

PUBLIC MEETING FOR
PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT,
SALT LAKE CITY, UTAH

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HELD BY: : **REPORTER'S TRANSCRIPT**
MEETING DATE:
: October 26, 2005
MEETING TIME: 7:00 p.m.
Bureau of Land Management :
U.S. Department of Energy :
U.S. Forest Service :
MODERATOR:
: Scott Powers, BLM

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A P P E A R A N C E S

The Panel: SCOTT POWERS, Bureau of Land
 Management
 VERNELIA JOHNSON, U.S.
 Department of Energy
 JULETT DENTON, U.S. Forest
 Service

Also present: JOE INCARDINE, Lands Chief
 BLM Utah

 DARRELL HAFEN, Dixie Power &
 Light

 CONSTANCE WYBRECK, Utah
 Division of Public Utilities

**Many names have been spelled phonetically

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P R O C E E D I N G S

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4 MR. INCARDINE: Good evening, everyone. I
19:07:14 5 just want to welcome you to the public scoping meeting
6 about energy corridor designations on federal lands,
7 administered by BLM and the Forest Service. My name is
8 Joe Incardine, I'm the Lands Chief for BLM Utah.

9 The Energy Policy Act of 2005 requires that
19:07:34 10 the Secretaries of Energy, Agriculture, and the Interior
11 Department designate corridors for oil, gas, and
12 hydrogen pipelines and electricity transmission and
13 distribution facilities on land in the 11 contiguous
14 western states. The act further directs the Secretaries
19:07:54 15 to incorporate the designated corridors into the
16 relevant agency land use plans and resource management
17 plans or the equivalent plans and to perform any
18 environmental review that may be required to complete
19 the designation of these corridors.

19:08:11 20 For that purpose, the Department of Energy,
21 the Bureau of Land Management, and Forest Service are
22 preparing a West-wide Energy Corridor Programmatic
23 Environmental Impact Statement.

24 Currently, right-of-way applications are
19:08:27 25 considered on a case-by-case basis and often without the

1 benefit of prior analysis or designation of corridors
2 across jurisdictional boundaries. The West-wide Energy
3 Corridor Programmatic EIS will evaluate the programmatic
4 issues associated with energy corridor designation as
14:12:09 5 well as the amendment of individual land use plans on
6 BLM and Forest Service administered lands in the west,
7 excluding Alaska.

8 Designation of energy corridors through land
9 use planned amendments on Forest Service and BLM land
14:12:25 10 will facilitate processing of energy related
11 rights-of-way applications and the associated
12 site-specific analyses. Argon National Laboratory is
13 assisting the DOE, BLM, and Forest Service in
14 preparation of this Programmatic EIS. Representatives
14:12:45 15 of all three agencies and Argon Labs are here at this
16 meeting to receive your comments.

17 We appreciate your interest in this project
18 and we value your comments, and look forward to your
19 continued involvement as we proceed with our analysis.
19:09:45 20 I would like to introduce the panel members at this
21 time. On my right here is Scott Powers with the Bureau
22 of Land Management. And then we have Julett Denton, in
23 the middle, and she's from the Forest Service,
24 Washington. And then we have Vernellia Johnson from the
19:10:07 25 Department of Energy, also in Washington. Scott?

1 MS. JOHNSON: Okay, first off, my name is
2 Vernellia Johnson. I am the Director of Communications
3 & Outreach in the Office of Electricity, Delivery, and
4 Energy Reliability, which of course is at the Department
19:10:24 5 of Energy. And I'm here to welcome your comments and,
6 again, say hello. And I look forward to hearing your
7 comments that will help us as we continue in this
8 endeavor. Thanks.

9 MS. DENTON: And I'm Julett Denton, as he
19:10:36 10 said, from the Washington office. I am the National
11 Program Lead for Special Uses and my group evaluates
12 these authorizations to use National Forest Service
13 lands for actions such as the right-of-ways and the
14 corridors that we would use for these transmissions.

19:10:57 15 I also have assisting me -- we have Arian
16 O'Connor (phonetic), in back, from the Ogden office,
17 John Shuckett (phonetic) and Glenn Stein (phonetic) and
18 I'd ask them to stand up so can you see who they are.

19 As was mentioned, we're here to get your
19:11:18 20 opinion and your thoughts on the corridors, where you
21 would want to see corridors, where you don't want to see
22 them, and especially thoughts you have about them that
23 will help us. As mentioned these -- at the evaluation
24 at the end this period when we do the Record of
19:11:37 25 Decision, we'll have the corridors in our land

1 management plans and so these are things that we'll have
2 to live with, so we really would like your input. And
3 we thank you for taking the time to come to see us
4 today.

19:11:49

5 MR. POWERS: And my name is Scott Powers.
6 As Joe said, I am the BLM Project Manager for this
7 project and the moderator for tonight's meeting. I just
8 wanted to -- I just wanted to reinforce a few of the
9 things that Joe had talked about, why we're doing this.

19:12:07

10 I mean, we're doing it, of course, because it was passed
11 by law, and the law says we'll do it and it says we'll
12 do it within 24 months, which is a very ambition process
13 for anybody that's ever been involved in an
14 environmental impact statement, especially one of this
15 magnitude.

19:12:19

16 But two primary reasons why, in my mind, you
17 know, we should be considering the designation of
18 corridors. Often if you try to permit a major linear
19 right-of-way across federal lines in the west, a
20 transmission line, pipeline, what have you, the time and
21 cost is often prohibitive and so, if we can go through
22 the process and the end result is the designation of
23 some very important corridors where future linear
24 right-of-ways can be placed, it will reduce the time and
25 cost to permit those facilities on federal lands.

19:12:55

1 That's one benefit.

2 Another benefit is it gives the corridor
3 industry the knowledge that they need to do adequate
4 infrastructure planning, to think long term. It costs a
19:13:10 5 lot of money to build new utilities and if you can plan
6 for it and know that can you locate them within the
7 designated corridor, that helps their process.

8 There are four ways to comment on this
9 programmatic EIS process. You can do it tonight, either
19:13:27 10 formally and we'll record your comments, or you can
11 write your comments down and leave them with us. You
12 can -- we have the four ways described on this poster.
13 I am sorry, I am pointing at it. We will accept your
14 written comments at any time during the 60-day comment
19:13:43 15 process, scoping period. You can send them on our
16 website, or can you send them by fax to us.

17 The scoping period will end on about
18 November 28th. We'll have a scoping summary report that
19 we'll have available in January of '06. We hope to have
19:14:05 20 a draft Programmatic EIS out for public review in August
21 of '07. We're mandated by law to have Records of
22 Decision signed by the Forest Service and BLM amending
23 the BLM's land plans accordingly by August 7th of '07.
24 So it's warp speed for this kind of process.

19:14:27 25 What we're doing tonight, we have a formal

1 process, initially, we where ask people to come up and
2 make a statement for the record and then we have a court
3 reporter that takes that down. When we're finished with
4 that and there's no more interest in providing those
19:14:43 5 comments, we can kind of turn the recorder off and we
6 open up the questions to kind of an informal discussion
7 and then if somebody wants to come back on the record,
8 we'll open it back up. So with that, any questions
9 about the process?

19:15:03 10 MR. HAFEN: I was just wondering why they
11 didn't include Alaska in the legislation.

12 MR. POWERS: Well, I don't think there's
13 been a demand identified by the industry in Alaska.

14 MR. HAFEN: Fanwar's developed. They're
19:15:20 15 going to bring those gas pipes in.

16 MR. POWERS: Well, they have an existing
17 corridor that they do that currently. The only thing I
18 can -- you know, that's the only thing I can think of.
19 There just hasn't been the same type of issues
19:15:32 20 associated with permitting facilities in Alaska as there
21 is in the lower 48. **UT08**

22 Anyway, we have one person, Darrell Hafen.

23 MR. HAFEN: It's Hafen.

24 MR. POWERS: I'm sorry. And he's with Dixie
25 Power & Light. And if you would restate your name and

1 who you are representing. We appreciate it. Thank you.

2 MR. HAFEN: Thank you very much. What was
3 your last name, sir?

4 MR. POWERS: Powers.

19:15:59

5 MR. HAFEN: Some of things that I am going
6 to say tonight are going to seem real unusual, but
7 tonight the White Sox are playing and if they win
8 tonight, it's the first time since 1917 that they win
9 the World Series, so that's about half the length of
10 time that I have been working on my project down in
11 Southern Utah.

19:16:14

12 We got into a complicated struggle in
13 Southern Utah because St. George violated ethical and
14 spiritual and almost any rule you can put in the book,
15 by instituting an eminent domain proceeding to stop us
16 from developing the first golf course in Washington,
17 Utah, next to St. George. It threw us into a terrible
18 struggle and has caused mountains of problems. But I
19 have continued to pursue my work and long range
20 development on power and water and also land
21 development.

19:16:32

19:16:50

22 Over the years, I've been waiting for the
23 opportunity to get back into the project that I
24 initiated down there, say, 45 years ago. And so if
25 you'll just bear with me, I know that the panel will be

19:17:08

1 -- well, not surprised, but they will wonder what I am
2 talking about in connection with this corridor because
3 the corridor is -- this West-wide energy corridor
4 they're talking about is something I originated for --
5 it's probably been at least 20 years.

6 And I visited with people in the Department
7 of Interior in Washington, D.C., about a corridor for a
8 Maglev train from Los Angeles through Las Vegas up
9 through Utah, Salt Lake, and on up through Alaska and
10 the Bering Straits and onto Russia and Europe. That
11 eventually will happen, and there are two organizations
12 in Washington that as we speak -- that are working on
13 that Bering Straits concept and I've mentioned to them,
14 "Hey, I was working on this first."

15 But anyway, that's a long range matter. But
16 immediately, the Maglev is poised to get under way
17 between Los Angeles and Las Vegas. That will be the
18 start of it. And along with the Maglev train, you're
19 going to need a corridor, also, in my opinion, for
20 fiberoptic lines, water lines, all the other items that
21 you have mentioned here on the transmission. And I
22 learned of this meeting today just by reading the
23 newspaper. I wasn't aware it. And then in yesterday's
24 paper there was an announcement by Pinnacle Corporation
25 and APS out of Phoenix with the transmission lines from

1 Phoenix to Wyoming.

2 Now when the energy crisis was in
3 California, I was there working on it, trying to bring
4 common sense to the Governor of California on the energy
19:19:04 5 crisis. And I recently was awarded the judgement in a
6 federal court against one of those energy companies that
7 did what I consider an injustice against me. But I was
8 awarded that judgment so that's satisfaction on that
9 end.

19:19:21 10 Now, when you get to Las Vegas, I'm sure Las
11 Vegas will be there talking about the Maglev, because
12 it's not too far down stream before they're going to get
13 you underway on that. When I e-mailed the APS people in
14 Phoenix today about their plans for running this
19:19:41 15 transmission line up through this corridor on into
16 Wyoming to tap into the generating plants up there, the
17 coal plants, that doesn't make sense.

18 The only thing that makes sense is to open
19 up the coal power reserves here in Utah where we have
19:19:56 20 enough coal to fuel the whole west for at least 200
21 years, open up the fields, which are next to the
22 Kaiparowits coal reserves, bring those coal reserves
23 into the west desert of Utah and build your power plants
24 there, then ship the power to Las Vegas or to
19:20:10 25 California, or wherever. But you don't have to run

1 those transmission lines an extra 500 miles.

2 Now that is a serious matter that I hope
3 that the committee or the Energy Department will
4 consider as they develop this because, when President
19:20:36 5 Clinton closed off power almost completely with the
6 Grand Escalante Act, a lot of opposition in Utah here to
7 that, and we know it's a critical issue, but the
8 President of the United States has the power to overturn
9 what Clinton did. And I hope that he does it and I hope
19:20:56 10 that we bring some common sense to this issue of power
11 and also water because these power lines are just as
12 critical to water as power. You can't talk about the
13 two independently, they are both interconnected.

14 I have mentioned this concept that I spoke
19:21:19 15 of to Arizona Public Service in an e-mail today, and
16 then I mentioned to them how they could secure added
17 value toward paying for these transmission lines and be
18 a benefit to the state of Arizona, to themselves, to
19 Utah, and Nevada, and California. And one of those
19:21:39 20 possibilities would be developing these coal deposits at
21 Kaiparowits, because all the ownership rights that exist
22 in Kaiparowits have gone back to the federal government.

23 So that would open up the possibility for
24 APS to come in and secure a position in those coal
19:21:55 25 rights and then they could develop the power plants

1 also, in with our company, or maybe Utah Power & Light
2 or whatever. It just should be a matter of cooperation
3 between everyone.

4 In addition to that, they don't realize, I
19:22:14 5 don't think, that the state of Arizona owns 12,000 acres
6 of land just south of St. George at the Arizona border
7 that joins onto 12,000 acres that Utah owns right next
8 to the border, and that land was secured by the state of
9 Utah as a result of 10,000 plus acres of land that I
19:22:32 10 secured from the U.S.A. and had transferred to the state
11 of Utah many years ago, and had in mind of utilizing
12 that land in development with the golf course that we
13 were planning down there, but that eminent domain
14 proceeding just ripped apart everything.

19:22:46 15 And so when the desert tortoise proposal
16 came along, they wanted to take that 10,000 acres for
17 the desert tortoise. I didn't think that was a good
18 idea either, but you know who has the power on that,
19 that's an extreme environmentalist that had the power on
19:23:02 20 that one. The little tortoise has got to be protected.

21 So the state of Utah got that 12,000 acres
22 as quid pro quo by cooperating with the
23 environmentalists on the desert tortoise project there
24 in St. George. And that 12,000 acres in Arizona and
19:23:20 25 that 12,000 acres adjoining it at the state line can be

1 developed into two completely independent cities, one in
2 Arizona, one in Utah, with major implications for the
3 development of the whole west. And there's some
4 technology that's breaking that would apply to these two
19:23:44 5 cities that I plan to propose to the state of Arizona.
6 I have been in touch with them for many years.

7 But that 12,000 acres in Arizona and the
8 12,000 acres in Utah is probably worth \$182,000 an acre,
9 which is what the recent sales have been down there for
19:24:00 10 land in Washington County, probably somewhere around a
11 couple billion dollars, something like that. So, I feel
12 like I have been responsible for bringing all this
13 together, and I cannot understand why the city of St.
14 George continues to oppose me in my efforts to make a
19:24:19 15 living for me and my family.

16 And this corridor that's being developed has
17 an important part of everything that we've been working
18 on, and because I just recently won this suit in federal
19 court, it's given me courage to go to a federal court to
19:24:40 20 get my rights. If I have to go the federal court, I am
21 going to go to the federal court to get my rights. If
22 that's the only thing that's left for me, then I am
23 going to do it. I kept our company debt free for 45
24 years and pursued this work on my own at tremendous
19:24:56 25 cost.

1 So our time has come to get a day in the
2 sun, and I hope that you people that are hearing this
3 talk by me, give your voluntary support to help me get
4 in the position with the Arizona Public Service people
19:25:11 5 and the federal people in to order to make my
6 contribution to this country, which still has yet to be
7 determined. I want to thank you for letting me speak,
8 without interruption and thank you very much.

9 MR. POWERS: Thank you. I forgot to
19:25:36 10 mention, it's in the -- we have an active website that
11 is current and it's going to be updated on a regular
12 basis. That will keep you apprised of the project.

13 The scoping process, for those of you that
14 haven't been involved in the EIS at the time, we go to
19:25:52 15 the public and ask you what issues you think should be
16 addressed in this process. And from the corridor
17 designation standpoint, we haven't really developed any
18 corridor alternatives that will be analyzed in that. We
19 are going to do that after we receive information from
19:26:09 20 the public scoping process.

21 So is there anybody else that would like to
22 make a comment for the record? Yes, do you want to come
23 up here? Please give your name and who you are
24 representing. UT09

19:26:27 25 MS. WYBRECK: Thank you very much. I hadn't

1 really planned to speak, but I have a question and then
2 may -- depending on that, would be my response. I'm
3 Constance Wybreck (phonetic) of the Utah Division of
4 Public Utilities. We assist in all aspects of utilities
19:26:41 5 regulation. As I am learning more about this project, I
6 guess my question is -- it's my question that it's very
7 expensive to even do these studies, the EIS and all of
8 the projects that you are supposed to do by law. Am I
9 right -- I mean, it seems to me it's going to be very
19:27:00 10 expensive. Is that coming out of your budgets or are
11 you going to be recouping the costs later on, if any of
12 these transmission lines or gas pipelines are getting
13 built?

14 MR. POWERS: What we're doing is part of our
19:27:12 15 land use planning process whereby we designate
16 corridors.

17 MS. WYBRECK: Right.

18 MR. POWERS: Accordingly, depending on what
19 comes through the process, we're directed to do this by
19:27:24 20 legislation --

21 MS. WYBRECK: So it's already in your
22 budget? It's already part of your work?

23 MR. POWERS: Well, yeah, we'll figure out
24 how to -- how to get it done.

19:27:32 25 MS. WYBRECK: Okay. My comment was going to

1 be, if you do try to recoup costs later on in the nature
2 of user fees from someone who, say, builds the
3 transmission line or something, I would urge you to work
4 with state utility commissions to make sure that those
19:27:48 5 costs are spread in a fair manner. Sometimes FERC may
6 set rates in ways that we don't think are quite fair.
7 So I would urge you to include the state in these kinds
8 of decisions. Thank you.

9 MR. POWERS: Thank you. Just for a point of
19:28:09 10 clarification, we collect cost recovery and the Forest
11 Service will soon be doing the same thing on all
12 applications for right-of-way, depending on the scope of
13 the projects. Anybody else interested in making a
14 statement on the record? If not, we will conclude this
19:28:30 15 and we'll open it up for informal discussion questions
16 and if -- barring -- if there's no questions, we'll just
17 hang around and be available one-on-one if needed.

18 (Closed at 7:28 p.m.)
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C E R T I F I C A T E

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:
COUNTY OF UTAH)

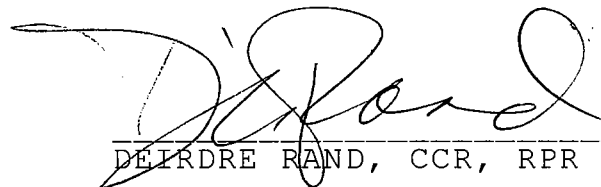
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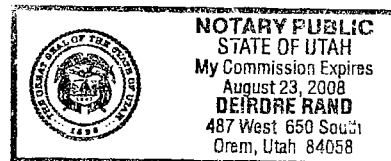
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