

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

I N D E X

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|-----------------|------|
| 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.)  
 22  
 23  
 24  
 25

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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