 22 are being proposed for and which ones are new and which
 23 ones are existing. And so that sort of information
 24 seems to be essential to the commenting public before
 25 we can really make intelligent comments about what's

1 REPORTER'S CERTIFICATE
 2 STATE OF IDAHO)
 3) ss.
 4 COUNTY OF ADA)
 5 I, Debra Burnham, Certified Shorthand Reporter and
 6 Notary Public in and for the State of Idaho, do hereby
 7 certify:
 8 That this hearing was taken down by me in shorthand
 9 at the time and place therein named and thereafter
 10 reduced to typewriting under my direction, and that the
 11 foregoing transcript contains a full, true and verbatim
 12 record of said hearing.
 13 I further certify that I have no interest in the
 14 event of the action.
 15 WITNESS my hand and seal this 3rd day of November,
 16 2005.
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