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PUBLIC SCOPING MEETING
WEST-WIDE ENERGY CORRIDOR PROGRAMMATIC
ENVIRONMENTAL IMPACT STATEMENT
October 26, 2005
Afternoon and Evening Sessions
MCM Elegante Hotel
2020 Menaul Boulevard, N. E.
Albuquerque, New Mexico 87107

BEFORE:

RONALD A. MONTAGNA, BLM chief of Rights of
Way, DOI-BLM
JULIA SOUDER, office of Electricity Delivery
and Energy Reliability, western Regional
coordinator, DOE
BOB CUNNINGHAM, Assistant Director of Lands,
DOA-USFS

REPORTED BY: Jan A. Williams, RPR, CCR 14
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PROCEEDINGS

AFTERNOON SESSION
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16 The other concern I have is access should
17 provide a quick process that allows these companies
18 that are developing these projects like ours,
19 independent power projects, if you will, to have
20 quicker access approval, if possible, and limited
21 bureaucratic processes.

22 It's very critical in the development of
23 these projects that they be done as quickly as
24 possible so that you know if you're going to have
25 improvement or not and a fairly quick process, where

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1 you don't have to go through years and years and years
2 which costs a lot of money in trying to develop these
3 projects. That's my limited comments today. Thank
4 you.

5 MR. MONTAGNA: Thank you, Jack.

6 The three folks who registered to speak have
7 spoken. So at this time we'll invite anyone else who
8 would like to speak on the record to come up and
9 speak, have the same ten-minute time frame, but they
10 will have to identify themselves by name and hopefully
11 provide spelling, if a little bit of an odd spelling.

12 so, if there's anyone here that would like to
13 speak on the record at this time, we just invite you
14 to come forward.

NM04

15 MR. SCOTT: My name is Jack Scott. And I
16 figured there would be more time and I just haven't
17 really made many notes here. But I do have a couple
18 things and will add future written comments.

19 But one of the problems involved with the
20 designation of any energy corridor is that, where it

21 comes off federal land, **it** goes onto private or Indian
22 land. And this basically becomes a taking of that
23 land because, especially with the private land, we as
24 private citizens are not afforded the same
25 protections, environmental or otherwise, that are

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1 afforded to federal properties.

2 The companies have the right to come in and
3 under the guise of eminent domain and condemnation
4 basically steal the property. currently, under court
5 systems here, sometimes we're allowed environmental
6 protections. **But, if** you look at the environmental
7 statutes, basically the bottom line is you have to
8 prove damages to your property which is very expensive
9 and **time-consuming**.

10 And condemnation, state and national, can
11 sometimes go on for ten years, at which time the
12 private citizen is trying to fund, pay lawyers. First
13 off, in many areas like **Northwest New Mexico**, you
14 can't even find lawyers who will take issues dealing
15 with oil and gas because they're all basically bought
16 and paid for by the oil and gas companies or are on
17 some form of retainer so it's a conflict of interest.

18 so that's an issue that definitely is going
19 to have to be addressed. And rights given to private
20 property owners in this. **The** width of the corridors
21 are very, very critical to private property owners. **I**
22 haven't had a chance to look at the map.

23 **But** there was virtually no notice of this
24 meeting in local newspapers here, in the **Four corners**

25 region anyway. ■ would request that there be an

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1 additional scoping meeting scheduled for that area. I
2 think it would be very fair and very needed.

3 To have to drive 200 and some miles to
4 Albuquerque or 400 miles to Denver, and that was the
5 very first that I heard, through the Durango Herald,
6 and first availability of time and location after
7 calling BLM and everything over the last three or four
8 days.

9 Apparently there is stuff in the mail to me
10 this is addressing this issue now, but it wasn't
11 received. But virtually nobody knows that up there.
12 so I do request an additional scoping meeting be held
13 either in Farmington or Durango, Colorado. ■
14 understand the map does have a possible corridor that
15 stretches south of Durango. That came out of the
16 Durango Herald this morning.

17 with a scope as broad as is being proposed, I
18 think in a sense part of it is going to be futility or
19 else a lot of issues will be looked over, because it
20 is just way too broad to cover under one EIS. And the
21 whole process, ■ mean we're talking probably thousands
22 of miles of corridor designation or justifying current
23 corridors.

24 I'd like to point out also that many of the
25 so-called current corridors were established --

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1 pipeline, transmission line locations were established
2 before NEPA came into effect. And it's more or less

3 been a rubber stamp since because there was one
4 existing line. They were allowed to go in and put in
5 additional existing lines.

6 I think that we need to change that and we
7 need to go back and evaluate whether these lines are
8 in the right location to begin with environmentally as
9 if -- looking at them as if they hadn't already been
10 there and looking at it from the new NEPA, and I say
11 new meaning the seventies and stuff, NEPA standards
12 because many of these existing lines didn't meet NEPA
13 and will never meet NEPA.

14 And it costs the companies a tremendous
15 amount to go in and try to put them in locations where
16 they shouldn't be just because of topography. Some
17 examples, in the Durango area, where it's extremely
18 expensive, where they're forced into an area because
19 there was an existing line.

20 I'm sure there are lots more things that I
21 won't bring up. But that's currently what I have.
22 Thank you.

23 MR. MONTAGNA: Thank you.

24 Once again are there any other speakers that
25 would like to speak for the record? okay. what I

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1 propose is that we'll take a maybe 15-minute recess.
2 And then I'll announce that we go back on the record.
3 It's 2:41 now. So let's break until three. we'll be
4 off the record.

5 If anyone has any questions or would like to
6 chat about what we're proposing, we'll do that. And

7 then at three o'clock, **if** there are other folks that
8 are coming in because **it** is a three-hour session,
9 we'll reconvene and go back on the record. Is that
10 acceptable to everyone?

11 okay. Thank you. We are off the record.

12 (Break)

13 MR. MONTAGNA: Good afternoon, folks. It's
14 three o'clock. And we previously agreed we would
15 reconvene to accept any additional on-the-record
16 comments. so, **if** we can have folks seated or at least
17 standing to the sides, we'll reconvene.

18 Again my name is Ron Montagna and I'm with
19 BLM. we thank everyone for attending this afternoon.
20 we will again open up the scoping session for
21 on-the-record comments to anyone who may have arrived
22 during our break and during the off-the-record
23 discussions.

24 Has anyone either arrived since our last
25 on-the-record session or decided during the break to

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1 present comments for the record?

2 MS. SOUDER: During the off-the-record, there
3 was a gentleman from an electric company who gave me a
4 map and a card, Dennis Malone. And we will take any
5 products from you right now, **if** you would like to give
6 them to us on the record, and we could submit that
7 too. So anything you want to give us today is greatly
8 appreciated. Thank you.

9 MR. MONTAGNA: well, folks, **it** is three
10 o'clock. we'll go off the record and reconvene at
11 3:30. If anyone comes in or **if** anyone decides they

12 want to go on the record before that, just let us
13 know. we're here until five. Thank you.

14 (Break)

15 MR. MONTAGNA: Again, folks, good afternoon.
16 It's 3:42. I'm just a little bit late on getting back
17 on the record. As we mentioned previously, there's an
18 opportunity to present comments for the record. And,
19 if anyone is interested in doing so, please step
20 forward at this time.

21 step to the podium, give us your name and who
22 you represent, if anyone, and make your comments to
23 the record. If there's no one here, we'll close. It
24 is 3:42. we'll close the record until 4:30. Is that
25 okay? we are now off the record.

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1 EVENING SESSION

2 MR. ELLSWORTH: Good evening, everyone. My
3 name is Don Ellsworth, I'm the field manager for the
4 Bureau of Land Management, Socorro field office. And
5 I want to take this opportunity to thank you all for
6 coming to this public meeting on energy corridor
7 designation on federal lands administered by BLM and
8 the Forest Service.

9 The Energy Policy Act of 2005 requires the
10 secretaries of Energy, Agriculture, and Interior to
11 designate corridors for oil, gas, and hydrogen
12 pipelines and electricity transmission and
13 distribution facilities on federal land and 11
14 contiguous western states.

15 so with that thank you very much for coming

16 and I'm going to turn **it** over to the panel that
17 consists of Julia Souder with the Department of
18 Energy.

19 MS. SOUDER: Thank you for coming.

20 MR. ELLSWORTH: Bob Cunningham with the
21 Forest Service and Mr. Ron Montagna with the Bureau of
22 Land Management. And at this time I'm going to go
23 ahead and turn **it** over to Ron to moderate this
24 session.

25 MR. MONTAGNA: Thanks a lot, Don, we

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1 appreciate **it**.

2 The session we will have this evening will be
3 real similar to the one we had this morning, and I see
4 a lot of the same familiar faces. So pardon the
5 redundancy, but that's the script we have for these
6 meetings.

7 As Don introduced me, my name is Ron Montagna
8 and I'm with the BLM out of the Washington office.
9 And it's just a real pleasure for me to be back in
10 Albuquerque to participate in these scoping meetings
11 for the Westwide Regional Energy Corridor
12 programmatic Environmental Impact Statement. And we
13 will refer to **it** during the course of the meeting as
14 the PEIS effort.

15 This is the second of **11** scoping meetings
16 that the team will hold throughout the western United
17 States. Yesterday we had our first series of meetings
18 in Denver, today we're having them in Albuquerque and
19 in Salt Lake; and, over the course of the next two
20 weeks, we will have them in the rest of the **11**

21 contiguous western united states.

22 This effort is an interagency PEIS. And it's
23 being conducted by the Department of Energy, the
24 Department of the Interior, the Department of
25 Commerce, Defense, and the Forest service.

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1 Tonight the representatives are here are from
2 the Department of Interior being represented by BLM,
3 the Department of Energy, and the Department of Ag by
4 the united States Forest Service.

5 The EIS we're endeavoring to develop over the
6 next two years is designed to evaluate those issues
7 associated with the designation of energy corridors on
8 federal lands in the 11 Western states. And the first
9 question we get most of the time is why are you doing
10 this. And the reason is fairly simple. we're being
11 directed to do it pursuant to section 368 of the
12 Energy Policy Act of 2005.

13 And that section directs the secretaries of
14 the agencies I just identified to designate under
15 their respective authorities corridors on federal
16 lands in the 11 western states for oil, gas, and
17 hydrogen pipelines and electricity transmission and
18 distribution facilities. And collectively we're
19 referring to those as energy corridors.

20 The agencies involved at this time have
21 determined that designating corridors required by
22 section 368 of the act constitutes a major federal
23 action which may have a significant impact upon the
24 environment within the meaning of the National

1 For this reason it's the agencies' intent to
2 conduct this Programmatic Environmental Impact
3 Statement. DOE and the BLM are co-leads for this
4 effort. And the Forest Service is a cooperating
5 agency.

6 The second question that usually comes to us
7 is what is the energy corridor. And the definition
8 that we're using for this effort is an energy corridor
9 is a parcel of land either linear or areal in
10 character that has been identified through the land
11 use planning process as being a preferred location for
12 existing and future rights of ways and is suitable to
13 accommodate one or more rights of ways which are
14 similar in purpose.

15 And, for those BLM'ers that are here or folks
16 that have worked with BLM over the years will
17 recognize that, because that has been -- that's very
18 similar to the traditional definition of a corridor
19 found in both BLM regulations and in our manuals.

20 The reason the federal agencies are here
21 today are to listen to what the public has to say
22 about the project we're about to start. This is not a
23 question and answer format. We are going to try to
24 avoid -- which gets to be fairly difficult, we are
25 going to try to avoid discussing the specifics of this

1 project.

2 what we need and what we request from the
Page 25

3 public is your concerns and your interests with
4 respect to the assignment we have been given pursuant
5 again to section 386.

6 Having said that please note that, during the
7 course of the evening, we'll probably have several
8 breaks and then we'll be around at the end of the
9 session. And, during these breaks and at the end of
10 the session, we will go off the record and we will try
11 to entertain any questions you may have to help kind
12 of set the parameters on how we can all participate in
13 this effort in the most efficient way possible.

14 However, when I'm on the record and I think
15 when my colleagues are on the record, we will not be
16 responding to questions or try to provide answers at
17 this time.

18 As you came in, you were given package
19 materials. And we request that you avail yourselves
20 to the comment cards. It's important for all of us
21 that we get as good as information to go forward with
22 this effort as possible.

23 In addition to the comment cards, there are
24 three other ways to respond or to provide input to
25 this Programmatic EIS effort. And we provide those

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1 both in your handout and on these poster boards. And
2 the first method is to participate in the scoping
3 meeting.

4 The second method is to provide comments
5 through our Internet site. And we have the location
6 there. The third method are written comments. And we

7 have an address provided for you in the packet. And
8 the fourth method is through fax.

9 As a general note, let me state that,
10 although written comments are permitted and, of
11 course, we encourage them, they're probably the least
12 efficient way of getting information to us. They're
13 slow. And secondly, all correspondence we get via
14 snail mail, through hard letters, goes through a
15 security process in Washington. That really slows
16 down the process and it also often damages the
17 documents themselves.

18 so, although that method is permissible and
19 we encourage it, we really encourage the submission of
20 comments through the Internet. That's really the most
21 efficient way to get them in.

22 Before I go on any more, we need to probably
23 discuss what scoping really means. And that's why you
24 guys are really here. The scoping process starts with
25 these meetings and then continues through written

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1 comments and then face-to-face meetings, if requested.
2 But what we need in the scoping process are basically
3 three things.

4 One is we need to have you, the public, tell
5 us the issues that you think are going to affect you
6 by the designation of these corridors.

7 Secondly is to have you provide us, the
8 federal agencies, information that you think is
9 relevant to us to generate good land use decisions on
10 the identification and designation of these corridors.

11 And third is to help us identify and refine the

12 alternatives to be examined in the Programmatic EIS
13 Again this information is provided both in
14 the notice of intent and the information sheet that
15 you received in the packet.
16 Before I open this up for public comments,
17 again there are just three short points. Let's see.
18 As I mentioned during the breaks and after the
19 session, the agency folks will be around to provide
20 some insight into the process. So those agency people
21 other than us three, if anyone is here that is
22 familiar with what we're doing, if you would just
23 identify yourselves, we can have folks more easily
24 chat with you during breaks. come on, Bob suitcamp.
25 That's what you're getting all these good overtime

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1 hours for.
2 The second item I just want to finish off
3 with is, when speakers come to the mike, they need to
4 identify themselves and they need to, if they
5 represent any organization, state who they represent.
6 And the third point is again just to reiterate the on
7 the record, off the record process.
8 when we're at the podium, all comments from
9 the podium are on the record. The folks here at the
10 front table will again refrain from question and
11 answer format. However, when we have our breaks at
12 the end of the session, we'll go off the record and
13 we'll be more than happy to entertain these Qs and As
14 at that time. So that ends my prepared remarks.
15 And, since no one presented a card

16 identifying themselves as a speaker, ■ will invite
17 anyone who would like to speak on the record to come
18 forward at this time and state their name and present
19 their remarks to us on the record.

20 one last point they asked me to make. If
21 everyone that's here came past the desk and didn't
22 sign in, we would request that you do sign in sometime
23 during the evening. Thank you.

24 To parallel the procedure we used earlier
25 today, this afternoon, we'll wait a few minutes for

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1 any walk-in comments. And then we'll take a recess
2 for a period of time and then we'll reassemble and
3 then go back on the comments until the nine o'clock
4 end of the meeting.

5 MR. WENTZ: Good evening. My name is Chris
6 wentz. I'm the director of the Energy Conservation
7 and Management Division of the New Mexico Energy,
8 Minerals, and Natural Resources Department. we're the
9 renewable energy division for the state of New Mexico.

10 And we likely will be supplementing these
11 comments. These are pretty much off-the-cuff right
12 now. we just found out about this recently. But we
13 will probably be putting in comments either from the
14 governor's office and/or from the Energy, Minerals,
15 and Natural Resources Department.

16 I guess first I would just like to thank you
17 for holding this scoping meeting. I think the
18 Programmatic EIS is very important as far as the
19 future of energy transmission in the united States and
20 particularly in New Mexico.

NM05