

**APPENDIX D
SCANS OF ALL LETTERS RECEIVED
THROUGH AUGUST 22, 2008**

This table lists the people and organizations that submitted written comments and the number their letter was assigned. The letters follow. The numbers are displayed in the upper right corner of the first page of the letter.

Letter	First Name	Last Name	Organization
10001	Terry	Henderson	
10002	John	Robison	Idaho Conservation League
10003	Amy	Atwood	Center For Biological Diversity
10004	Otto	Schnauber	FMC Alkali Chemicals
10005	Sharon	Kiefer	Idaho Department of Fish and Game
10006	Jennifer	Buddenborg	National Trust for Historic Preservation
10007	Bruce	Pendery	Wyoming Outdoor Council
10008	John	Emmerich	Wyoming Game and Fish Department
10009	Janet	Hartford	Green River Chamber of Commerce
10010	John	Etchepare	Wyoming Department of Agriculture
10011	Erick	Esterholdt	Lincoln Conservation District
10012	duplicate	x	
10013	Larry	Kimmel	EPA
10014	Pamela	Eaton	The Wilderness Society
10015	Duane	Short	Biodiversity Conservation Alliance
10016	Ken	Miller	Snake River Alliance
10017	Nate	Sandvig	Horizon Wind Energy LLC
10018	Terry	Mudder	
10019	Katie	Fite	Western Watersheds Project
10020	Aaron	Clark	Governor's Office
10021	Stephanie	Hester	National Parks Conservation Association
10022	Steven	Webber	Western Area Power Administration
10023	Aaron	Clark	Governor's Office (Wyoming)
20001	Mark	Lessor	Idaho Division of Aeronautics
20002	Donna	Bennett	OCNRC - OCSGLWG - Chair
20003	Connie	Brandau	
20004	Nick	Ihla	Owyhee Pioneer Cemetery District
20005	Doug	Jensen	OCTA - Idaho Chapter
20006	Carma J.	Small	
20007	Jim	Patrick	ID State Representative
20008	Doug	Neighbor	NPS-Craters of the Moon
20009	Mark	Zornes	Wyoming Game and Fish - Green River Region
20010	Robert	Peternal	Lincoln Conservation District
20011	Mavie	Henthorn	OCTA Oregon-California Trails Assoc.
20012	Fern	Linton	OCTA - National Board
20013	Rich	Hodgson	Solvay Chemicals, Inc.
20014	Joyceanne	Fick	
20015	Mary Lynn	Corbett	Wyoming State Historical Society
20016	Brian	Smith	BLM
20017	Anonymous	x	
20018	Sharon	Block	BLM
20019	Tom	McCutcheon	BLM
20020	Norris	Tratnik	BLM

Letter	First Name	Last Name	Organization
20021	Bill	Robinson	O.C.T.A.
20022	David	Welch	Oregon-California Trails Association
20023	Mary Lynn	Corbitt	
20024	Aaron	Clark	Governor's Office
20025	David	McGinnis	Fossil Butte National Monument
30001	duplicate		
30002	Lee	Kreutzer	NPS-National Trails System
30003	Ashley	Roberts	Powder River Basin Resource Council
30004	Amy	Pocewicz	The Nature Conservancy WY Field Office
30005	Patricia	Ziobron	O.C.T.A.
30006	Dennis	Larsen	O.C.T.A.
30007	Fred & Fern	Linton	
30008	Edward	Allen	Sierra Club - Northern Rockies Chapter
30009	Karen	Steenhof	
30010	Doug	Jensen	OCTA - Idaho Chapter
30011	Susan	Starcevich	Western Area Power Administration
30012	Mark	Zornes	Wyoming Game and Fish
30013	Angelo	Kallas	OCI Chemical

10001

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

May 24, 2008

08 MAY 29 AM 10: 00

Bureau of Land Management
Gateway West Project
PO Box 20879
Cheyenne, WY 82203

RECEIVED
CHEYENNE, WYOMING

Comments regarding the Gateway West Transmission Line Project:

Since Wyoming has such rich natural resources, and the BLM controls 40% of the state, I feel you have a responsibility to make sure wind energy projects go forward for the economic good of all. A transmission line is a vital part of that program.

America's citizens are worried about the high energy costs. I believe that 90% of those current issues are the restrictions that the environmental groups have brought on, helping to snowball the demise of the United States. If they are allowed to continue to hamper development with lawsuits, etc. we can very well see the total failure of our economy. Many of their objections are based on emotions rather than science. I do not know of any environmental groups that have sworn off using electricity or quit driving a motorized vehicle (regardless of the energy source). If we are ever to become independent of foreign oil and resources, which are currently holding us hostage in our pocketbooks, these projects need to go forward without delay.

In addition, if transmission lines are put in place, more wind farms can be created. If the developers think a wind turbine is ugly, then perhaps they won't try to subdivide that area. If such areas are left in open spaces, the wind turbines are much more beneficial to wild life than a housing development. While most wind farms may be installed on private lands, they are dependent on cross-country transmission lines which will pass through BLM regulated property.

Wind development utilizes very little of our water resources. The same can be said for transmission lines. Once these things are constructed, they can become part of the natural environment as far as wildlife and plants go. A one time disturbance in an area is much preferred to "forever development". The mining and minerals industry have done much work with reclamation. There should be no reason the transmission line contractors cannot do the same. The BLM should maintain the same responsibility towards weeds whether the land is disturbed or not. A disturbed area simply needs additional monitoring to ensure that a weed problem does not get out of hand. Perhaps that can be put into developer contracts or a joint monitoring system could be put in place, since the BLM is short on range personnel.

Both Idaho and Wyoming are rural states. By allowing construction of a transmission line, you are helping the grassroots people who try to maintain those open spaces, a viable income through wind energy development. This will ensure that the landowners can continue to monitor and manage these open spaces. Private landowners have the

same goals as the BLM, for the most part. We all want a healthy ecosystem that can sustain wildlife, plants, and humans.

I believe a transmission line geared towards wind energy is one positive step towards helping rural communities and many more, on up to the taxi driver in New York City.

Sincerely,



Terry Henderson
501 Dickau Road
Shawnee, WY 82229
307-351-3234

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
08 MAY 29 AM 10:00
RECEIVED
CHEYENNE, WYOMING



Cody Dix
<ICLintern@wildidaho.org>
07/01/2008 03:54 PM

To <Gateway_West_WYMail@blm.gov>
cc John Robison <jrobison@wildidaho.org>, Sara Cohn
<scohn@wildidaho.org>
bcc
Subject Gateway West Scoping Comments

Bureau of Land Management,

Thank you for the opportunity to comment on the Gateway West Transmission Line Project. For thirty-five years, the Idaho Conservation League has had long history of involvement with both habitat protection and statewide energy issues. As Idaho's largest statewide conservation organization, we represent over 9,500 members who want to ensure that energy development and infrastructure is consistent with natural resource protection.

Attached to this email is the Idaho Conservation League's specific comments regarding the Gateway West Transmission Line Project. Please keep us on the mailing list for any future documents regarding the Gateway West project. Our address is PO Box 844, Boise, ID 83701.

We look forward to working with the BLM, other federal and state agencies, and all other interested parties on this project. Thank you for your time.

Sincerely,

Cody Dix
Public Lands Intern
Idaho Conservation League
PO Box 844, Boise, ID 83701
208.345.6933 x 27 • fax 208.344.0344
<http://www.wildidaho.org> • <http://blog.wildidaho.org>

Idaho Conservation League preserves Idaho's clean water, wilderness and quality of life



Gateway West Scoping Final.pdf



www.wildidaho.org

Idaho Conservation League

PO Box 844, Boise, ID 83701
208.345.6933

July 1, 2008

Bureau of Land Management
Gateway West Project
PO Box 20879
Cheyenne, WY 82003

Re: Gateway West Transmission Line Project Scoping Comments

Dear Bureau of Land Management:

Thank you for the opportunity to comment on the Gateway West Transmission Line Project. For thirty-five years, the Idaho Conservation League has had long history of involvement with both habitat protection and statewide energy issues. As Idaho's largest statewide conservation organization, we represent over 9,500 members who want to ensure that energy development and infrastructure is consistent with natural resource protection.

Investing in properly sited transmission systems can protect the environment, promote economic development, diversify the power system and keep the region economically competitive. However, the impact of these transmission systems largely depends on the location of the project, the specific design of the final alignment, and mitigation actions.

We are particularly concerned about construction of transmission facilities across unroaded areas and in sensitive wildlife habitat. We urge the BLM to site any new facilities and structures in previously developed or existing corridors and to upgrade existing transmission infrastructure, where feasible. Our specific comments are attached.

We look forward to working with the BLM and additional federal agencies and interested parties to design a project that preserves Idaho's natural resources and provides adequate utility services to Idahoans. Please keep us on the list to receive a hard copy of the Draft EIS.

Sincerely,

John Robison
Public Lands Director

Idaho Conservation League scoping comments on the Gateway West Transmission Line Project

Habitat

Portions of the project area contain habitat that is crucial to sagebrush steppe obligate species such as sage-grouse, pygmy rabbits, sage thrasher, sage sparrow, and others. Such habitat has been severely fragmented and reduced through a variety of land management practices, including road construction and development of rights of way corridors. The BLM should minimize negative impacts by avoiding areas of critical habitat for species of concern, establishing siting criteria to minimize soil disturbance and erosion on steep slopes, utilizing visual resource management guidelines, avoiding significant historic and cultural resource sites, and mitigating conflicts with other uses of the public lands.

Sage-grouse

There is significant concern regarding the long-term viability of greater sage-grouse populations. The US Fish and Wildlife Service is currently conducting a finding of determination whether greater sage-grouse deserve protections under the Endangered Species Act. These protections could have far reaching effects on land management in Idaho and in the region.

Greater sage-grouse suffer from the loss, degradation, and fragmentation of habitat throughout the west. It's estimated that only 50-60% of the original sagebrush steppe habitat remains in the west (West 2000), and in 2007, the American Bird Conservancy listed sagebrush as the most threatened bird habitat in the continental United States.¹ As such, we cannot stress enough how important it is for agencies to consider impacts to sage-grouse and for public land managers to conserve existing habitat and actively restore altered sagebrush steppe habitats.

Depending on location and design specifics, the construction of transmission lines within sage-grouse habitat could constitute "nonlinear infrastructure" under the *Conservation Plan for the Greater Sage-grouse in Idaho (Idaho Sage-Grouse Advisory Committee 2006)*. Nonlinear infrastructure is defined as "human-made features on the landscape that provide or facilitate transportation, energy, and communications activities...including wind energy facilities."² The *Conservation Plan* lists infrastructure such as this as the second greatest threat for sage grouse, with wildfires as the greatest risk. Road construction and use associated with transmission line maintenance represents high risk for loss of lek areas, nesting locations, and brood-rearing habitats (Braun 1986, Connelly et al. 2004).^{3,4} In addition, sage-grouse have been shown to avoid transmission lines, presumably because of potential predation.

Based on the habitat guidelines for sage-grouse management presented in Connelly et al. (2000),⁵ we recommend siting the transmission line in such a way to avoid impacts to sage-grouse.

¹ West, N.E. Synecology and disturbance regimes of sagebrush steppe ecosystems, p. 15-26. In P.G. Entwistle, A.M. DeBolt, J.H. Kaltenecker, and K. Steenhoff, Proceedings: sagebrush steppe ecosystems symposium. USDI Bureau of Land Management Publication BLM/ID/PT-001001+1150, Boise, ID.

² Idaho Sage-Grouse Advisory Committee. 2006. *Conservation Plan for the Greater Sage-grouse in Idaho*.

³ Braun, C.E. 1986. Changes in sage-grouse lek counts with advent of surface coal mining. Proceedings, Issues and technology in the management of impacted western wildlife. *Thorne Ecological Institute* 2: 227-231.

⁴ Connelly, J.W., Knick, S.T., Schroeder, M.A., and S.J. Stiver. 2004. Conservation assessment of greater sage-grouse and sagebrush habitats. Western Association of Fish and Wildlife Agencies. Unpublished Report. Cheyenne, Wyoming.

⁵ Connelly, J.W., Schroeder, M.A., Sands, A.R., and C.E. Braun. 2000. Guidelines to manage sage-grouse populations and their habitats. *Wildlife Society Bulletin* 28(4): 967-985.

Additional Wildlife

In addition to sage-grouse, we believe that other wildlife such as pygmy rabbits, sage thrasher, sage sparrow, birds of prey, and so forth should be of concern in planning. New construction and infrastructure will also change crucial habitat for these species. The BLM should avoid construction in any designated areas or lands for special management of these species.

Roads and Right of Way Corridors

Previous management activities have resulted in extensive road and right-of-way densities throughout our public lands. This density compromises the ability to support wildlife and fish by promoting further human disturbance, fragmenting habitat, accelerating sedimentation, spreading noxious weeds, and encouraging Off Road Vehicle use. Furthermore, there is a positive correlation between roads, even temporary ones, and human-caused wildfire ignitions. We recommend that the BLM evaluate the road and transmission network to avoid impacts to sage-grouse habitat where feasible, and close or decommission unneeded roads and corridors.

Off Road Vehicle Use

The devastating impacts of Off Road Vehicles (ORVs) on terrestrial ecosystems are well established. ORVs degrade water quality, spread noxious weeds, fragment habitat, disturb wildlife, increase fires, and displace non-motorized recreationists. The EIS needs to analyze the impacts of ORV use along transmission corridors and describe the ability for the BLM to monitor and control ORV use as permitted by land management agencies.

Noxious Weeds

The most cost-effective way to deal with noxious weeds is to protect strongholds of native vegetation from activities which either spread noxious weeds directly or create suitable habitat by removing native vegetation and disturbing the soil. BLM activities should limit road use and the exposure of mineral soils where weeds may become established. Roads, trails, and rivers serve as the primary routes for noxious weed species expansion. Special care should be taken to safeguard ecologically intact areas that are not currently infested. The EIS needs to analyze the effects of noxious weeds in transmission corridors and describe BLM management of weeds in these areas. For example, management strategies may include ensuring the tires and undercarriage of access vehicles are hosed down prior to site access to dislodge noxious weeds.

Coordinate, Minimize, and Mitigate Impacts to Sage-grouse

We believe that an integral part of conserving and recovering sage-grouse will be relying on the guidance from local stakeholder groups. As such, we recommend that the BLM coordinate further efforts more closely with the US Fish and Wildlife Service, the local Sage-grouse Working Group, the Idaho Department of Fish and Game, and the Governor's Office of Species Conservation. Conservation groups to consult include the Audubon Society, the Idaho Chapter of the North American Grouse Partnership, the Idaho Falconer's Association, the Nature Conservancy, the Wood River Land Trust, the Western Watersheds Project as well as the Idaho Conservation League.

With the additional comments received from many organizations, the BLM should design the transmission line to minimize the potential impacts described above. We recommend reducing roads and trails in identified sensitive areas to preserve existing habitat. Where impacts are unavoidable, the BLM should implement on and off-site habitat mitigation to offset any impacts to sage grouse.

Cultural and Historic Lands

We are concerned that portions of this project area will be placed in cultural or historic areas that should be preserved. National Historic Trails and Native American traditional cultural properties are two examples that we feel the BLM should be respectful and sensitive towards by avoiding constructions in these areas.

We look forward to working with all federal agencies and interested parties to design a project that preserves Idaho's natural resources and provides adequate utility services to Idahoans.



Amy Atwood
<atwood@biologicaldiversity.org>

07/03/2008 08:32 AM

To Gateway_West_WYMail@blm.gov
cc
bcc
Subject Gateway West Scoping Comments

Please see attached. Thank you.

Amy R. Atwood
Senior Attorney

CENTER FOR BIOLOGICAL DIVERSITY
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gateway scoping comments final.pdf



July 3, 2008

VIA ELECTRONIC AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bureau of Land Management
 Gateway West Project
 PO Box 20879
 Cheyenne, Wyoming 82003
 Gateway_West_WYMail@blm.gov

Re: **Scoping Comments on the Gateway West
 Transmission Line Project**

Dear Gateway West Planning Team:

Thank you for the opportunity to provide scoping comments pursuant to the National Environmental Policy Act ("NEPA") on the Gateway West Transmission Line Project ("Gateway" or "Project").

The Center for Biological Diversity ("Center") is a national, non-profit conservation organization with over 40,000 members including many members in Wyoming and Idaho. The Center works through science, law, and media to secure a future for all species, great or small, hovering on the brink of extinction. The Center's Public Lands Program watchdogs activities that do harm to species and their habitat on lands held in trust for the common good—including energy and fossil fuels development on public lands—and works to stop environmentally destructive projects and ensure that the nation's public lands are managed with minimal damage.

On behalf of the Center, I offer the following comments, which identify issues that should be fully considered in the Environmental Impact Statement ("EIS") for the Gateway Project. Nothing in this letter should be construed as an endorsement for any physical route or mitigation for the Project, and in fact, the Center will continue to vigorously oppose construction of this unnecessary and harmful project.

Discussion

1. **The Need for the Gateway West Transmission Line Project is Not Apparent in this Era of Climate Change, When the Nation Needs to Reconfigure its Energy Policy Immediately and Provide Refuge for Species Suffering the Effects of Global Warming Public Lands.**

BLM has prepared an information packet and published a notice to prepare an EIS for this project in the Federal Register. In these materials, BLM states that the purpose of preparing the EIS is to evaluate the Project proponents' applications for right-of-way and special use permits

Tucson • Phoenix • San Francisco • San Diego • Los Angeles • Joshua Tree • Silver City • Portland • Washington, DC

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that are necessary to permit the Project to cross public lands. The materials also refer to the obligations of Idaho Power and PacifiCorp to provide reliable electricity to their customers but nowhere do these materials expressly articulate (let alone substantiate) an underlying need for why this Project is necessary—*i.e.*, to access relatively cheap energy from Wyoming and transporting via high-voltage transmission lines across two states and hundreds of miles—for these companies to fulfill their objectives.

Meanwhile, substantial demand-side resources (“DSR”) exist in this and other regions of the U.S. Many states around the United States are establishing Energy Efficiency Resource Standards, which mandate utilities to acquire DSRs in specific amounts, often consistent with these resource potential estimates. ACEEE (2007). In the Pacific Northwest, utility and Bonneville Power Administration programs, energy codes, and federal efficiency standards have already produced tremendous savings and could continue to do so particularly if implemented in concert with newer federal efficiency standards, energy efficiency, demand response, and distributed generation—*i.e.*, potentially resource potential sufficient to mitigate the purported “need” for the transmission lines. But while “[n]on-transmission resources can reduce the cost and environmental impact of electricity service” they “must be *specifically included* in energy resource planning and siting processes in order to provide these benefits.” *Id.* at 2 (emphasis added).

NEPA requires BLM to scrutinize and substantiate any purported, underlying “need” for a project, and based on the information provided so far, the agency has not yet been able to do so here. Even assuming that added transmission capacity is, in fact, necessary, there has been no information disclosed so far that justifies why *public lands* should be sacrificed for this purpose, particularly in this era of global warming.

Scientists now tell us with a high degree of certainty that additional warming of more than 1°C (1.8°F) above year 2000 levels will constitute “dangerous climate change,” with particular reference to sea level rise and species extinction. Hansen (2006); Hansen et al. (2006 a, b); American Geophysical Union (2007). This is because warming of greater than 1°C may induce positive climate feedbacks, such as the release of large amounts of methane from thawing arctic permafrost, that will further amplify the warming. Hansen (2006); Hansen et al. (2006 a, b).

The threat posed by global warming to the nation’s 624-million-acre public land system is unprecedented. In August 2007, the Government Accountability Office (“GAO”) warned that federal lands and waters will face increased droughts, floods, fires, glacial melt, sea-level rise, insect and disease infestations, species extinctions, and shifts in species distribution due to global warming. GAO (2007). Many endangered species are already committed to increased stress in coming decades due to long-lived carbon that has already been released. Without major management reforms, these stresses will be exacerbated by damaging land-use practices, causing the extinction of many species. Greater sage grouse, native trout species, and the American pika are much more likely to survive warming trends if their habitat is not degraded for energy development purposes. Regional drought is severely affecting species, and projections by the Intergovernmental Panel on Climate Change (“IPCC”) and independent scientists indicate that

drought patterns will continue for decades. To survive these conditions, species will need to be able to expand ranges northward, and fish can no longer be impacted by water diversions and disruption to flooding regimes. Thus, BLM must immediately shift its public lands management paradigm to incorporate global warming avoidance and mitigation into large-scale energy development projects.

Indeed, global warming presents an unprecedented opportunity to completely change the mission of public lands. No issue in the 100-plus-year history of our public lands has so clearly demonstrated that the dominance of resource-extraction uses must end. Federal agencies like BLM and the U.S. Forest Service (“USFS”) must immediately shift their management paradigm to one that will: (1) reduce atmospheric carbon dioxide; (2) protect vital water resources; and (3) provide a refuge for species to survive the level of warming that will occur over the next century. Improving management and increasing the extent of public lands will reduce carbon emissions and increase carbon sequestration. Due to their massive acreage, public lands offer one of the best avenues to quickly reduce atmospheric carbon.

Even if this were not clear on its face in light of overwhelming scientific evidence, shifting its management paradigm in the era of climate change is required by BLM’s affirmative legal duties. Indeed, shifting management to avoid and mitigate global warming is the very essence of avoiding “unnecessary or undue degradation” of these public lands—one of the agency’s most fundamental, affirmative legal duties. *See* 43 C.F.R. § 1732(b) (“In managing the public lands the Secretary shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands.”).

Moreover, governments at all levels—including federal agencies—are affirmatively required to engage in arresting and then reducing carbon emissions immediately by their duty as protectors of the public trust. As an agency of the federal government, the BLM has a fiduciary, “public trust” duty to do its part to slash carbon emissions in accordance with targets set by scientists including the IPCC. Faithfully fulfilling its public trust duty is the best way for BLM to fulfill its affirmative duties under FLPMA and the Endangered Species Act, as well as its procedural duties under NEPA and Secretarial Order No. 3326.¹

¹ The public trust duty is derived from the common law of property and acts as a fundamental safeguard to ensure that public trust resources are properly managed to ensure the public’s welfare and survival. *See Illinois Cent. R. Co. v. Illinois*, 146 U.S. 387, 455 (1892), *Geer v. Connecticut*, 161 U.S. 519, 525-29 (1896). It imposes upon BLM and all federal agencies a duty of “reasonable care” to protect the trust. Restatement (Second) of Trusts § 176 (1957) (“The trustee is under a duty to the beneficiary to use reasonable care and skill to preserve the trust property.”). Trust resources, or “*res*,” are the public lands and the atmosphere. While the public trust duty is reflected in Secretarial Order 3226, FLPMA, and NEPA, *see e.g.*, 42 U.S.C. § 4331(b)(1) (2006) (declaring a national duty to “fulfill the responsibilities of each generation as trustee of the environment for succeeding generations”), it is also more expansive. Thus, as a trustee, BLM must protect trust resources for present and future generations, and may not permit irrevocable harm to public lands or the atmosphere by private interests. In this context, the

2. Even Assuming the Project Can be Justified and Supported as Necessary to Meet Energy Demands, NEPA Requires BLM to Develop and Rigorously Analyze all Reasonable Alternatives to Using Public Lands for Continued Dependence on Fossil Fuels.

Assuming BLM can justify and support the basic underlying “need” for the Project, the agency must still consider the ability of similar and competing projects to meet the energy demand that the Project would serve. In other words, the agency’s NEPA analysis must consider whether existing and proposed energy transmission projects, energy conservation, and “no wires” alternatives can meet existing and future energy demands.

NEPA requires the action agency to identify and analyze alternatives to the proposed action. 42 U.S.C. § 4332(C)(iii). BLM must also develop and rigorously analyze a no-action alternative as well as any reasonable alternatives that are not within the jurisdiction of the lead agency. 40 C.F.R. § 1502.14; *American Rivers v. Fed. Energy Regulatory Comm’n*, 201 F.3d 1186, 1199 (9th Cir. 1999). “In order to be adequate, an environmental impact statement must consider...every reasonable alternative.” *Citizens for Better Henderson v. Hodel*, 768 F.2d 1051, 1058 (9th Cir. 1985); *Friends of Endangered Species v. Jantzen*, 760 F.2d 976, 988 (9th Cir. 1985); *California v. Block*, 690 F.2d 753, 766-67 (9th Cir. 1982). “The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.” *Hodel*, 768 F.2d at 1057; *Brooks v. Coleman*, 518 F.2d 17, 18 (9th Cir. 1975).

Accordingly, and in light of the current and projected impacts of global warming, the only lawful and common-sensical scenario where hundreds of miles of the nation’s public lands might possibly be justifiably sacrificed for the Project would be if the Project itself will, in turn, result in the transmission of energy coming *solely* from renewable, non-carbon emitting sources with little to zero carbon emissions. Yet, at least at this stage, it does not appear that this is the case; although publicly-available materials about the Project reflect that Wyoming’s “vast” wind energy resources may be tapped, there is no specific information provided in the informational materials regarding the percentage to which increased capacity will actually be met with renewable energy sources, and what percentage of the demand would be met through ongoing or new development of fossil fuels.

Certainly, until BLM knows this basic information and discloses it to the public, it will be unable to evaluate the environmental impacts of the Project, which it must do. *See, e.g., Border Power Plant Working Group v. Dep’t of Energy*, 260 F. Supp. 2d 997, 1016 (D. Cal. 2003) (“Ninth Circuit precedent makes clear” that NEPA consideration must include consideration of the effects that are causally linked to the proposed federal action”).

public trust duty obligates BLM to exercise reasonable care of trust property—the atmosphere and the public lands themselves—by quantifying GHG emissions from the Gateway Project, taking affirmative measures to reduce those emissions to protect trust property, and ensuring that the public lands are able to mitigate and adapt to the intensifying effects of global warming.

More importantly, however, BLM must develop a range of *all reasonable alternatives* to meet the purported need and vigorously analyze them. In this context, this means that BLM must develop and propose a “renewables-only” alternative and/or a “no action” alternative. Doing so is the only way for BLM to do its part to shift quickly toward a renewables-based energy infrastructure and mitigate the effects of global warming—and, in turn, faithfully fulfill its legal and policy imperatives.

3. **Whatever the Proposed Alternative, BLM Must Thoroughly and Adequately Disclose and Analyze the Impacts of all Reasonable Alternatives.**

Whatever alternative BLM identifies as its preferred action, the agency is bound by NEPA and the CEQ’s implementing regulations to assess the environmental impacts of the Project before taking any action on it. The analysis in an EIS is at the heart of NEPA, and an EIS for this Project must provide a “full and fair discussion” of impacts like GHG emissions and global warming implications, and fully inform “decisionmakers and the public of the reasonable alternatives which would avoid or minimize” these impacts. 40 C.F.R. § 1502.1.

The purpose of the NEPA review process is two-fold. One, it requires BLM to “consider *every significant aspect* of the environmental impact” of the Project, and two, it requires BLM to “inform the public that it has indeed considered environmental concerns in its decisionmaking process.” *Kern v. U.S. Bureau of Land Management*, 284 F.3d 1062, 1066 (9th Cir. 2002) (emphasis added); see also *Columbia Basin Protection Ass’n v. Schlesinger*, 643 F.2d 585, 592 (9th Cir. 1981) (“[T]he preparation of an EIS ensures that other officials, Congress and the public can evaluate the environmental consequences independently.”)

These dual objectives require that environmental information be disseminated “early enough so that it can serve practically as an important contribution to the decisionmaking and will not be used to rationalize or justify decisions already made.” 40 C.F.R. § 1502.5; see also *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 371 (1989) (“the broad dissemination mandated by NEPA permits the public and other government agencies to react to the effects of a proposed action at a meaningful time”); *Metcalf v. Daley*, 214 F.3d 1135, 1143-44 (9th Cir. 2000). Ultimately, an EIS does not satisfy NEPA unless “its form, content, and preparation substantially (1) provide decision-makers with an environmental disclosure sufficiently detailed to aid in the substantive decision whether to proceed with the project in light of its environmental consequences, and (2) make available to the public, information of the proposed project’s environmental impacts and encourage participation in the development of that information.” *Trout Unlimited v. Morton*, 509 F.2d 1276, 1283 (9th Cir. 1974).

NEPA defines “direct effects” as those “which are caused by the action and occur at the same time and place.” 40 C.F.R. § 1508.8(a). Indirect effects are those “which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable” and “may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.” *Id.* A “cumulative impact” is the “impact on the

environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.

Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” 40 C.F.R. § 1508.7. A cumulative impacts analysis must contain a reasoned analysis that includes the rationale behind the decision. *Muckleshoot Indian Tribe v. U.S. Forest Serv.*, 177 F.3d 800, 811 (9th Cir. 1999) (“While the district court was correct in observing that there are ‘twelve sections entitled cumulative effects,’ these sections merely provide very broad and general statements devoid of specific, reasoned conclusions.”). Mere conclusory statements are insufficient. *Klamath-Siskiyou Wildlands Ctr. v. Bureau of Land Management*, 387 F.3d 989, 993 (9th Cir. 2004) (“A proper consideration of the cumulative impacts of a project requires some quantified or detailed information.”) (internal quotation marks omitted).

Here, the Gateway Project EIS must adequately analyze the direct, indirect, and cumulative impacts of fossil fuel development and consumption linked to the Project on paleontological, water, and cultural, as well as ecological resources, which include aquatic resources, plant communities and habitats, wildlife, and sensitive, threatened, endangered species. It must also address the cumulative impacts that the Project will have on global climate change. NEPA’s cumulative impacts analysis requirement is intended to address problems—like GHG emissions—that may appear individually insignificant, but cumulatively create a serious environmental problem. Given the available information on the GHG emissions associated with fossil fuels, as well as the scientific literature on GHG emissions’ contribution to global climate change and the adverse impacts on ecosystems and species worldwide, it is “reasonable to anticipate a cumulatively significant impact on the environment” from the expansive Gateway Project. 40 C.F.R. § 1508.27(b)(7); *see also Ctr. for Biological Diversity v. National Highway Traffic Safety Admin.*, 508 F.3d 508, 549 (9th Cir. 2007). Indeed, it is difficult to imagine a more important cumulative impact analysis than that for a power line that transmits power produced from fossil fuels.

Augmenting these requirements under NEPA is Department of Interior Secretarial Order 3226, which requires BLM to consider and analyze potential climate change impacts. Secretarial Order 3226, *Evaluating Climate Change Impacts in Management Planning* (Jan. 19, 2001). This Order recognizes that “[t]here is a consensus in the international community that global climate change is occurring and that it should be addressed in governmental decision making.” Secretarial Order 3226 is action-forcing, and requires that each bureau and office of the Department—including BLM—to consider and analyze potential climate change impacts when “making major decisions regarding the potential utilization of resources under the Department’s purview.” Departmental activities covered by this Order include, but are not limited to, planning and management activities associated with oil, gas and mineral development on public lands.

Moreover, the Endangered Species Act requires federal agencies to consult with the FWS regarding the impacts of proposed federal actions on threatened and endangered species. 16

U.S.C. § 1536(a)(2). As the ESA's implementing regulations make absolutely clear, "[e]ach federal agency shall review its actions *at the earliest possible time*" to determine whether an action may affect protected species, and, if so, to engage in the appropriate level of conferral. 50 C.F.R. § 402.14(a) (emphasis added); *see also Wilderness Soc'y v. Wisely*, 524 F. Supp. 2d 1285, 1301 (D. Colo. 2007) ("BLM's duty to confer with the FWS arises as of the time that it was possible for the two agencies to engage in meaningful conference regarding the decision to be made").

This analysis must include—but is not necessarily limited to—the following requirements concerning disclosure and consideration of the environmental consequences of the Project.

a. **The EIS Must Analyze GHG Emissions Associated with the Energy Development and Consumption that will Result from the Project.**

The BLM must consider the GHG emissions that would result from or linked to the Project as required by NEPA. In this connection, this means that the EIS must analyze all significant impacts that will occur during and as a result of all aspects and phases of the Project, including GHGs emitted as a result of production and combustion of the fossil fuels that will be emitted as a result of the transmission line itself as well as the emissions that are causally linked to it—including, but not limited to, the GHG emissions from the power plants that will supply energy for the line and the fossil fuels that will be mined. (Even if the Project would transmit energy solely from renewable energy sources, BLM must still thoroughly analyze the environmental consequences of the Project's direct, indirect, and cumulative impacts, including GHG emissions.) By ignoring the effects of GHG emissions on the environment, BLM would ignore a critical aspect of the problem, rendering each and every section of the EIS incomplete and inadequate. On the other hand, laying bare the true impacts and costs of the direct and cumulative GHG emissions, and disclosing and thoroughly vetting alternatives and mitigation measures, could very well lead to increased energy conservation and use of renewable energy sources.

Major GHGs include carbon dioxide, methane, black carbon, and nitrous oxide.

Carbon dioxide ("CO₂") is one of the most important GHGs and tends to stay in the atmosphere for centuries. Archer (2005). Emission rates of CO₂ have grown by 80 percent from 1970 to 2004 and the 2005 atmospheric concentration of carbon dioxide at 379 parts per million (ppm) greatly exceeds the natural range over the last 650,000 years. Bernstein et al. (2007). The rise of CO₂ emissions in the air is commensurate with the rise of global temperatures. Scientists have described an atmospheric carbon dioxide ceiling that must not be exceeded in order to avoid a dangerous rise in temperatures. While previously, scientists have described this "ceiling" as approximately 450 ppm of carbon dioxide, Dr. James Hansen has more recently stated that the limit will need to be revised downward to 350 ppm. McKibben (2007). We are already well past that ceiling at 383 ppm. McKibben (2007). It is possible—and indeed, it is necessary—to slow and then reverse the increase in carbon dioxide emissions concentrations by slashing anthropogenic emissions, improving land use, and utilizing alternative energy sources. *See, e.g.,*

Hansen (2006), Hansen et al. (2006 a, b); Hansen and Sato (2004). However, so far the necessary measures have not been implemented, and CO₂ emissions have continued to increase by two percent per year since 2000. Hansen (2006), Hansen et al. (2006 a, b); Hansen and Sato (2004). If this continues, the projected 35 percent increase in CO₂ emissions between 2000 and 2015 will make it impossible to get below even the previously-identified ceiling of 450 ppm. Hansen (2006), Hansen et al. (2006 a, b); Hansen and Sato (2004).

Another GHG, methane, is the most important of the non-CO₂ pollutants, with a global warming potential 21 times greater than CO₂ and an atmospheric lifetime of 12 years. Forster and Ramaswamy (2007). Methane constitutes approximately 20 percent of anthropogenic greenhouse effect globally, the largest contribution of the non-CO₂ gases. As a precursor to tropospheric ozone, methane emissions have an even more powerful impact on climate. In the Arctic, which is already struggling in the face of global warming, this impact is strongest in winter months, which can result in an acceleration of the onset of spring melt. Shindell (2007). Tropospheric ozone, unlike other GHGs, absorbs both infrared radiation and shortwave radiation (visible light). Thus, tropospheric ozone is a particularly powerful GHG over highly reflective surfaces like the Arctic, because it traps shortwave radiation both as it enters the Earth's atmosphere from the sun and when it is reflected back out again by snow and ice. Reducing global methane emissions will reduce ozone concentrations in the sensitive Arctic and elsewhere.

Black carbon, or soot, consists of particles or aerosols released through the inefficient burning of fossil fuels, biofuels, and biomass. Quinn et al. (2007). Black carbon warms the atmosphere, but it is a solid, not a gas. Unlike GHGs, which warm the atmosphere by absorbing longwave infrared radiation, soot has a warming impact because it absorbs shortwave radiation, or visible light. Chameides and Bergin (2002). Black carbon is an extremely powerful greenhouse pollutant. Scientists have described the average global warming potential of black carbon as about 500 times that of CO₂ over a 100 year period. Hansen et al. (2007); Reddy and Boucher (2007). This powerful warming impact is remarkable given that black carbon remains in the atmosphere for only about four to seven days, with a mean residence time of 5.3 days. Reddy and Boucher (2007).

Black carbon presents a particularly troubling problem for the Arctic. It contributes to warming in this region through the formation of "Arctic haze" and through deposition on snow and ice which increases heat absorption. Quinn et al. (2007); Reddy and Boucher (2007). Arctic haze results from a number of aerosols in addition to black carbon, including sulfate and nitrate. Quinn et al. (2007). The effects of Arctic haze may be to either increase or decrease warming, but when the haze contains high amounts of soot, it absorbs incoming solar radiation and leads to heating. *Id.* Soot also contributes to heating when it is deposited on snow because it reduces reflectivity of the white snow and instead tends to absorb radiation. A recent study indicates that the direct warming effect of black carbon on snow can be three times as strong as that due to carbon dioxide during springtime in the Arctic. Flanner (2007). Black carbon emissions that occur in or near the Arctic contribute the most to the melting of the far north. Reddy and Boucher (2007); Quinn et al. (2007). Black carbon is a significant contributor to global climate

change, and, like methane and CO₂, its emissions must be reduced to curb future warming of the earth.

Nitrous oxide has a global warming potential 310 times that CO₂ and an atmospheric lifetime of approximately 114 years. Forster and Ramaswamy (2007). It constitutes the second largest proportion of anthropogenic non-CO₂ gases at 7 percent. The main sources of nitrous oxide emissions are agriculture, wastewater, fossil fuel combustion, and industrial adipic and nitric acid production.

The science concerning these GHGs and global warming is advanced and makes clear that we must arrest the growth of emissions of these gases, and then rapidly reduce overall emissions to a very small fraction of current levels. BLM must thoroughly analyze the GHG emissions from the Gateway Project within the overall context of the climate crisis we are now facing, and unless it does so, at a minimum the agency fail to meet its legal obligations to fully analyze and disclose the unacceptable impact the Project will have on the environment.

b. BLM Must Analyze GHG Emissions' Threat to Sensitive, Threatened, and Endangered Species and Ecosystems.

As discussed above, the dangerous consequences of continued "business as usual" GHG emissions are all too foreseeable. Global warming is already profoundly changing our planet, representing the most significant and pervasive threat to biodiversity worldwide and affecting both terrestrial and marine species from the tropics to the poles. This must be analyzed in the EIS under NEPA, as well as pursuant to the Endangered Species Act, wherever applicable.

The EIS must address the direct and cumulative impacts from construction and operation of the proposed Project, as well as activities causally linked to it, to sensitive, threatened, and endangered within the project site and in the surrounding areas including ecological reserves and public lands. Impacts to the protected or sensitive species that are known to exist within the project area must be analyzed. The EIS must fully disclose and analyze impacts to any listed, candidate, or sensitive species, and discuss alternatives and enforceable mitigation measures to avoid, reduce, and mitigate impacts to the species. The EIS must also fully disclose and analyze impacts to sensitive vegetation types and ecosystems including sagebrush, riparian or riverine habitat, and woodlands.

The IPCC report recognizes that the resilience of several ecosystems is likely to be overcome this century by a dangerous brew of climate change, associated disturbances, such as flooding, drought, wildfire, insects and ocean acidification, and other environmental drivers like pollution and over-exploitation of resources. Bernstein et al. (2007). Along with increases in global average temperatures beyond 1.5-2.5° C and accompanying increased levels of atmospheric CO₂ concentrations will come major changes in ecosystem structure and function, species' ecological interactions, and species' geographical ranges. *Id.* In fact, global warming has already resulted in the extinction of at least dozens of species. Pounds et al. (2006). Absent major reductions in GHG emissions, by the middle of this century upwards of 35 percent of the earth's species will

be extinct or committed to extinction as a result of global warming. Thomas et al. (2004). To reverse this trend—which threatens all life on the planet at this point—nothing short of a massive global effort is required by all levels of government, including the federal government BLM.

Other scientific reports have also concluded that anthropogenic warming has had a recognizable influence on biological systems. Adger et al. (2007). In a study published in *Nature* in 2003, the authors reported a “globally coherent fingerprint of climate change impacts across natural systems.” Parmesan and Yohe (2003). In documenting this “fingerprint” of global warming on ecosystems, scientists have predicted three categories of measurable impacts from recent warming: (1) earlier timing of spring events and later autumn events (*i.e.*, changes in “phenology”), (2) extension of species’ range poleward or upward in elevation, and (3) a decline in species adapted to cold temperatures and an increase in species adapted to warm temperatures. Parmesan and Galbraith (2003).

In the abstract, changes in phenology, distribution, or even an abundance of a species may not by themselves be harmful to species’ long-term persistence. But if such changes put essential life history traits of the species out of sync with other components of the ecosystem, or if natural or anthropogenic barriers prevent poleward or upward migration, the consequences can be catastrophic.

Early examples of this already abound. The Edith’s checkerspot butterfly (*Euphydryas editha*) and the American pika (*Ochotona princeps*), two North American species, demonstrate such deleterious effects of global warming. The Edith’s checkerspot butterfly is one of the first species for which scientists documented a clear range shift due to global warming. The butterfly’s range has moved both northward and upward in elevation in response to a 0.72° C increase in regional warming. Parmesan and Yohe (2003). The range shift was not due to butterfly populations actually moving, but instead to a higher proportion of population extinctions in the southern and lowland portions of the range. *Id.* These population extinctions are the result of the fact that the species’ host plant, *Plantago erecta*, now develops earlier in the spring, while the butterfly’s caterpillars continue to hatch at the same time. *Id.* As a result, the caterpillars now hatch on plants that have already completed their lifecycle and dried up, instead of on younger edible plants. *Id.* The tiny checkerspot caterpillars are unable to move far enough to find other food and, as a result, starve to death. *Id.*

Another animal struggling under the heavy hand of climate change is the American pika. This small mammal, a relative of the rabbit, is adapted to life in talus piles on high, treeless mountain peaks. Fossil evidence demonstrates that pikas once ranged widely over North America, but their range has contracted to a dwindling number of isolated peaks during the warm periods of the last 12,000 years. Krajick (2004). Pikas are limited by their metabolic adaptation to their cold habitat niche. *Id.* Hence, while more mobile alpine species such as birds may be able to shift their ranges poleward as warming temperatures and advancing treelines, competitors, and predators impact their mountain habitat, pikas are generally incapable of such long range dispersal. *Id.* Rather, they can only migrate upslope as the climate warms. *Id.* In large portions of its range, however, the American pika is already occupying the highest elevation talus habitats

that exist on a given mountain range; in such cases there is no upslope habitat to migrate to, and the mountain's population will ultimately disappear as the climate continues to warm. Already, at least 9 of 25 (36 percent) of pika populations found in the Great Basin have been extirpated and the pika range has shifted upslope by 900 feet in this region. This small creature may well become one of global warming's first victims.

Species like the checkerspot butterfly and American pika demonstrate how climate change brought about by global warming will influence the earth's biodiversity as various species struggle to adapt to their changing habitats. Likewise, sensitive ecosystems, some literally melting under the impacts of global warming, have provided even more evidence of the dire consequence global warming will have on the earth's biological balance.

The Arctic has experienced the effects of global warming earlier and more intensely than any other area on the planet. Over the past 100 years, average Arctic temperatures increased at almost twice the global average rate. Alley et al. (2007). Specifically, in parts of Alaska and western Canada, winter temperatures have increased by as much as 3.5° C in the past 30 years. Rozenzweig et al. (2007). Over the next 100 years, under a moderate emissions scenario, annual average temperatures in the Arctic are projected to rise an additional 3-5° C over land and up to 7° C over the oceans. Meehl et al. (2007).

This rapid warming of the Arctic is reflected in the devastating melt of the Arctic sea ice last year, which is highly sensitive to temperature changes. In 2007, summer sea-ice extent reached an unpredicted and utterly stunning new record minimum. Stroeve et al. (2008). At 1.63 million square miles, the minimum sea-ice extent on September 16, 2007 was about one million square miles—equal to the area of Alaska and Texas combined—below the average minimum sea ice extent between 1979 and 2000 and 50 percent lower than conditions in the 1950s to the 1970s. Stroeve et al. (2008); National Snow and Ice Data Center (NSIDC) 2007a Arctic Sea Ice News Fall 2007 available at http://www.nsidc.org/news/press/2007_seaiceminimum/20070810_index.html. This minimum was lower than the sea-ice extent most climate models predicted would not be reached until 2050 or later. Stroeve et al. (2008).

This stark reality of global warming in the Arctic is already having a disturbing and demonstrated effect on polar bears. One of the most ice-dependent of all Arctic species, polar bears require sea-ice habitat for survival. Regehr et al. (2007); Derocher et al. (2004). For example, polar bears rely on sea ice as a platform from which to hunt ringed seals and other prey, to make seasonal migrations between the sea ice and their terrestrial denning areas, and for other essential behaviors such as mating. As the sea ice rapidly melts away, so too does the polar bears' essential habitat.

The scientific projections of future melting of the sea ice are particularly troubling. Under optimistic future emissions scenarios, summer sea ice will decline 50-100 percent by the end of the century. Holland et al. (2006). Under more likely scenarios, however, leading sea ice researchers now believe that the Arctic could be completely ice free in the summer by 2030, Stroeve et al. (2008), or even by 2012. Kizzia (2008). Even without a complete disappearance

of sea ice, scientists have predicted a cascade of impacts to polar bears from global warming and melting ice that will affect virtually every aspect of the species' existence, including their hunting season and ability to efficiently hunt their ice-dependent prey; female bears' ability to reach their preferred denning areas on land; and increases in bear-human interactions. Derocher et al. (2004).

The combined effects of these global warming consequences on individual bears' reproduction and survival translate into impacts on polar bear populations. Polar bear populations are declining. The Western Hudson Bay polar bear population has declined by 22 percent since 1987, from 1,194 bears to 935. Aars et al. (2006). Likewise, the Polar Bear Specialist Group has classified the Southern Beaufort Sea polar bear population as declining. Aars et al. (2006). Within this group of polar bears, researchers have observed starvation, increased drownings, and cannibalism motivated by nutritional stress, a behavior without precedent. Regehr et al. (2007); Amstrup et al. (2006); Monnett & Gleason (2006). U.S. Geological Survey biologists, in a landmark series of reports released in September 2007, have concluded that under a business as usual emissions scenario, two-thirds of the world's polar bears will be extirpated by 2050. Amstrup et al. (2007).

The Center petitioned the U.S. Fish and Wildlife Service ("FWS") to list the polar bear as a threatened species under the Endangered Species Act due to global warming in February 2005. On May 15, 2008, the Secretary of Interior finally listed the polar bear as a threatened species, explicitly acknowledging global warming as the cause of the listing. The polar bear listing observes that "declines in the extent of Arctic sea ice are well documented, and more pronounced in the summer than in the winter", that "[t]here is also evidence that the rate of sea ice decline is increasing" and that the "decline in sea ice is of great importance to our determination regarding the status of the polar bear." This decline in Arctic sea ice is attributable at least in part to global warming. 73 Fed. Reg. 28212, 28333 (May 15, 2008).

Another ecosystem providing scientists with early warning signs of the adverse impacts of global warming on biodiversity is the coral reef ecosystem. Hoegh-Guldberg (1999). An estimated 30 percent of coral reefs globally are already severely degraded and 60 percent may be lost by 2030. Hughes et al. (2003). The primary cause of coral reef degradation on a global scale is bleaching, the expulsion of symbiotic algal zooxanthellae from coral triggered, inter alia, by elevated sea temperatures. Hoegh-Guldberg (1999). The oceans absorb a large percentage of the extra heat in the climate system due to global warming, and since 1961 the average temperature of the global ocean has increased to depths of at least 3,000 m in some areas. Alley et al. (2007). This warming causes the coral to release algae, which attaches directly to the coral. This leaves the coral white, weakened and more susceptible to death.

In 1998, which at the time was the warmest year on record, bleaching occurred in every ocean, ultimately resulting in the death of 10-16 percent of the world's living coral. Hoegh-Guldberg (2005). In 2005, which eclipsed 1998 as the warmest year on record, a major bleaching event swept through the Caribbean, bleaching over 90 percent of live coral in some areas and resulting in the ultimate death of about 20 percent of living coral region-wide. Hansen et al. (2006);

Federal Response to the 2005 Caribbean Bleaching event, available at coralreefwatch.noaa.gov/caribbean2005/docs/2005_bleaching_federal_response.pdf (last accessed July 2, 2008). Before this unprecedented single-year die-off even began, the Caribbean contained the world's most degraded coral reefs, having already lost as much as 80 percent of live coral over the preceding 30 years. Gardner et al. (2003). Thus, it will not take many more episodes like the 2005 bleaching event before living coral reefs in the Caribbean disappear entirely. Hoegh-Guldberg (2005).

Two types of coral—the elkhorn coral (*Acropora palmata*) and staghorn coral (*Acropora cervicornis*)—have already begun to disappear. Because of bleaching caused by warmer waters, these coral have gone from being dominant species to being listed as “threatened” under the Endangered Species Act. For at least the past 3,000 years, these coral were the dominant reef-building corals in the Caribbean. Hughes (1994). Virtually every reef from the Florida Keys, across the Caribbean to the Mesoamerican Reef in Belize, was largely comprised of one or the other (or both) of these formerly ubiquitous species. *Id.* Over the past 30 years, however, the two species have declined by upwards of 90 percent. *Id.* The primary drivers of the decline have been disease and temperature-induced bleaching. *Id.* Additionally, the period of decline coincided with an ongoing period of increased hurricane activity, with intense storms destroying entire reef tracts in certain areas. Precht & Aronson (2004). The cumulative result was that by the beginning of the 21st Century, elkhorn and staghorn corals had been reduced to a scattering of mostly small colonies amidst a large sea of coral rubble.

While coral reefs are threatened by many additional factors, including pollution and direct destruction from dredging and other activities, climate change is an increasingly dominant threat. There is clear evidence that the record-setting ocean temperatures of 1998 and 2005 that triggered widespread bleaching and mortality are the product of global warming. Hansen (2006; Alley et al. (2007). And while the link between coral bleaching and global warming is relatively intuitive, even the outbreaks of coral disease that ravaged the elkhorn and staghorn coral species have been linked to elevated water temperatures. Harvell et al. (2002). Finally, scientific evidence indicates that global warming increases the probability of severe weather events like the series of intense hurricanes that have so impacted Caribbean reefs in recent decades. Santer et al. (2006); Alley et al. (2007).

Carbon dioxide is also dangerously threatening the ocean's chemistry and marine species. At the same time oceans absorb increased heat added to the climate from the burning of GHGs, so too do they absorb the increased levels of the most important GHG—CO₂. The growth in atmospheric CO₂ concentrations leads to increasing acidification of the ocean, and this acidification only adds to the global warming-induced changes threatening the survival of coral and other important marine species. Alley et al. (2007).

Acidification occurs as a natural result of the ocean's carbonate buffer system. Carbon dioxide that is absorbed by seawater reacts to form carbonic acid, which dissociates to form bicarbonate and releases hydrogen ions, which then bond with carbonate ions to form more bicarbonate. This reaction reduces the amount of carbonate ions and decreases pH. Reduction in carbonate is

an important concern because many organisms depend on it to form their shells and skeletons. Thus, as CO₂ enters the oceans' waters, there is a profound impact on the entire marine ecosystem, for ocean acidification severely affects many calcifying species like coral and phytoplankton that play a crucial role in supporting marine life.

A recent comment letter signed by the top 25 marine scientists who study ocean acidification emphasized that the decrease in pH due to un-checked CO₂ emissions will be devastating and irreversible on human time scales. Caldiera (2007). The authors predict that without immediate carbon dioxide emissions reductions, pH will decrease by more than 0.2 units by mid-century, and the IPCC estimates that over the 21st century, the ocean's pH level could decrease to as much as 0.35 units. Caldiera (2007); Alley et al. (2007).

Already, the oceans have taken up about 50 percent of the CO₂ that humans have produced since the industrial revolution, and this has lowered the average ocean pH by 0.11 units. Sabine (2004); Alley et al. (2007). Currently, the ocean takes up about 22 million tons of CO₂ each day. Feely (2006). While preindustrial levels of atmospheric CO₂ hovered around 280 ppm, they have now increased to over 380 ppm; if current trends continue, they will increase another 50 percent by 2030. Orr et al. (2005; Turley (2006). These rising CO₂ levels will take time to reverse even after corrective measures are implemented, and over time, the ocean will absorb up to 90 percent of this CO₂, greatly affecting the oceans' pH level. Kleypas (2006).

This foretells a stark future for marine life. Due to acidification, within our lifetimes, coral reefs may erode faster than they can rebuild. Feely (2006). Corals are extremely vulnerable to ocean acidification and scientists studying acidification predict that coral reefs will decline in density and diversity unless CO₂ emissions are stabilized at present levels. Hoegh-Guldberg et al. (2007). Under conservative models of future CO₂ emissions, most of the world's coral reefs, already bleaching in the warmer waters, will erode to rubble by the end of the century. *Id.* Corals provide vital functions for marine ecosystems, and their loss will likely bring grave impacts to the oceans and the species that inhabit them.

Ocean acidification also impacts calcifying plankton species at the base of the marine foodchain. Like coral, plankton also play a vital role in the marine ecosystem. These organisms contribute much of the organic material entering the marine food chain and are responsible for about 50 percent of the earth's primary production. Royal Society (2005). Carbon dioxide uptake by the ocean causes impaired growth and development for calcifying plankton, and acidification dissolves the protective armor of some plankton, limiting their ability to survive. Thus, as the ocean absorbs more CO₂ and pH levels continue to decrease, the marine environment is expected to undergo profound changes due to impacts at many different levels in the food chain.

All of this information must be included and analyzed in the Gateway EIS, as it demonstrates that global warming is the greatest threat to the future of the earth's plant, animals and ecosystems. Not surprisingly, given the broad suite of impacts we are already experiencing, the projections of future impacts to biological diversity from global warming are grim. The leading study on the quantification of risk to species from climate change, published in 2004 in *Nature*,

included over 1,100 species distributed over 20 percent of the earth's surface area. Thomas et al. (2004). Under a relatively high emissions scenario, 35 percent, under a medium emissions scenario 24 percent, and under a relatively low emissions scenario, 18 percent of the species studied would be committed to extinction by the year 2050. Thomas et al. (2004). Extrapolating from this study to the Earth as a whole reveals that over a million species may be at risk. It is important to note that we are currently on a trajectory to exceed the emissions assumed in the high warming scenario used by Thomas et al. in 2004. Raupach et al. (2007). The essential message is that we must reduce emissions immediately in order to save many thousands of species and protect the ecosystems upon which we all depend.

Failure to address the project's GHG emissions and global warming's devastating impacts on the earth's ecosystems and species will prevent BLM from adequately considering how the Project will cumulatively impact this growing problem.

Conclusion

As discussed above, BLM must justify and disclose an underlying need for the Project, which will transmit power produced by fossil fuels across public lands in this era of global warming; evaluate all reasonable alternatives to meet any justifiable need; and fully and adequately evaluate the environmental consequences of all reasonable alternatives pursuant to NEPA, including the impacts to sensitive, threatened, and endangered species.

Thank you for considering these comments.

Sincerely,



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10004



"Otto Schnauber"
<OTTO.SCHNAUBER@fmc.com>

07/02/2008 12:09 PM

To <Gateway_West_WYMail@blm.gov>

cc <Walt_George@blm.gov>, <penny.eckert@tteci.com>

bcc

Subject FMC comments re: Gateway West Transmission Line Project

FMC's comments regarding the Gateway West Transmission Line project, as it may affect FMC mining operations in Sweetwater County, Wyoming, are attached.

Please contact me if you have any questions.

Regards,

Otto C. Schnauber
Environmental Team Leader
FMC Corp.
P.O. Box 872
Green River, WY 82935
307-872-2257



RMPGatewayWestProject_FMCcomments.pdf SubsidenceMap_FMCGranger.pdf

FMC Alkali Chemicals

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307.875.2580 phone
www.fmc.com

July 2, 2008

Mr. Walter George
Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82009

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL -8 AM 10:00
RECEIVED
CHEYENNE, WYOMING

Dear Mr. George:

FMC appreciates the opportunity to comment during the scoping period on the routing of the Gateway West Transmission Line Project. The company believes that the improved infrastructure represented by this project is important for Wyoming and for the nation.

We have examined the alternative routes for the powerline corridor in the vicinity of the FMC Granger mine lease area in Sweetwater County. The northern route (colored red on the project maps) avoids the FMC lease area and FMC recommends this option since the line would not impact, or be impacted, by any of the company's current operations or future plans.

The southern route (colored green on the project maps) intersects the FMC Granger mine lease area beginning at the corner of Section 21, T20N, R110W in Sweetwater County. This route proceeds across the area where mining activities have occurred, or will occur in the future, and then exits the lease area in Section 27, T20N, R111W in Sweetwater County. FMC has several comments regarding the southern route:

1. The southern route crosses an area that is subject to surface subsidence from underground mining activities. Subsidence is monitored, but its magnitude and extent are difficult to predict in advance of additional future mining. Project proponents should consider the potential impact of subsidence on any surface structures that would be placed within the mining area. An electronic copy of the map of current subsidence levels above the mining area has been provided.
2. FMC is concerned about restrictions an overhead powerline may place upon future drilling activities associated with the mine. Boreholes destined to intersect mine workings require precise drilling which leaves little leeway for relocation of drill sites to avoid clearance problems that a drill rig may encounter with an overhead powerline.

3. The southern route passes between two impoundments that FMC uses to drain its tailings line for maintenance purposes or during emergencies. FMC's concern here is that location of a support tower in the immediate vicinity of these ponds may interfere with our ability to conduct line maintenance or impoundment cleaning activities.
4. The southern route crosses various buried pipelines (e.g., tailings, natural gas). Support structures would need to be located to avoid being directly over these lines.

FMC believes that there is an alternative route that the proponents should consider that would also avoid the FMC mining area. This alternative would involve connecting the northern (red) route with the southern (green) route beginning at a suitable point along the northern route in Section 31, T21N, R110W in Sweetwater County, and terminating at intersection with the southern route at a suitable location in Sections 29 or 30, T20N, R111W in Sweetwater County.

FMC has also submitted these comments electronically.

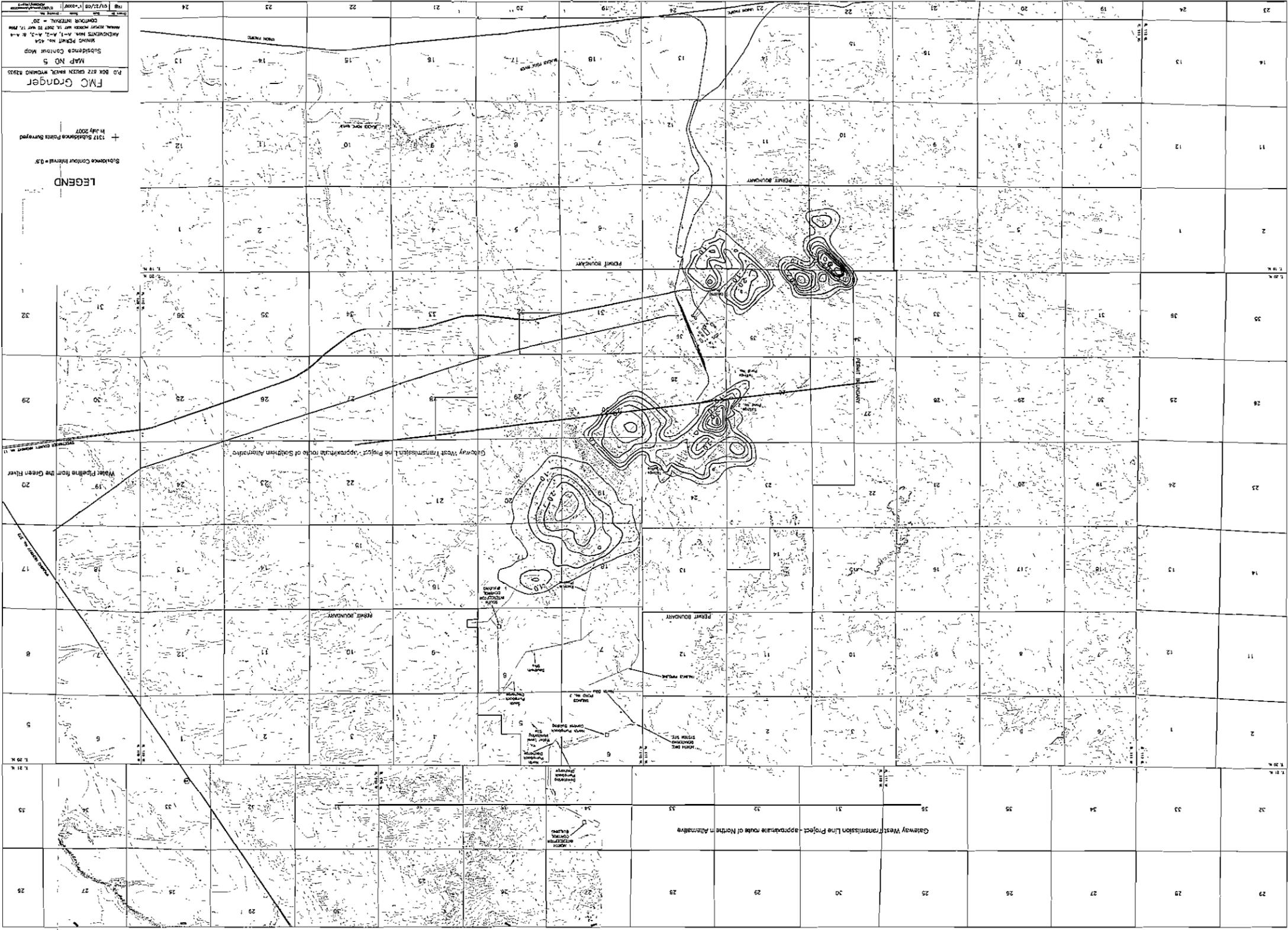
Please contact me if you have any questions.

Sincerely,



Otto C. Schnauber
Environmental Team Leader

Bcc: Jim Pearce
Mike Cheney
Terry Harding
Gene McFadden
Dallin Lancaster
Bret Pizzato
Terry Sell
Rick Steenberg
Mike Wagner
Mike Wendorf
Tom Brehm



FMC Granger
 MAP NO. 5
 Subsidence Contour Map
 RINDS PERMIT NO. 454
 AMENDMENTS MADE APRIL 1, 1942 AND 12, 1944
 SCALE: HORIZONTAL = 1" = 20'
 VERTICAL = 1" = 20'
 DATE: 11/27/09

LEGEND
 + 1317 Subsidence Points Surveyed
 Subsidence Contour Interval = 0.5'



"Byington, Rachel"
<rbyington@idfg.idaho.gov>
07/02/2008 03:48 PM

To <Gateway_West_WYMail@blm.gov>
cc "Boyer, Mary" <mboyer@idfg.idaho.gov>
bcc
Subject Comments for Gateway West Transmission Line Project

To Whom It May Concern:

On behalf of Sharon W. Kiefer please see the attached letter addressed to Mr. George Walt regarding Idaho Department of Fish comments for the Gateway West Transmission Line Project. Please contact us if you have questions. Thank you.

Sincerely,

Rachel Byington
Administrative Assistant, Director's Office
Idaho Department of Fish and Game
rbyington@idfg.idaho.gov



(208) 334-3771 George, Walt - July 3, 2008.pdf



IDAHO DEPARTMENT OF FISH AND GAME

600 South Walnut/P.O. Box 25
Boise, Idaho 83707

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

2008 JUL -8 AM 10:00

RECEIVED
CHEYENNE, WYOMING

C.L. "Butch" Otter / Governor
Cal Groen / Director

July 3, 2008

Mr. Walt George
Bureau of Land Management,
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

Dear Mr. George:

The Idaho Department of Fish and Game (Department) has received your request for assistance in identifying issues related to the development of the proposed Gateway West Transmission Line Project. It is our understanding the project entails construction, operation, and maintenance of two new 500kV transmission lines between the proposed Windstar substation near Glenrock, Wyoming and the Hemingway substation southwest of Boise, Idaho. This is a large and very important project from the Department's perspective and we appreciate your efforts to contact and involve us.

For scoping, our comments are broad-scale in nature. Although we present general issues, they are important in terms of fish and wildlife habitat, populations, and public recreation for any project of substantial magnitude, such as this project. We have not provided site-specific comments for scoping because we assume the general nature of the proposed energy corridors in the project will require more site specific environmental analysis and review when their specific location is determined. Moreover, we anticipate that Department staff will be afforded the opportunity to provide our expertise and fully participate in development of the alternatives for this project. We are uncertain about the source and timeliness of some of the natural resource technical information, such as big game winter range, that was provided during the public scoping meetings. The Department should be consulted as more site specific information is needed and developed. The Department's input at this time is intended to raise important issues appropriate to this project and is not intended to be a comprehensive environmental analysis, a determination of project effects, or recommendations to mitigate or reduce project effects.

A key recommendation is to give full consideration to species and habitats identified as those of greatest conservation need in the Idaho Comprehensive Wildlife Conservation Strategy (CWCS) (http://fishandgame.idaho.gov/cms/tech/CDC/cwcs_table_of_contents.cfm).

We offer the following list of important fish and wildlife issues as considerations relevant to: 1) development of the Gateway West project in Idaho, 2) future project specific and cumulative analyses, and 3) mitigation considerations for potential effects of this project.

1. Migratory corridors for elk, mule deer, moose, and pronghorn antelope may be blocked or eliminated by development of the energy corridor and its associated human disturbance and development. Elk, mule deer, moose and pronghorn winter range may also be negatively affected due to habitat loss and degradation.

Keeping Idaho's Wildlife Heritage

2. Increased motorized access to winter ranges, especially big game winter ranges, is a concern of the Department because road construction and the potential for increased public access/disturbance through construction and service roads can negatively affect wildlife and wildlife use of habitats.
3. Sage-grouse and sharp-tailed grouse populations and habitats could be affected by corridor development. Grouse may avoid or abandon otherwise suitable breeding habitat, brood areas, and other habitats near linear features (i.e. roads) or tall structures (i.e., towers) or when development within energy corridors degrades or eliminates habitat. Towers with perching sites for raptors and nesting sites for corvids could result in reduced lek attendance and increased grouse predation and nest depredation rates.
4. Waterfowl and shorebird high-use areas, including wildlife management areas, national wildlife refuges, and areas of high and concentrated use during spring and fall migration, nesting, and brood rearing seasons, could be affected by energy corridor development. Also, waterfowl and shorebird migration routes may be affected.
5. Although sparsely documented, seasonal passerine bird migration routes may be affected by electrical transmission corridors, which may also increase mortality of migrating and resident birds.
6. Bat populations and habitats should be evaluated for direct and indirect effects resulting from electric transmission corridor development.
7. Reptile and amphibian populations and habitats, particularly hibernacula, may be directly or indirectly affected by transmission corridor construction, operation, and maintenance.
8. Direct and indirect effects of transmission corridor construction, operation, and maintenance on resident and migratory raptor populations and habitats should be evaluated.
9. Loss and fragmentation of pygmy rabbit habitat through direct project footprint effects and secondary project effects such as habitat fragmentation should be assessed.
10. Whether there will be any project effects to large carnivore (i.e., grizzly bear, wolf, and wolverine) populations and habitats, including linkage corridors and genetic interchange, needs to be determined.
11. The location of the transmission corridor in relation to rare and/or sensitive wildlife habitats including kipukas, lava tubes, caves (natural and man-made), permanent and seasonal wetlands, riparian areas, sensitive and listed plant species, and old growth forest stands should be evaluated.
12. The effect of energy corridor construction, operation and maintenance on fire occurrence, frequency, and severity; especially as it relates to important shrub-steppe and forest habitats, should be analyzed.
13. It is important that best management practices are used to ensure water quality is maintained, disturbance caused by crossings of any perennial and fish bearing waters is minimized, and disturbed instream habitats are restored.
14. It is important to avoid fragmentation of large contiguous blocks of wildlife habitats by transmission corridor construction, operation, and maintenance.
15. Restoration and mitigation of negative effects due to the project footprint are important to ensure that crucial losses of habitat or fish and wildlife populations do not result from energy corridor development.
16. Relatively little is known about the wildlife and wildlife habitats in many areas, thus monitoring and evaluation of fish and wildlife resources and habitats is vital. Baseline information about fish and wildlife resources and recreation for any project is often needed to understand and reduce project impacts. Monitoring the effects of corridor projects is also necessary to determine long-term effects and, accordingly, to adaptively manage the design, operation, and mitigation measures of the project.

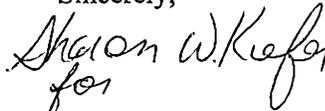
Walt George
July 3, 2008
Page 3

We recommend that analysis and evaluation of the project include a cumulative effects analysis of effects to fish and wildlife resources and associated recreation. The sum total of connected and foreseeable project effects, especially those related to energy and existing infrastructure development may create a different scale of effect on fish and wildlife resources, than from individual projects. In particular, we believe a cumulative analysis should evaluate how any project relates to other proposed energy corridor developments, improvements, and facilities and how projects propose to avoid, minimize, and mitigate negative effects to fish and wildlife resources and recreation.

The Department recommends consideration, identification, and evaluation of indirect effects of the project on fish and wildlife resources and associated recreation. Such an analysis might assess effects to recreation and public access, patterns of transportation and other infrastructure development, occurrence and management of noxious and invasive weeds, and occurrence and management of fire. The development and siting of other energy resources including wind, solar, hydropower, and nuclear power facilities need to be considered with this broad corridor context from the perspective of land use and development patterns, and human disturbance and activities.

We appreciate the opportunity to offer scoping comments about this important issue and expect continued participation as this project develops. If you need any additional technical information or have any questions about our comments, please contact Gregg Servheen, Program Coordinator at 208-287-2713 or gservheen@idfg.idaho.gov.

Sincerely,



for
Cal Groen
Director

CG:swk:rb

Cc: P. Kjellander, Idaho Office of Energy Resources
N. Fisher, Idaho Office of Species Conservation
S. Kiefer, G. Servheen, R. Ward, M. McDonald, J. Mende, IDFG



Jennifer Buddenborg
<Jennifer_Buddenborg@nthp.org>
07/03/2008 02:51 PM

To "Gateway_West_WYMail@blm.gov"
<Gateway_West_WYMail@blm.gov>
cc Lesley Wischmann <lesleywisch@wyoming.com>, Mary Hopkins <MHOPKI@state.wy.us>, "SFURTN@state.wy.us" <SFURTN@state.wy.us>, Alexander Hays <Alexander_Hays@nthp.org>
bcc
Subject Scoping Comments for Gateway West Transmission Line Project

Greetings:

Please find attached scoping comments from the National Trust for Historic Preservation on the Gateway West Transmission Line Project.

Thank you,
Jenny Buddenborg

**Jennifer Buddenborg | Program Officer, Mountains/Plains Office
National Trust for Historic Preservation | 535 16th Street, Suite 750, Denver, CO 80202
P 303.623.1504 | F 303.623.1508 | E jennifer_buddenborg@nthp.org | www.PreservationNation.org**

 Please consider the environment before printing this e-mail.



NTHP Scoping Comments on the Gateway West Transmission Project July 3 2008.pdf

July 3, 2008

**NATIONAL
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**Mountains/Plains
Office**

Mr. Walt George
Bureau of Land Management
Gateway West Project
5353 Yellowstone Highway
Cheyenne, WY 82009

Dear Mr. George:

Thank you for the opportunity to provide scoping comments on the proposed Gateway West Transmission Line Project (Transmission Project). As you are aware, the Transmission Project's study area contains segments of several National Historic Trails. One of these trails, the Sublette Cutoff, lies within the viewshed of the preliminary right-of-way corridor proposed by the project applicants. Sites associated with the Sublette Cutoff and also within the viewshed of the proposed corridor include Emigrant Springs, an historic property listed in the National Register of Historic Places, and the gravesites of Alfred Corum and Nancy Hill. Because alterations to the natural setting of these resources may impair their integrity, the Bureau of Land Management (BLM) must make every effort to develop alternatives that "avoid, minimize or mitigate" the effect of the project upon the viewshed of the Sublette Cutoff, as required by the regulations implementing Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f. 36 C.F.R. § 800.6. Additionally, BLM should initiate the Section 106 process "early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process" of the National Environmental Policy Act, 42 U.S.C. §§ 4321-4370f.

The National Trust for Historic Preservation (National Trust) is encouraged by the preliminary alternative corridor developed by BLM and shown in the scoping documents. Located south of Kemerrer, the alternative corridor would preserve the existing viewshed of the Sublette Cutoff. The National Trust is cautiously optimistic that, by adopting this alternative, BLM could avoid many, if not all, of the effects of the Transmission Project on the setting of the Sublette Cutoff, Emigrant Springs and the emigrant gravesites. Avoidance would seem to be the appropriate method for resolving effects in this case, given the practical difficulties of mitigating or minimizing the effects of 170 foot steel towers and several hundred miles of transmission lines on a linear historic feature. Furthermore, the National Trust believes the additional expense of adopting the alternative corridor to be reasonable in light of the overall cost of the project.

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F 303-623-1508
E mpro@nthp.org
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National Office
1785 Massachusetts Avenue, NW
Washington, DC 20036
P 202-588-6000
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E info@nthp.org
www.PreservationNation.org

Please add the following individuals to your mailing list for public notices and environmental documents related to this project:

Jennifer Buddenborg
Program Officer, Mountains/Plains Office
National Trust for Historic Preservation
535 16th Street, Suite 750
Denver, CO 80202
Jennifer_Buddenborg@nthp.org

Ti Hays
Public Lands Counsel
National Trust for Historic Preservation
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Alexander_Hays@nthp.org

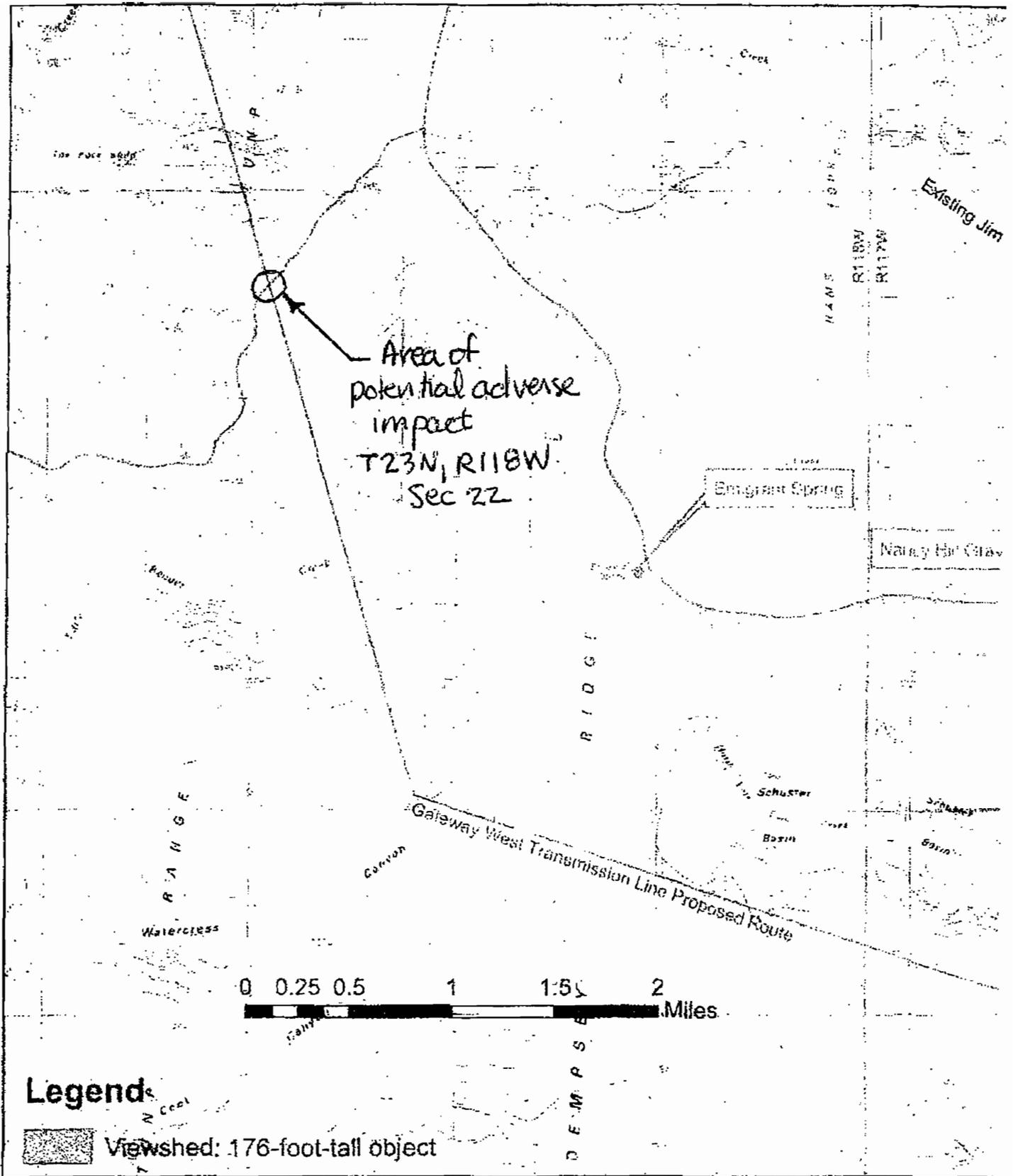
Thank you again for the opportunity to participate in scoping for the Transmission Project.

Sincerely,

A handwritten signature in black ink that reads "Jennifer L. Buddenborg". The signature is written in a cursive style with a large initial "J".

Jennifer Buddenborg
Program Officer

cc: Steve Furtney, Governor's Planning Office
Mary Hopkins, Wyoming State Historic Preservation Office
Lesley Wischmann, Alliance for Historic Wyoming



Gateway West Transmission Line Project, Kemmerer Field Office Tour Area,

in this area by creating perch sites. This must be avoided. The power line, again, should be required to run along existing road corridors, or existing power line corridors. Likewise, the proposed route appears to diverge north of I-80 west of Rock Springs and Green River. We urge the BLM to reject selection of this route. The power line should more closely track I-80. If the power line were to veer that far north in this area, it could have negative impacts on Seedskaadee National Wildlife Refuge.

The proposed route in the vicinity of Kemmerer calls for special mention. Besides impacts on the historical trails, the proposed route appears to diverge far from any existing roads or power lines (this appears to also be true of the alternative route proposed by the Kemmerer Field Office). The areas of the Kemmerer Field Office that appear to be proposed for penetration by this power line are recognized by the BLM in the draft environmental impact statement (EIS) for the Kemmerer Resource Management Plan (RMP) as having special value due to large, contiguous sagebrush habitats in this area. In fact, the draft Kemmerer RMP calls for protection of these large contiguous sagebrush habitats. The proposed route could thwart that management goal, and thus it should be rejected. At a minimum, the power line must be required to follow existing roads and power line corridors.

What we propose is this. The Gateway Project should be required to closely parallel I-80 through its entire route in Wyoming, and on into Utah in Salt Lake City. There it could turn north and follow the I-15 corridor north to I-86 and then run west from there. This route would greatly reduce the environmental impacts of this project. We specifically request that the BLM and Forest Service consider this route as an alternative in the Gateway Project EIS. Similarly, we specifically request that an alternative be considered where the route only tracks along existing highway corridors and existing transmission corridors.

Among other things, these proposals could greatly reduce the impacts of this project on the greater sage-grouse, which as the BLM and Forest Service know is being reconsidered for listing under the Endangered Species Act (ESA). Attached as Exhibit 1 is a map showing sage-grouse core areas in Wyoming. It is apparent that if the proposed route were chosen (or even the alternative route proposed by the Kemmerer Field Office), the power line would cut through and traverse sage-grouse core areas for a considerable distance. This impact could be greatly reduced if the I-80 corridor were more closely tracked, as Exhibit 1 makes clear. We will return to issues related to the sage-grouse below.

REQUIREMENTS THE BLM AND FOREST SERVICE MUST COMPLY WITH DURING SCOPING

The "scoping" stage requires the BLM and Forest Service to make two determinations: (1) what is the scope of the project – in this case the Gateway Project – to be analyzed and (2) what are the issues that will be analyzed "in depth." 40 C.F.R. § 1501.7(a). Other environmental reviews (such Biological Assessments and consultation for species listed pursuant to the ESA) should be identified so that they can be done

concurrently and integrated with the environmental review. We believe the issues identified in these comments are within the legal scope of the Gateway Project, and therefore they should be analyzed in depth by the BLM.

In determining the scope of this project, BLM must consider "connected actions," "cumulative actions," and "similar actions." 40 C.F.R. § 1508.25. Connected actions are actions that are "closely related" to the Gateway Project. Certainly in that regard, the Gateway Project environmental review must consider the actions occurring pursuant to the Casper RMP, Rawlins RMP, Pinedale RMP, the Green River RMP, and the Kemmerer RMP. Similar actions include other authorizations to build transmission lines, which BLM authorizes for numerous oil and gas projects, and otherwise. The scope of the EIS should include a detailed analysis of these similar actions so as to foster informed public participation in the Gateway Project and informed decision-making by the BLM and Forest Service. Cumulative actions are actions that, incrementally, have cumulatively significant impacts, even if the individual impacts are minor. Among other things, as the BLM knows at this time a nationwide programmatic Westwide Energy Corridor EIS is being prepared, and the designation of these corridors could have cumulatively significant impacts when considered with the impacts of the Gateway Project. And of course numerous other electricity lines are under consideration in Wyoming, including the TransWest Express, Gateway South, and Wyoming-Colorado Interstate Tie. These projects too must be considered in a cumulative fashion along with the Gateway Project. The BLM should define the scope of the environmental analysis to include analysis of the cumulative effects of actions/projects that have impacts in common with those resulting from transmission line expansion and energy corridor creation. Actions that should be addressed in a cumulative fashion include, but are not limited to: road construction activities, activities leading to soil and vegetation disturbance, activities leading to changed habitat structure, activities leading to habitat fragmentation, and activities causing air or water pollution. These cumulative impacts result from a number of cumulative actions, including oil and gas development, and thus they must be addressed in a comprehensive manner. Similarly, the scope of the environmental analysis must include consideration of direct and indirect impacts this project. 40 C.F.R. § 1508.25.

The BLM must bear in mind that the "primary purpose" of an environmental review is to "insure that the policies and goals defined in [NEPA] are infused into the ongoing programs and actions of the Federal Government." 40 C.F.R. § 1502.1. The policies and goals of NEPA include,

- Encouraging a "productive and enjoyable harmony between man and his environment";
- Promoting "efforts which will prevent or eliminate damage to the environment and biosphere";
- Using "all practicable means and measures . . . to create and maintain conditions under which man and nature can exist in productive harmony . . .";
- Fulfilling "the responsibilities of each generation as trustee of the environment for succeeding generations";

- Assuring “all Americans safe, healthful, productive and esthetically and culturally pleasing surroundings”,
- Allowing beneficial use of the environment “without degradation . . . or other undesirable or unintended consequences”,
- Preserving “important historic, cultural and natural aspects of our national heritage . . .”;
- Achieving a “balance between population and resource use . . .”, and
- Enhancing “the quality of renewable resources” and maximizing recycling of depletable resources.

42 U.S.C. §§ 4321-4331. See also BLM Handbook H-1790-1.V. B.2.a.(3). Thus, the needs that BLM must identify for analysis in its environmental analysis include the above goals and policies, and we ask BLM to “insure” that these goals and policies are “infused” into the Gateway Project environmental review and decision document, as required by NEPA and its implementing regulations. See generally 40 C.F.R. §§ 1500.2(f) (all possible means are to be used to protect the environment), 1502.1 (policies of NEPA are to be infused into the ongoing programs and actions of agencies).

NEPA requires BLM to make a number of considerations that we specifically urge BLM not to overlook. NEPA requires the BLM to “insure that presently unquantified environmental amenities and values” are given consideration, “recognize the worldwide and long-range character of environmental problems and thus support international efforts to prevent declines in the world environment,” and “initiate and utilize ecological information in the planning and development of resource-oriented projects.” 42 U.S.C. § 4332, 40 C.F.R. § 1507.2. See also BLM Handbook H-1790-1.V. B.2.a.(3). This issue may be especially relevant with respect to climate change, an issue which will be addressed below. In preparing the Gateway Project environmental review, BLM should consider, analyze, and wherever appropriate facilitate, international efforts to prevent environmental decline, including climate change. These also include a number of international agreements and treaties for resource protection, such as United Nations biosphere reserves, migratory bird treaties, the Convention on International Trade in Endangered Species, and international efforts related to biological diversity preservation, among others. The environmental analysis supporting the Gateway Project should also explicitly address unquantified environmental values—such as the very high value placed on this area by the hunting public—and ensure they are given equal emphasis relative to economic analyses, and ensure up-to-date ecological information is utilized in developing the environmental analysis and decision document. “

The BLM NEPA Handbook requires BLM to identify the purpose and need of the project being analyzed. BLM Handbook H-1790-1.V.B.e. BLM should give specific attention to the purposes and needs that will be analyzed. The relative value of the Gateway Project area for meeting energy needs versus supplying environmental amenities/needs should be considered in identifying the purpose(s) and need(s) for this project. Similarly, identification of where specifically energy development is appropriate and inappropriate in the Gateway Project area, and why, should be addressed in the environmental analysis as part of the definition of the purpose and need for the Gateway

Project. We think it is fundamentally inappropriate to define the purpose and need for this project in terms so narrow that the project is defined as only having the purpose of allowing electricity to be transferred from point A to point B. "One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing 'reasonable alternatives' out of consideration (and even out of existence.)" Davis v. Mineta, 302 F.3d 1104, 1119 (10th Cir. 2002) (invalidating a NEPA analysis partially on this basis) (quoting Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 669 (7th Cir. 1997)).

It is rarely possible for the BLM (or any other Federal agency) to obtain perfect amounts of information. However, BLM must not allow this fact to stymie environmentally informed decision-making by BLM. CEQ regulations essentially establish a presumption in favor of obtaining information that is essential to reasoned decision-making. See 40 C.F.R. § 1502.22. See also BLM Handbook H-1790-1.III.A.2.d. BLM should take steps to gather needed information in all but the narrow range of exceptions permitted by the CEQ regulations. But if BLM and the Forest Service conclude information is not essential to reasoned consideration of alternatives, or the cost of obtaining the information is exorbitant, or the means for acquiring the information are unknown, the agencies must nevertheless abide by CEQ guidance in this regard, namely that "credible scientific evidence" be presented relative to reasonably foreseeable significant adverse impacts (including low likelihood but catastrophic impacts) so that the impacts can be assessed based on approaches that are "generally accepted in the scientific community." See 40 C.F.R. § 1502.22(b). See also 40 C.F.R. § 1502.24 (requiring professional and scientific integrity in an EIS). Among other things, to meet these requirements, BLM and Forest Service must establish the baseline condition of all resources in the Gateway Project area in order to evaluate environmental conditions and impacts in an informed manner. Reinforcing these responsibilities are the requirements of the Data Quality Act, 44 U.S.C. § 3516, which require agencies to ensure the quality and reliability of data and information they rely on.

ALTERNATIVES

The CEQ regulations require a reasonable range of alternatives to be presented and analyzed in an environmental review so that issues are "sharply defined" and there is "a clear basis for choice among options . . ." 40 C.F.R. § 1502.14. CEQ regulations and court decisions make clear that the discussion of alternatives is "the heart" of the NEPA process. Environmental analysis must "[r]igorously explore and objectively evaluate all reasonable alternatives." 40 C.F.R. § 1502.14(a). Such objective evaluation is gravely compromised when agency officials bind themselves to a particular outcome or foreclose certain alternatives at the outset.

Therefore, as mentioned above, we specifically request that an alternative that requires the Gateway Project corridor to be located immediately adjacent to I-80 all the way through Wyoming into Salt Lake City, then turning north to run along the I-15 corridor, and then turning west to run along the I-86 corridor at Pocatello be fully considered in the Gateway Project EIS. This would still allow the project proponents to

build their power line, which is the basic purpose and need for this project, along with the requirement to ensure environmental protection to the maximum extent possible.

And we also request that an alternative that requires the Gateway Project corridor to only track along existing road corridors or transmission line corridors be fully considered in the EIS. As mentioned above, it is crucial that the "wide open spaces" in the Shirley Basin be avoided via this mechanism.

"IN MANAGING THE PUBLIC LANDS THE SECRETARY SHALL, BY REGULATION OR OTHERWISE, TAKE ANY ACTION NECESSARY TO PREVENT UNNECESSARY OR UNDUE DEGRADATION OF THE LANDS"

This provision from the Federal Land Policy and Management Act (FLPMA) is a mandatory requirement applicable to all resource uses and decisions affecting BLM lands. 43 U.S.C. § 1732(b). Consequently, it must serve as a bedrock for all analyses in the Gateway Project environmental analysis, and activities undertaken pursuant to the decision document. It is crucial to recognize that unnecessary or undue degradation must be prevented; the Gateway Project environmental analysis and decision document must provide that both prongs of this standard are met. Clearly, the BLM bears a heavy responsibility before it can authorize activities that may degrade the public lands.

Recognizing the dual obligation imposed by FLPMA's unnecessary or undue degradation clause, the court in Mineral Policy Center v. Norton, 292 F.Supp.2d 30, 42 (D.D.C. 2003) held that "Congress's intent was clear: Interior is to prevent, not only unnecessary degradation, but also degradation that . . . is undue or excessive." Id.

Despite this clearly established law, the BLM has often persisted in misstatements of the governing legal standard. It often continues to view its dual mandate under FLPMA as a unitary obligation (it still claims that unnecessary degradation and undue degradation are one and the same). The BLM's attempts to read the plain language of FLPMA in the conjunctive rather than the disjunctive were firmly rejected by the Mineral Policy Center court. The court clearly held that the undue degradation prohibition relates to degradation of the environment on the public lands. It is impossible for the BLM to fully recognize let alone exert its retained rights if it persists in stating its legal obligations in an impermissibly constrained manner.

Therefore, we urge BLM to require, in a direct and positive fashion, that the Gateway Project area not cause unnecessary or undue degradation, and to ensure that this is the case. Given the direct, unambiguous command from Congress to do whatever is needed to prevent unnecessary or undue degradation, the Gateway Project environmental analysis and decision document should define, and prevent, unnecessary or undue degradation in an equally direct, positive fashion. See also Kendall's Concerned Area Residents, 129 IBLA 130, 138 (1994) ("If there is unnecessary or undue degradation, it must be mitigated" and "[i]f unnecessary or undue degradation cannot be prevented by mitigation measures, BLM is required to deny approval of the plan.").

THE REQUIREMENT TO MANAGE THE PUBLIC LANDS FOR MULTIPLE USE AND SUSTAINED YIELD HAS SUBSTANTIVE COMPONENTS THAT THE BLM AND FOREST SERVICE MUST ABIDE BY

Under FLPMA and the Forest Service's Multiple Use and Sustained Yield Act, specific management actions like the Gateway Project must be done pursuant to multiple use and sustained yield principles. 43 U.S.C. § 1732(a); 16 U.S.C. § 528 et seq. The definition of multiple use in FLPMA is long, but key provisions include the following: (1) Public lands and their resource values must be managed so that they "best meet the present and future needs of the American people;" and (2) There must be harmonious and coordinated resource management that is done "without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or greatest unit output." 43 U.S.C. § 1702(c); 16 U.S.C. § 531(a). This definition gives substance to the requirement for management actions to be done pursuant to multiple use principles.

The Gateway Project must "best" meet the present and future needs of the American people. The Gateway Project cannot adequately meet these needs, or generally meet these needs, or largely meet these needs, it must "best" meet them. FLPMA explicitly requires that what is "best" must be viewed from the perspective of the present and the future and all alternatives, including the proposed action, must be designed to satisfy this requirement. What is best now may not meet future needs, and since future needs may be unknown in some respects, the only way to "best" insure that future needs are met is to develop and select alternatives that have a large built in margin of safety. To achieve a large built in margin of safety the environmental analysis and decision document should emphasize resource and ecosystem protection, which will best ensure that future options are retained. Furthermore, what is "best" must be determined with reference to the needs of the American people as a whole, not a small subset of the American people, including the needs solely of the project proponent.

Since the definition of multiple use specifically provides that it is appropriate to not provide all resources in all areas, even within the Gateway Project area the environmental analysis should identify areas where development is inappropriate and the decision document should prohibit development in these areas. Areas with historical values that could be compromised by the power line should not be available for such activities, unless impacts are greatly reduced or eliminated, BLM's authority to protect these areas is bolstered by the requirement to prevent unnecessary or undue degradation.

It is also important to emphasize that under FLPMA the Gateway Project environmental analysis and resulting decision document must consider and be based on the relative value of the resources involved. By this legally required measure, rare, unique, and sensitive native species have a relative value far in excess of more common or easily replaced public land resources, or resources that can be provided from other lands. Accordingly, the alternatives considered by BLM, and particularly the preferred

alternative, must give special emphasis to protecting and providing for relatively rare resources

In addition to the requirement to manage for multiple use and sustained yield, Congress declared a policy in FLPMA that public lands are to be “managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . .” as well as to “preserve and protect certain public lands in their natural condition” and provide “food and habitat for fish and wildlife.” 43 U.S.C. §1701(a)(8) (emphasis added). Consequently, Congress has made clear that strong environmental protection must be provided for in the Gateway Project environmental analysis and decision document.

WILDLIFE RESOURCES

The following concerns regarding wildlife touch on a number of issues. One common need, however, is the following. When considering impacts to wildlife, BLM must do more than consider just the area actually impacted by the transmission corridor. BLM must ensure its analysis of impacts to wildlife considers indirect, connected, related, long-term, and cumulative impacts in as quantitative, and scientifically supported, a manner as possible. BLM must also ensure that it fully complies with BLM Manual MS-6840 (Special Status Species Management).

ESA Candidate and BLM Sensitive Species

BLM must ensure full compliance with BLM Manual MS-6840.06.E (Special Status Species Management). BLM Manual MS-6840.06.E requires that “protection provided by the policy for candidate species shall be used as the minimum level of protection for BLM sensitive species”—that is:

Consistent with existing laws, the BLM shall implement management plans that conserve candidate species and their habitats and shall ensure that actions authorized, funded, or carried out by the BLM do not contribute to the need for the species to become listed.

BLM Manual MS-6840.06.C & .06.E. See BLM Manual MS-6840.06.C (1&3) (discussing BLM’s responsibility to confer with U.S. Fish & Wildlife Service regarding individual species’ needs). BLM Manual MS-6840.06.C.2 imposes a series of additional substantive obligations on the BLM regarding candidate [and therefore sensitive] species management:

2. For candidate species [and sensitive species] where lands administered by the BLM or BLM authorized actions have a significant effect on their status, [the BLM shall] manage the habitat to conserve the species by:

- a. Ensuring candidate [and BLM sensitive species] are appropriately considered in land use plans (BLM 1610 Planning Manual and Handbook, Appendix C).
- b. Developing, cooperating with, and implementing range-wide or site-specific management plans, conservation strategies and assessments for candidate [and sensitive] species that include specific habitat and population management objectives designed for conservation, as well as management strategies necessary to meet those objectives.
- c. Ensuring that BLM activities affecting the habitat of candidate [and sensitive] species are carried out in a manner that is consistent with the objectives for managing those species.
- d. Monitoring populations and habitats of candidate [and sensitive] species to determine whether management objectives are being met.

The term “conservation” is defined in the BLM’s special status species manual and specifically with respect to special status species (as opposed to ESA listed species) it means “to use, and the use of, methods and procedures such that there is no longer any threat to their continued existence or need for continued listing as a special status species.” (emphasis added).

What this means is that at a minimum, the BLM must seek to “conserve” sensitive species that occur in the Gateway Project area in a manner which contributes to their removal from BLM’s sensitive species list. That is, the requirement established by the BLM Manual is not only to prevent threats to the continued existence of these species or their listing under the ESA, but also to remove them from the BLM sensitive species list. This is an affirmative obligation established by the BLM manual—the BLM must put in place specific habitat and population management objectives designed to remove these species from the special status species list, that is, to conserve them.

In addition, the special status species manual requires that “BLM activities affecting the habitat of candidate species [and consequently sensitive species] [be] carried out in a manner that is consistent with the objectives for managing those species.” That is, the BLM must ensure that activities that affect sensitive species are done in a manner that is consistent with these species being removed from the sensitive species list, that is, with their conservation.

The need to adhere to these requirements certainly applies to the sage-grouse, and could well also apply to the pygmy rabbit, and white-tailed prairie dog, all of which are BLM sensitive species also now being reconsidered for listing under the ESA. The burrowing owl may also occur in this area.

Ferruginous Hawks and Other Raptors

The environmental analysis should determine whether these species are or could be using the Gateway Project area and ensure that BLM meets its duties to provide management protections for these species that meets the requirements of the Sensitive Species Manual and the relevant RMPs. BLM must ensure that no extreme noise occurs during nesting season or near to occupied nests, including during construction. The environmental analysis should examine whether habitat that could potentially be occupied by raptors, such as previously utilized nests, should receive protection so as to ensure the continued viability of raptors in the area. It should consider all biological needs of raptors and develop suitable protections for all significant life-stages of the various raptors, all of which should be included in the decision document. Additionally, the environmental analysis should address compliance with the Bald Eagle Protection Act and Migratory Bird Treaty Act and the decision document should specify the means by which BLM will ensure compliance with these laws as well as pursue (or facilitate) enforcement of them, relative to raptors as well as other bird species protected by these laws. Whether this power line will contribute to a "take" of protected species should be considered, and means to mitigate any impacts and to provide for enforcement of applicable laws (such as the Migratory Bird Treaty Act) should be identified.

Sage-grouse

The sage-grouse too usually receives special protective measures, and BLM must ensure full compliance with its Sensitive Species Manual relative to this species, as well as other BLM guidance and guidance from the Wyoming Game and Fish Department. While it is specifically applicable to oil and gas development, the BLM should consider the Game and Fish Department's report "Recommendations for Development of Oil & Gas Resources within Crucial & Important Wildlife Habitats."

It is well known that sage-grouse chicks need access to wet meadow areas so they can find high-protein insects to support early growth. Dense stands of sagebrush are critical winter habitat. Thus, these areas should be protected from disturbance. It is also well known that the sage-grouse may qualify for listing as a threatened or endangered species, so BLM has heightened obligations to protect the species. Furthermore, the appropriate means to protect sage-grouse is to not only focus management efforts (and protective measures) on particular habitat needs (e.g., protecting leks), but also to ensure sagebrush habitats, an increasingly imperiled ecosystem, are protected. The same, of course, is true for many other species, including such sagebrush obligate species as Brewer's sparrow, sage sparrow's, and sage thrashers; and of course the same is true for species dependent on other habitats and ecosystems. In this regard we request BLM to consider the following report: Knick, S.T., et al. 2003. Teetering On The Edge Or Too

Late? Conservation And Research Issues For Avifauna Of Sagebrush Habitats. The Condor 105: 611-634 (documenting the importance of sagebrush habitats and threats to them, particularly with reference to sagebrush obligate bird species). We also request that the BLM determine if this project complies with BLM's evolving Wyoming Landscape Conservation Initiative.

The sage-grouse is of course a special case at this point. Furthermore, as the BLM knows there is an increasing effort to ensure the protection of sage-grouse on a "landscape scale," with this being done through the protection of large "core areas." Exhibit 1. Attached as Exhibit 2 is the Governor's Sager Grouse Implementation Team recommendations and the Wyoming Game and Fish Department's memorandum regarding the need to manage core areas, and we ask the BLM to fully consider these.

Mule Deer, Elk, and Pronghorn

In developing the Gateway Project environmental analysis, BLM should consider and utilize data available from the Wyoming Game and Fish Department to determine protections for game species (and other species). We particularly direct the BLM to the Wyoming Game and Fish Department's publication "Recommendations for Development of Oil & Gas Resources within Crucial & Important Wildlife Habitats." BLM should also utilize the information regarding the needs of big game species available from other sources.¹ Relative to big game, we urge the BLM to protect more than "critical" big game winter ranges. This approach is biologically and ecologically unsupportable and results in unnecessarily and unduly restricted protections. We therefore request that protective measures be considered not just for "critical" winter ranges, but also for all winter range areas in the Gateway Project area. To the extent BLM excludes "general" winter range areas from the application of protective measures, it should provide a biologically defensible rationale for such a decision. Consideration of the above issues is necessary to prevent unnecessary or undue degradation of wildlife on the public lands. At a minimum the BLM should fully implement the protective provisions specified in the various RMPs. It should also ensure that noise from this project does not disturb big game, especially during critical periods such as parturition. The impact of noise on hunters and the hunting experience must also be fully considered and mitigated.

RIPARIAN HABITAT ISSUES, WATER QUALITY, AND COMPLIANCE WITH THE CLEAN WATER ACT

The Clean Water Act and Water Quality Issues

¹ We specifically request that BLM consider the following studies: Sawyer, H., and F. Lindzey, Jackson Hole Pronghorn Study, Wyoming Cooperative Fish and Wildlife Research Unit, September, 2000; Sawyer, H., and F. Lindzey, Sublette Mule Deer Study, Wyoming Cooperative Fish and Wildlife Research Unit, March 2001; Western Ecosystems Technology, Inc., An Evaluation Of The 1988 BLM Pinedale Resource Management Plan, 2000 BLM Pinedale Anticline Final EIS, And Recommendations For The Current Revision Of The Pinedale Resource Management Plan, (Scoping comments submitted for the Pinedale RMP revision), January, 2003.

The Clean Water Act (CWA) establishes many requirements that BLM must consider in the environmental analysis and adhere to in the decision document. It is imperative that BLM insure that waters in the Gateway Project area comply with State water quality standards and that those standards are not violated. It is critical to recognize that State water quality standards “serve the purposes” of the CWA, which, among other things, is to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters. . .” 33 U.S.C. §§ 1313(c)(2)(A), §1251(a). That is, a purpose of water quality standards is to protect aquatic ecosystems, and BLM must ensure this comprehensive objective is met by ensuring water quality standards are complied with. Water quality standards are typically composed of numeric standards, narrative standards, designated uses, and an antidegradation policy. All too often, however, only numeric standards are viewed as “water quality standards.” That narrow view is incorrect. The Supreme Court held in PUD No. 1 of Jefferson County v. Washington Dep’t of Ecology, 511 U.S. 700 (1994), that all components of water quality standards are enforceable limits. Consequently, the decision document must ensure all components of State water quality standards are met, not just numeric standards.

The State’s antidegradation policy is also a critical component of water quality standards. See 40 C.F.R. § 131.12 and applicable State regulations. The environmental analysis should consider the requirements of the antidegradation policy and the decision document should assure these requirements are met.

In addition to the antidegradation policy’s protections for waters that are meeting water quality standards, where State water quality standards have not been achieved despite implementation of point source pollution controls, section 303(d) of the CWA requires a State to develop a list of those still-impaired waters, with a priority ranking, and to set total maximum daily loads (TMDLs) of pollutants for the stream “at a level necessary to implement the applicable water quality standards. . .” 33 U.S.C. §1313(d)(1)(C). Consequently, to the extent waters within the BLM’s jurisdiction have been identified as water quality impaired segments, or contribute stream flow to such segments, the Gateway Project decision document should require affirmative steps toward reducing that impaired status, regardless of whether the State has made a specific allocation of pollutant load to BLM lands at the time the ROD is adopted. If any specific load allocation has been made by the State of Wyoming for activities on BLM lands, BLM should obviously ensure that these are complied with.

The Gateway Project environmental analysis should consider the requirements of sections 401 and 404 of the CWA and the decision document should ensure full compliance with these requirements. Section 401 requires State certification of compliance with State water quality standards prior to authorization of actions on BLM lands. 33 U.S.C. § 1341. The decision document should fully implement this requirement. Section 404 requires permits before discharges of dredged or fill material can be made into navigable waters, and BLM, through the decision document, should assist the EPA and Army Corps of Engineers with implementation and enforcement of this requirement, which, of course, is a powerful means for the protection of wetlands. See 33 U.S.C. § 1344.

Riparian Areas

The Gateway Project area contains remarkable riparian areas that are vitally important to the ecological health of the region. Properly managing riparian areas is a critical component of managing for biological diversity and for meeting many other needs. Only about 1% of the lands managed by the BLM are wetlands, yet these are some of the most ecologically important landscapes under BLM jurisdiction

Because of the critical importance of these areas, two Executive Orders require their protection. Executive Order 11988 (1977) requires federal agencies to avoid adverse impacts associated with the occupancy of floodplains. Executive Order 11990 (1977) requires federal agencies to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands. Further, all federally approved activities must include all practical measures to minimize adverse impacts to wetlands and riparian areas. As noted several times above, the decision document must prohibit disturbance in riparian areas and wetlands to ensure these critical resources are fully protected.

INVASIVE SPECIES, NOXIOUS WEEDS, AND MANAGEMENT OF NATIVE VEGETATION

We ask that BLM ensure the decision document provides for compliance with Executive Order 13112, which established requirements and procedures Federal agencies are to adhere to relative to invasive species. Section 2 of the Executive Order requires BLM to identify actions that may affect the status of invasive species and to then:

Use relevant programs and authorities to: (i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them

Just as important, the Executive Order requires BLM to “not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the United States or elsewhere unless, pursuant to guidelines that it has prescribed, the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions.” The environmental analysis should fully analyze the extent of the invasive species problem in this area, the causes, and options for both restoration and prevention in the future.

The flip side of preventing invasive species from becoming established is protecting native plant species and communities, especially rare and special status species. The BLM should conduct surveys to determine the location and characteristics of native plant communities and rare or special status species. The survey results should be presented in the environmental analysis, and the decision document should establish standards for protecting native plant communities and rare or special status species. It should seek to protect dense stands of sagebrush that could serve as sage-grouse wintering habitat, and recognize the special value of these stands. BLM's grazing regulations and the Public Rangelands Improvement Act establish that native species and plant communities are to be given preference over non-native species and communities (whether invasive or intentionally created), so the decision document should establish standards to ensure these requirements are met, particularly relative to any reclamation requirements (i.e., introduced species should not be permitted for reclamation purposes).

CULTURAL AND PALEONTOLOGICAL RESOURCES

Most if not all historical, archeological, and paleontological resources (hereinafter, "cultural resources") are strictly non-renewable: once marred or destroyed, they are forever lost to future generations. Such fragility demands utmost care and humility from BLM managers and planners. The Gateway Project environmental analysis should reflect—and the decision document should require—this conservative approach to managing these priceless and irreplaceable resources.

BLM's multiple-use mandate requires land managers to consider the value of cultural resources in their decision-making process. Unfortunately, these resources are frequently given short shrift in this calculus. Their value is not easily measured, and as a result they are sacrificed in pursuit of more obviously economically profitable resources. The Gateway Project environmental analysis should ensure this problem is avoided. BLM's preparation of the Gateway Project environmental analysis provides an excellent opportunity for the agency to address concerns about these resources and to implement policies that will protect and preserve cultural resources.

The BLM's management of cultural resources is governed and guided by a host of laws, orders, and regulations. These include, but are not limited to, the Antiquities Act of 1906, the National Historic Preservation Act (NHPA), Executive Order 11593, the Archaeological Resources Protection Act (ARPA), and the Native American Graves Protection and Repatriation Act (NAGPRA). BLM's decisions regarding cultural resource management are also governed by the FLPMA and NEPA. The BLM must adhere to these and other laws when preparing and implementing the Gateway Project environmental analysis and decision documents, and must provide evidence of cultural resource consideration as part of this process.

As noted above, the BLM's multiple-use mandate requires managers to balance resource use and resource preservation. But not only must the BLM examine the effects of the Gateway Project on cultural resources, it must evaluate whether or not it possesses sufficient information to assess these potential

resource conflicts. If the agency lacks enough information to make informed decisions, it must collect data according to a plan and schedule established at the outset of this environmental review process.

The Gateway Project environmental analysis must ensure there is a sufficient inventory of cultural resources and their values prior to authorizing ground-disturbing activities and it should be used proactively by the BLM in its management in order to avoid resource conflicts. Clearly BLM must fully comply with the need to consult with the State Historic Preservation Office prior to authorizing activities that may harm resources eligible for the National Register of Historic Places, and ensure full compliance with the National Historic Preservation Act. As noted in Southern Utah Wilderness Alliance et al., 164 IBLA 1, 24 (2004), "BLM cannot avoid the consultation requirement by simply stating that it has determined that there is "No Potential to Effect," and therefore nothing more is required."

Another concern is consultation with Native American tribes during the Gateway Project environmental review process. BLM is required to consult with tribes under FLPMA, NEPA, American Indian Religious Freedom Act, NAGPRA, and Executive Order 13007, in order to learn of tribal concerns and places of traditional religious or cultural importance to the tribe. The BLM must specifically request the views of tribal officials, and must solicit the views of traditional leaders or religious leaders. BLM must be diligent in its pursuit of this information.

The Gateway Project environmental analysis document should identify areas where cultural sites are at risk, and the decision document should employ measures to protect these resources. The areas designated should be of sufficient size to allow viable protection of the resources; designation of just the site itself may not allow for effective management.

CLIMATE CHANGE

Because the whole purpose of this project is to consider facilitating the transportation of electricity generated by coal, the BLM and the Forest Service have a heightened obligation to consider the impacts of this project on climate change, even if such impacts are indirect. The generation of electricity by burning is coal is an especially large contributor to carbon dioxide emissions. We would note that BLM is under direction from the Secretary of the Interior to "consider and analyze potential climate change impacts" (memorandum dated January 19, 2001). And of course, NEPA requires that BLM consider all environmentally significant issues in its RMP EIS, and there is no doubt that global warming is such an issue.

CONCLUSION

Thank you for considering these comments, and we look forward to continuing involvement in the development of the Gateway Project environmental analysis and decision document.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Pendery". The signature is fluid and cursive, with a large initial "B" and "P".

**Bruce Pendery,
Staff Attorney and Director of Public Lands**

DEC 15 2000 10:55AM U.S. DEPARTMENT OF AGRICULTURE NO. 0707 P. 19

SAGE GROUSE IMPLEMENTATION TEAM

Tuesday, 25 March 2008

Governor Dave Freudenthal
Wyoming State Capitol
Cheyenne, WY 82002

Dear Governor Freudenthal,

On behalf of the Implementation Team you asked to identify actions and strategies which will effectively manage Sage-grouse and their habitats in Wyoming, we would like to recommend that you take the appropriate steps to formally adopt a process for conservation that includes the following:

Wyoming should develop a "Core Population Area" strategy to maintain habitats and viable populations of Sage-grouse in areas where they are most abundant. This approach is similar to the highly successful "Core Native Herd" approach used to manage Bighorn sheep in the state.

Wyoming will adopt a "statewide" approach to management of Sage-grouse in the state. While we recognize zonal recommendations within the region, we will work within our area of jurisdiction.

Core Population Areas will include habitats and existing populations for no less than two-thirds of the Sage-grouse in Wyoming. Based on initial evaluations, it is estimated there will be approximately 40 Core Population Areas, varying in size. Core Population Areas will reflect geographic and genetic distribution of Sage-grouse in Wyoming. Flexibility to adjust Core Population Area boundaries to adapt to emerging conditions and information is essential to future management.

Management within Core Population Areas will focus on maintenance and enhancement of grouse habitats and populations. Current management and existing land uses within Core Population Areas should be recognized and continued. Sage-grouse have clearly selected those areas based on existing conditions, and changes to those conditions should be carefully evaluated.

Development within Core Population Areas should occur only when it can be demonstrated that the activity will have no negative effects on Sage-grouse, using a case-by-case localized approach and appropriate ground-truthing.

Core Population Areas will be used to focus funding, assurances (including Candidate Conservation Agreements and Candidate Conservation Agreements

- Exhibit # 2 -

with Assurances), habitat enhancement, reclamation efforts, mapping, and other associated efforts to assure viability of Sage-grouse in Wyoming.

A non-regulatory approach will be used as much as possible to influence management within Core Population Areas. It is imperative that management alternatives reflect unique localized conditions, including soils, vegetation, types of development, climate, and other local realities.

Incentives to defer, reduce, or preclude development of all types in Core Population Areas will be necessary, but should follow a Controlled Surface Use (CSU) framework, rather than a No Surface Occupancy (NSO) approach.

Incentives to enable development of all types outside Core Population Areas will be necessary. These should include stipulation waivers, enhanced permitting processes, density bonuses, and other incentives. Development scenarios should attempt to maintain populations, habitats and essential migration routes outside Core Population Areas wherever possible.

Development of alternative strategies for maintenance of habitat, or proven enhancement strategies within Core Population Areas will be a priority. This will include such strategies as habitat leasing, conservation easements, and management plans (including CCAAs AND CCAs).

Incentives to accelerate or expand on required reclamation in habitats adjacent to Core Population Areas should be developed. These may include stipulation waivers, assistive funding for reclamation, and other strategies.

Existing rights should be recognized and may require compensation to facilitate management in Core Population Areas.

On-the-ground enhancements, monitoring, and ongoing planning should be facilitated by local working groups (LWGs) as much as possible.

Initial Core Population Areas were recommended jointly by technical experts from the oil and gas industry, Game and Fish, conservation organizations, and agriculture. Those recommendations were acted on by the Implementation Team in March, and the recommended boundaries are shown on the attached map.

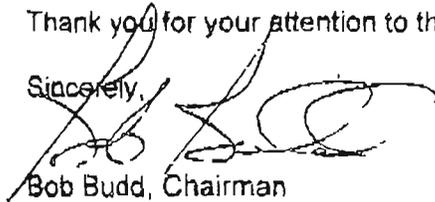
Core Population Areas will be further evaluated and refined by the recently initiated and funded mapping process headed by Wyoming Geographic Information System Center (WyGIS). Those results and associated ground-truthing are expected by the end of 2008.

It is the belief of the Implementation Team that this process is responsible, and will have a permanently beneficial effect on Sage-grouse in Wyoming. We would encourage you to engage the U.S. Fish and Wildlife Service, Bureau of Land Management, Forest Service and appropriate state agencies in implementation of this process as soon as possible.

Finally, the group discussed the means of implementing these actions, and it would appear that your use of an Executive Order to direct Wyoming government may be the most expedient and effective at this time. However, the group will defer to and support your judgment in that regard.

Thank you for your attention to these matters.

Sincerely,



Bob Budd, Chairman
SAGE-GROUSE IMPLEMENTATION TEAM

Core Area Stats	Number	%
Peak Males within Core Areas (05-07)	46942	83.35%
Peak Males within state	56318	
Occupied Leks within Core Areas	1126	61.20%
Total Occupied Leks	1840	
Acres within Core Areas	14681050.51	23.41%
Acres within State	62713551.3	
Acres within Core Areas	14681050.51	33.74%
Acres within Current Range	43513267.87	

The above stats are ones that I compiled. I asked Kevin Doherty to also come up with a percentage. We used different methods and came up with similar results. Kevin did a nest simulation study to see what percentage of nests would be inside the core areas. Some of the leks are extremely close to the core area boundaries (inside and out) and those birds could nest inside the core area or outside. His results were that 75% core areas would represent 78.8% of the nests. This figure could be off by +/- 5-10% due to the nature of the birds and assuming none of the leks outside the core area go inactive. Also, the above number could change when we have better habitat data. This is just breeding information not winter or summer habitats.



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FRED LINDSEY
DEN LUTERDECK
BO HANBERT

January 29, 2008

MEMORANDUM

TO: Terry Cleveland and John Emmerich
FROM: Tom Christiansen and Joe Bohne
COPY TO: Jay Lawson, Bill Rudd, Reg Rothwell, Bob Oakleaf
SUBJECT: Multi-State Sage-Grouse Coordination and Research-based Recommendations

As assigned by Assistant Director Emmerich, we have been working with other state fish and wildlife agencies in WAFWA Sage-Grouse Management Zones 1 and 2 (MT, CO, UT, SD, ND, WY) in order to coordinate interpretation of recent sage-grouse research related to oil and gas development.

Attached for your review, please find the latest and final document capturing the multi-state interpretation of the recent science related to sage-grouse conservation and oil and gas development. It has been well scrutinized by staff from MT, WY, CO, ND and UT and there is consensus on the content by the participants. South Dakota was unable to attend the initial meeting in Salt Lake City on January 8-9, but they have been provided with meeting notes and the resulting document.

It is our recommendation that WGFD acknowledge this document as the correct interpretation of the recently published sage-grouse research and use this information to update and augment department documents and policies. It should be used in the forthcoming discussions with the BLM regarding their update to their sage-grouse Instruction Memorandum. In addition, we suggest that in order for this document to serve the broadest purpose for sage-grouse conservation four additional actions are needed. First, the document should be shared with Governor Freudenthal's staff. Second, we recommend that the Director's Office enter into discussions with MTFWP Director Jeff Hegener to ensure consistency in the application of these recommendations between our border states, and especially with the WY and MT BLM State Field Offices. Third, we recommend the document be submitted to WAFWA's Sage-Grouse Technical Committee as well as the WAFWA Executive Committee for their consideration and use. Finally, we recommend this document be included with other materials sent to the USFWS for consideration in their review of the status of sage-grouse and measures in place to conserve those populations.

We look forward to your direction on how to proceed.

"Conserving Wildlife - Serving People"

~~Exhibit 7~~

Using the Best Available Science to Coordinate Conservation Actions that Benefit Greater Sage-Grouse Across States Affected by Oil & Gas Development in Management Zones I-II (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)

Background

Greater Sage-grouse are widely considered in scientific and public policy arenas to be a species of significant conservation concern. Loss, degradation and fragmentation of important sagebrush grassland habitats have negatively impacted sage-grouse populations. Much of this loss of habitat function is occurring in Sage-grouse Management Zones (MZ) 1 and 2 (Stiver et al. 2006) in Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming as a result of oil and gas development (Connelly et al. 2004). Oil and gas development is rapidly increasing within these areas. In response to those concerns, states and provinces are in various stages of completing or updating management plans in order to provide for long-term sage-grouse conservation. Special emphasis is being placed on oil and gas development as it rapidly spreads across much of the eastern range of sage-grouse.

The recent decision by B. Lynn Winmill, Chief U.S. District Judge (2007), which remands the original 2005 not warranted decision back to the USFWS for reconsideration, has highlighted the need for States to coordinate their application of best available science. Representatives from the state agencies with authority for managing fish and wildlife from the major sage-grouse and energy producing states comprising MZ 1 and 2 and sage-grouse researchers who have published new findings, met on January 8 and 9, 2008 in Salt Lake City. The objectives of the meeting were to better understand the application of most recent peer-reviewed science within the context of oil and gas development and coordinate and compare implementation of conservation actions utilizing that information.

Review Process

The participants at this meeting represented technical science and management advisors from each of the states. Researchers having the most recently peer reviewed and published articles concerning sage grouse and oil and gas development were invited to present their findings and answer questions. State agency participants agreed that the goal was not to establish state or regional policy or to determine the management actions that will be implemented in any or all states within MZ 1 or 2. Rather, the goal was to reach agreement on the conservation concepts and strategies related to oil and gas development that are supported by current published peer-reviewed and unpublished literature. If implemented, these concepts and strategies likely will not eliminate impacts to sage-grouse populations that result from energy development. However, when used in combination with other conservation measures, these actions may enhance the likelihood that sage-grouse populations will persist at levels that allow historical uses such as grazing and agriculture and maintain their current distribution and abundance, thereby avoiding the need to list sage-grouse under the federal Endangered Species Act.

Each researcher was invited to present their findings and to answer questions posed by the states. Following this, each state provided an overview of their review of the science and their resulting management actions and recommendations. The group then collectively reviewed, debated and agreed on the concepts and strategies supported by that science. The focus of the meeting was on five key issues: core areas, no-surface-occupancy zones, phased development, timing stipulations, well-pad densities, and restoration. Scientific data are available to inform many other issues related to sage-grouse management and conservation that were not reviewed (e.g., BMPs).

Core Areas

Identification and protection of core areas, sometimes also referred to as crucial areas, will help maintain or achieve target goals for populations including distribution and abundance.

Full field energy development appears to have severe negative impacts on sage-grouse populations under current lease stipulations (Lyon and Anderson 2003, Holloran 2005, Kaiser 2006, Hollóran et al. 2007, Aldridge and Boyce 2007, Walker et al 2007, Doherty et al. 2008). Much of greater sage-grouse habitat in MZ 1 and 2 has already been leased for oil and gas development. These leases carry stipulations that have been shown to be inadequate for protecting breeding and wintering sage-grouse populations during full field development. (Holloran 2005, Walker et al. 2007, Doherty et al. 2008) New leases continue to be issued utilizing these same stipulations. To ensure long-term persistence of populations and meet goals set by the states for sage-grouse, identifying and implementing greater protection within core areas from impacts of oil and gas development is a high priority.

In order to conserve core areas it is essential that they be identified and delineated. Sage-grouse populations occur over large landscapes comprising a series of leks and lek complexes with associated seasonal habitats. Therefore, core areas should capture the range required by a defined population to maintain itself. This concept is consistent with Crucial Wildlife Habitats recently endorsed by the Western Governor's Association (2007). Criteria that could be used to identify and map core areas include, but are not limited to: (1) lek densities, (2) displaying male densities, (3) sagebrush patch sizes, (4) seasonal habitats (breeding, summering, wintering areas), (5) seasonal linkages, or (6) appropriate buffers around important seasonal habitats.

Research indicates that oil or gas development exceeding approximately 1 well pad per square mile with the associated infrastructure, results in calculable impacts on breeding populations, as measured by the number of male sage-grouse attending leks (Holloran 2005, Naugle et al. 2006). Because breeding, summer, and winter habitats are essential to populations, development within these areas should be avoided. If development cannot be avoided within core areas, infrastructure should be minimized and the area should be managed in a manner that effectively conserves sagebrush habitats within that area.

No Surface Occupancy (NSO)

At the scale that NSOs are established, they alone will not conserve sage-grouse populations without being used in combination with core areas. The intent of NSOs is to maintain sage-grouse distribution and a semblance of habitat integrity as an area is developed.

Breeding Habitat - Leks

Research in Montana and Wyoming in coal-bed methane natural gas (CBNG) and deep-well fields suggests that impacts to leks from energy development are discernable out to a minimum of 4 miles, and that some leks within this radius have been extirpated as a direct result of energy development (Holloran 2005, Walker et al. 2007). Walker et al. (2007) indicates that the current 0.25-mile buffer lease stipulation is insufficient to adequately conserve breeding sage-grouse populations in areas having full CBNG development. A 0.25-mi. buffer leaves 98% of the landscape within 2 miles open to full-scale energy development. In a typical landscape in the Powder River Basin, 98% CBNG development within 2 miles of leks is projected to reduce the average probability of lek persistence from 87% to 5% (Walker et al. 2007). Only 38% of 26 leks inside of CBNG development remained active compared to 84% of 250 leks outside of development (Walker et al. 2007). Of leks that persisted, the numbers of attending males were reduced by approximately 50% when compared to those outside of CBNG development (Walker et al. 2007).

The impact analyses provided in Walker et al. (2007) are based on a 7-year dataset where probability of lek persistence is strongly related to extent of sagebrush habitat and the extent of energy development within 4 miles of the lek and the extent of agricultural tillage in the surrounding landscape. The estimated probabilities of lek persistence are only reliable for the length of the dataset, and it is not understood how other stressors (e.g., West Nile virus [Nangle et al. 2004], invasive weeds [Bergquist et al. 2007]) will cumulatively impact sage-grouse over longer time periods. While increased NSO buffers alone are unlikely to conserve sage-grouse populations, results from Walker et al. 2007 suggest they will increase the likelihood of maintaining the distribution and abundance of grouse and should increase the likelihood of successful restoration following energy development.

Additional information provided in Walker et al. (2007) allows managers and policy makers to estimate trade-offs associated with allowing development within a range of different distances from leks (Figures 1a and 1b). These probabilities will also need to be applied over larger landscapes in future analyses to better understand projected region- and state-wide population impacts under current and future development scenarios. Walker et al. (2007) studied lek persistence from 1997-2005 in relation to coal bed natural gas (CBNG) development in the Powder River Basin. These models are based on projected impacts of full-field development within (a) 2 miles and (b) 4 miles of the lek. We present results from these models (rather than models with impacts at smaller scales)

because development within 2 and 4 miles of leks are known to decrease breeding populations as measured by the number of displaying males (Holloran et al. 2005, Walker et al. 2007), and 52% and 74-80% of hens are known to nest within 2 and 4 miles of leks, respectively (Holloran and Anderson 2005, Colorado Greater Sage-Grouse Conservation Plan Steering Committee 2008). Sizes of NSO buffers required to protect breeding populations may be underestimated because leks in CBNG fields have fewer males per lek and a time lag occurs (avg. 3-4 years) between development and when leks go inactive. As a result, it is expected that not only will lek persistence decline, the number of males per lek will also decline. In contrast, sizes may be overestimated where high lek densities cause buffers from adjacent leks to overlap. Additional time is required to develop models demonstrating the probabilities of lek persistence at well-pad densities less than full development.

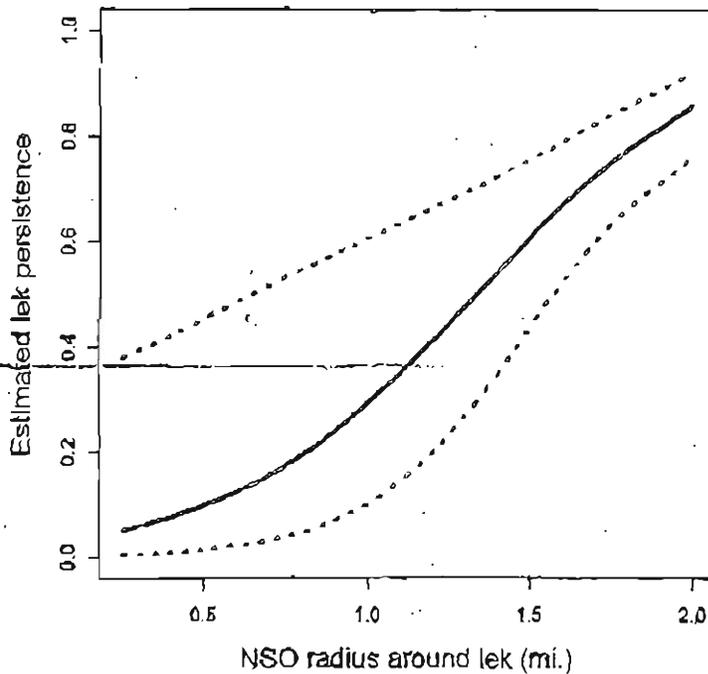


Figure 1a. Estimated probability of lek persistence (dashed lines represent 95% CIs) in fully-developed¹ coal-bed natural gas fields within an average landscape in the Powder River Basin (74% sagebrush habitat, 26% other habitats types) with different sizes of no-surface-occupancy (NSO) buffers around leks, assuming that only CBNG within 2 miles of the lek affects persistence. Buffer sizes of 0.25 mi., 0.5 mi., 0.6 mi., and 1.0 mi. result in estimated lek persistence of 5%, 11%, 14%, and 30%. Lek persistence in the absence of CBNG averages ~85%.

¹ Defined as entire area outside the NSO buffer, but within 2 miles, being within 350 meters of a well.

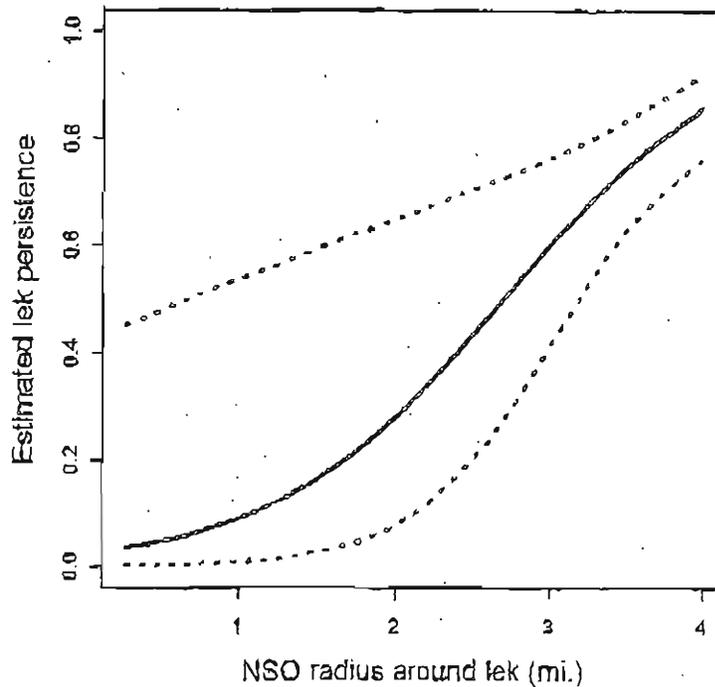


Figure 1b. Estimated probability of lek persistence (dashed lines represent 95% CIs) in fully-developed² coal-bed natural-gas-fields within an average landscape in the Powder River Basin (74% sagebrush habitat, 26% other habitats types) with different sizes of no-surface-occupancy (NSO) buffers around leks, assuming that only CBNG within 4 miles of the lek affects persistence. Buffer sizes of 0.25 mi., 0.5 mi., 0.6 mi., 1.0 mi., and 2.0 mi. result in estimated lek persistence of 4%, 5%, 6%, 10%, and 28%. Lek persistence in the absence of CBNG averages ~85%.

Figures 1a and 1b provide an illustration of the trade-offs between differing NSO buffers in relation to lek persistence in developing CBNG fields. The group does not offer a specific NSO recommendation but provides these graphs to guide decision-making.

Breeding Habitat - Nesting and Early Brood-rearing

Yearling female greater sage-grouse avoid nesting in areas within 0.6 miles of producing well pads (Holloran et al. 2007), and brood-rearing females avoid areas within 0.6 miles of producing wells (Aldridge and Boyce 2007). This suggests a 0.6-mile NSO around all suitable nesting and brood-rearing habitats is required to minimize impacts to females during these seasonal periods. In areas where nesting habitats have not been delineated, research suggests that greater sage-grouse nests are not randomly distributed. Rather, they are spatially associated with lek location within 3.1 miles in Wyoming (Holloran and Anderson 2005). However, a 4-mile buffer is needed to encompass 74-80% (Moynahan

² Defined as entire area outside the NSO buffer, but within 4 miles, being within 350 meters of a well.

2004, Holloran and Anderson 2005, Colorado Greater Sage-Grouse Conservation Plan Steering Committee 2008). These suggest that all areas within at least 4-miles of a lek should be considered nesting and brood-rearing habitats in the absence of mapping.

Winter Habitat

NSO or other protections may also need to be considered for crucial winter range. Survival of juvenile, yearling, and adult females are the three most important vital rates that drive population growth in greater sage-grouse (Holloran 2005, Colorado Greater Sage-Grouse Conservation Plan Steering Committee 2008). Although overwinter survival in sage-grouse is typically high, severe winter conditions can decrease hen survival (Moynahan et al 2006). Crucial wintering habitats can constitute a small part of the overall landscape (Beck 1977, Hupp and Braum 1989). Doherty et al. (2008) demonstrated that sage-grouse avoided otherwise suitable wintering habitats once they have been developed for energy production, even after timing and lek buffer stipulations had been applied (Doherty et al. 2008). For this reason, increased levels of protection may need to be considered in crucial winter habitats.

Phased Development

Population-level impacts and avoidance associated with energy development have been documented (Braun et al. 2002, Lyon and Anderson 2003, Holloran 2005, Kaiser 2006, Holloran et al. 2007, Aldridge and Boyce 2007, Walker et al 2007, Doherty et al. 2008). Phased development maximizes the amount of area within a landscape that is not being impacted by development at any one time, and can occur at multiple spatial scales (e.g., phased development of separate fields in a landscape, phased development of infrastructure within a single unit or field, or phased development within a single lease). Unitization, clustering, and geographically staggered development are all forms of phased development. As a tool to minimize impacts to sage-grouse, developing oil and gas resources by employing one of these phased methods may help maintain large, functional blocks of sage-grouse habitat.

Timing Stipulations

As with NSOs, at the scale that timing stipulations are established, they alone will not conserve sage-grouse populations without being used in combination with core areas. The intent of timing stipulations is to help maintain sage-grouse distribution and a semblance of habitat integrity as an area is developed. Timing stipulations are of lesser value at the scale of full-field development.

Breeding Habitat - Leks

Traffic during the strutting period when males are on a lek results in declines in male attendance when road-related disturbance is within 0.8 miles (Holloran 2005). The distance traveled by males from the lek during the breeding season has been reported in varying ways but generally averages 0.6 miles from a lek (Colorado Greater Sage-Grouse

Conservation Plan Steering Committee 2008 - see Appendix B). Additionally, females breeding on leks within 1.9 miles of natural gas development had lower nest initiation rates and nested farther from the lek compared to non-impacted individuals (Lyon and Anderson 2003), suggesting disturbance to leks influence females as well. Local variations may influence the application of specific dates, which are typically within a window of March 1 and May 31.

Breeding Habitat - Nesting and Early Brood-rearing

Often, timing stipulations (periods where no activity that creates disturbance are allowed) for breeding habitat have been applied using a radius around a lek. However, nesting and brood-rearing habitat is not uniformly distributed around the lek. Mapping of habitat would allow for more accurate application of this stipulation. Research on the distribution of nests relative to leks and on the timing of nesting indicates that timing stipulations to protect nesting hens and their habitat should be in place from March through June in mapped breeding habitat or (when nesting habitat has not been mapped) within 4 miles of active lek sites (Moynahan 2004, Holloran et al. 2005, Colorado Greater Sage-Grouse Conservation Plan Steering Committee 2008).

Winter Habitat

Research suggests that no surface occupancy should also be applied to important wintering habitats (Doherty et al. 2008), but if development occurs, impacts would be reduced if development activities were avoided between December 1 and March 15.

Well-Pad Densities

Leks tend to remain active when well-pad densities within 1.9 miles of leks are less than 1 pad per square mile (Holloran 2005) but leks tend to go inactive at higher pad densities (Holloran 2005, Naugle et al. 2006).

Restoration

The purpose of restoration in sage-grouse habitat should be the removal of infrastructure associated with energy development from the land surface and subsequent re-establishment of native grasses, forbs, and shrubs, including sagebrush, to promote natural ecological function. Restoration should reestablish functionality of seasonal habitats for sage-grouse. Thus a field should not be considered restored until sagebrush-grassland habitats have been reestablished.

Future Needs

Time did not allow for a detailed discussion of specific Best Management Practices for oil and gas development and restoration, seasonal habitat mapping, or future research. These topics are all recognized as needing action in the immediate future.

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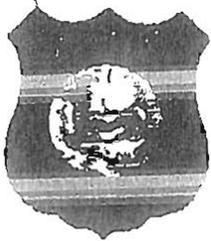
Appendix 1.

Participants (Alphabetical)

- Dr. Tony Apa, Colorado Division of Wildlife
- Mr. Joe Bohne, Wyoming Game and Fish Department
- Mr. Tom Christiansen, Wyoming Game and Fish Department
- Mr. Jeff Herbert, Montana Department of Fish, Wildlife and Parks
- Mr. Bill James, Utah Division of Wildlife Resources
- Mr. Rick Northrup, Montana Department of Fish, Wildlife and Parks
- Mr. Dave Olsen, Utah Division of Wildlife Resources
- Mr. Aaron Robinson, North Dakota Game and Fish
- Ms. Pam Schnurr, Colorado Division of Wildlife
- Mr. T.O. Smith, Montana Department of Fish, Wildlife and Parks
- Mr. Brett Walker, Colorado Division of Wildlife

Invited Guests

- Dr. Matt Holloran, Wyoming Wildlife Consultants, LLC
- Dr. David Naugle, University of Montana



WYOMING GAME AND FISH DEPARTMENT
5400 Bishop Blvd. Cheyenne, WY 82006
Phone: (307) 777-3000 Fax: (307) 777-3010
Web site: <http://gf.state.wy.us>

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July 3, 2008

WER 11791
Bureau of Land Management, DOI
Forest Service, USDA
Notice of Intent
Environmental Impact Statement
Gateway West 230/500 kV Transmission Line
Land Use Plan Amendments
WY-920-08-5101-ER-KO99; WYW-174598

Walter George
Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

Dear Mr. George:

The staff of the Wyoming Game and Fish Department (WGFD) has reviewed the Notice of Intent to Prepare an Environmental Impact Statement for the Gateway West 230/500 kV Transmission Line Project in Idaho and Wyoming, and Possible Land Use Plan Amendments. We offer the following comments for your consideration.

Wildlife Considerations:

This proposed project would install new transmission lines crossing approximately two thirds of the state of Wyoming. Due to the distance involved many wildlife habitats would be encountered. Proposed transmission line routes would cross crucial winter and yearlong ranges for pronghorn, mule deer and elk. In addition, portions of the proposed route(s) would come in close proximity to sage-grouse lek and would cross nesting habitats.

The proposed project is located within several of our administrative Regions. We offer the following general recommendations, which apply to all wildlife considerations in the development of the EIS, followed by specific wildlife recommendations corresponding to each individual WGFD Region.

General Comments

We recommend the EIS include a thorough analysis of both the direct and indirect impacts this project will have on the wildlife species and habitats across the proposed corridor(s). The cumulative impacts analysis should disclose and address the additional development of transmission lines, substations, roads and wind farms that this new transmission line will ultimately facilitate. The EIS should also include an analysis of the short-term and long-term

Mr. Walter George

July 3, 2008

Page 2 - D'ER 11791

impacts the associated workforce would have on this area's limited public recreational resources and their associated administration.

Recognizing the difficulty of restoring vegetation on disturbed sites in areas with low precipitation, the eventual ROD should require more than simply "work to minimize surface disturbance". As demonstrated with recent pipeline projects, restoring vegetation to reduce erosion, restore habitats, and prevent invasive and undesirable plant invasions requires more than simply minimizing the amount of land disturbed. Some disturbance is unavoidable, and the EIS should evaluate a full range of disturbance area, reclamation techniques available to ensure disturbed sites are quickly and properly reclaimed, and mitigations for unavoidable impacts.

The Gateway West Project may be "independent of, and would be built regardless of, any particular new generation project" as stated in the scoping document (page 7, paragraph 5). However, this does not mean impacts from those projects can be considered independent from this project. Other energy projects in Wyoming, particularly wind power farms, may well depend on new transmission routes in order to be economically viable. Thus, impacts of those projects should be considered *direct, foreseeable consequences* of this power line project and their projected impacts included as cumulative in this EIS.

Environmental consequences of these energy-generating projects that are dependent upon this power line are likely to be much more significant than the power line itself. If extensive wind development over large areas of public land were implemented, the cumulative impacts from that development, including roads and wildlife avoidance zones, could be significant to wildlife, including sage-grouse.

In general, we recommend the proposed transmission lines follow existing corridors wherever possible to minimize disturbances to wildlife and wildlife habitats. When possible, we suggest avoiding construction activity within big game crucial ranges from November 15 through April 30 to minimize disturbance to wintering wildlife, and avoiding construction of power lines in occupied sage-grouse habitat, especially within ¼ mile of leks. We further recommend avoiding construction activity within ¼-mile of sage-grouse leks from March 1 through May 15, and avoiding activities in known nesting habitat (within a 2-mile radius of leks) until after the breeding season (July 15).

We recommend burying the lines where practical or feasible, and locating new lines along existing utility corridors. We recommend designing overhead power lines to prevent perching by raptors within ¼ mile of sage-grouse leks. To prevent electrocutions, power lines and conductors should be constructed in accordance with raptor-safe design criteria as suggested in the following publication: *Avian Power Line Interaction Committee (APLIC). 2006. Suggested practices for avian protection on power lines: The state of the art in 2006. Edison Electric Institute, APLIC, and the California Energy Commission. Washington D. C. and Sacramento, CA.*

Specific Comments

Casper Region- Glenrock to Medicine Bow

The proposed transmission line would cross crucial winter-yearlong ranges for pronghorn and mule deer and crucial winter ranges for mule deer and elk as it makes its way from Glenrock

Mr. Walter George
July 3, 2008
Page 3 - WER 11791

to Medicine Bow. In addition, sections of this portion of the proposed route come in close proximity to sage-grouse leks and nesting habitats.

If feasible, given the goal of this project, establishing only one new line along the existing power line corridor from Dave Johnston Power Plant through Shirley Basin would minimize disturbance of wildlife habitat and is preferable to an additional corridor.

Wildlife habitat enhancement projects have been implemented in the Bates Hole Management Area (ELM DMA) and more are scheduled in the future. Considering the importance of this area to wildlife and the cooperative habitat enhancements we have done with BLM, we suggest a more conservative approach to routing and constructing power lines within this segment. Within the ELM DMA, we recommend the EIS address restricting surface development activities from March 15 through July 15 within 4 miles of occupied sage grouse leks and avoiding surface disturbing activities within sagebrush stands of greater than 10 percent canopy cover. Also, within this 4-mile buffer, we suggest installing raptor deterrents on power poles and other high profile structures to help reduce predation on sage grouse.

Laramie Region- Highway 487 to Ft. Steele

In much of this portion of the Laramie Region, the proposed lines would parallel existing lines at a 1,500 foot offset, further widening an existing transmission line corridor. If implemented, the new transmission lines would undoubtedly include new service roads which would create a potential for increased erosion, noxious weed problems, a direct loss of habitat, increased fragmentation of habitat, and increased disturbance of wildlife. The proposed transmission lines would intersect important habitats for many wildlife species including sage grouse, raptors, songbirds, many species of small mammals and big game. We recommend the proposed route follow the footprint of existing lines, as much as possible, to reduce the amount of ground disturbance and potential impacts to wildlife.

Lander Region- Ft. Steele to Wamsutter

This portion of transmission line crosses pronghorn crucial winter range at Red Rim and mule deer crucial winter range at the North Platte River and south of Rawlins and Sinclair. While a power line is unlikely to seriously affect big game use of crucial winter ranges, construction activities could have significant impacts if they occur during crucial winter periods. Similarly, the line would pass close to numerous raptor nests and through a raptor nesting concentration area on Red Rim. We recommend the EIS consider and evaluate impacts of construction activities, including travel and housing of work crews, on important wildlife species, particularly during sensitive periods. It should also identify measures to mitigate those impacts.

Regardless of whether the preferred route or the alternative (diversion which intends to bypass 2 sage-grouse leks) is selected, much of the power line route lies within suitable nesting habitat for sage grouse. Current use of affected habitats by nesting sage grouse would be expected to be low because of the existing 230 kV power line. However, placement of a second tier of larger, taller structures with both 250kV and 500kV lines would likely increase grouse avoidance of these habitats and reduce movements across the right-of-way. This would further fragment nesting and winter habitats in the area. The value of large expanses of sage-grouse habitats between this project and the I-80 corridor would likely be degraded simply because grouse would be averse to crossing additional transmission lines. As with big game, we

Mr. Walter George
July 3, 2008
Page 4 - WER 11791

recommend the EIS evaluate cumulative impacts of construction activities on sage-grouse breeding and nesting time periods.

In the scoping document, the included map of important biological resources along the proposed right-of-way does not show at least 3 documented bald eagle nests along the North Platte River, nor the associated 1-mile buffers. Those nests include the following locations:

SCOUT ISLAND at 13T, 333841E, 4630831N
SEMINOE BACK WATERS at 13T, 335929E, 4639193N
ROCHELLE at 13T, 338882E, 4621473N

While the proposed right-of-way appears to avoid each of these nests by at least 1 mile, it would cross the North Platte River where bald eagle pairs roost and forage. Other large, important bird species use habitats along the North Platte River, including red-tailed hawks, great horned owls, white pelicans, great blue herons, and double crested cormorants. We recommend the EIS evaluate expected losses of these species due to collisions with the power line and suggest a range of corrective mitigations where appropriate.

Green River Region- Wamsutter to Idaho

We do not favor the proposed "alternate" route from Kemmerer west to Utah-Idaho. Given the location of this alternative, it will have impacts regarding crucial winter range for Wyoming Range mule deer, and with the largest contingent of occupied greater sage-grouse leks in the Green River Region. The resultant wildlife impacts would be highly detrimental to these important wildlife populations.

Alternative A (constructing the new line along the same corridor as the existing line north and west of Kemmerer) is the Department's preferred route, as any impacts would be within an already impacted zone. BLM personnel have suggested this may jeopardize the special designation (no lease, NSO) they are proposing for crucial wildlife habitats in the Lost Creek area, since the existing corridor crosses this area in the northeast corner. If the existing corridor already crosses this area, we question whether there would be additional impacts that would occur to wildlife as a result of the new line, or that there is a relationship with leasing or natural gas NSO status. But if that is the case, we offer the following routes as alternatives that we believe will have fewer impacts to wildlife resources than the BLM proposed alternate route.

1. Alternative B (see attached map Alternative B) - This route would avoid many of the winter range and lek impacts associated with the BLM's alternative. It would also avoid the concerns expressed by BLM regarding the special designation zone associated with Lost Creek and the Raymond Mountain WSA. The proposed route would be as follows: follow the existing power line ROW to Dempsey Ridge; follow ridgeline north to Coke Mountain; turn westerly and follow Sublette Canyon west-northwest; proceed northwesterly to Quealy Reservoir; follow Quealy Canyon westerly to the existing corridor.
2. Alternative C (see attached map Alternative C) - As stated previously, the BLM proposed Alternate Route south of US 30 would likely produce significant negative impacts to crucial winter range for mule deer and the largest sage-grouse lek complex remaining in this portion of the Green River Region (e.g. Collett Creek leks, Bullpen leks). Our proposed change to this route to make it better accommodate wildlife would be as follows: from Kemmerer, proceed westerly-northwesterly across the Elk Mine

Mr. Walter George

July 3, 2008

Page 5 - WBR 11791

and along the existing pipeline corridor to Fossil; proceed westerly in the bottom of the Twin Creek drainage to T21N; R118W; Sec. 10; turn southwesterly at this location to the extreme southern boundary (center section) of T21N; R118W; Sec. 9; proceed due west to the extreme southeastern corner of T21N; R119W; Sec 12; proceed generally westerly to Sage Junction; proceed northwesterly across Wyoming Highway 89; proceed northerly to the existing pipeline corridor (T22N; R120W; Sec 26); proceed northwesterly to a point 25 mile west of Lincoln County Road 7; follow this road northerly to the existing power line ROW. This route would also accommodate concerns from BLM cultural resource personnel regarding viewsheds on historic trails by running the line south of US Highway 30. This would be a more acceptable southern route to us (though not desired).

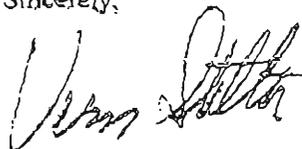
Aquatic Considerations:

To minimize impacts to the aquatic resources we recommend the following:

- o Accepted best management practices should be implemented to ensure that all sediments and other pollutants are contained within the boundaries of the work area. Disturbed areas that are contributing sediment to surface waters as a result of project activities should be promptly re-vegetated to maintain water quality.
- o To adequately protect aquatic resources in this watershed, a buffer strip at least 150 feet wide on each side of streams and water courses should be left undisturbed where healthy riparian vegetation is present. The purpose of this buffer strip is to minimize loss of fish habitat associated with stream bank vegetation and to reduce the possibility of increased sedimentation to aquatic habitats.
- o Any riparian canopy or bank stabilizing vegetation removed as a result of construction activities should be reintroduced and protected from grazing until well established (typically rested for a minimum of two grazing seasons).
- o Equipment should be serviced and fueled away from streams and riparian areas. Equipment staging areas should be at least 150 feet from riparian areas.

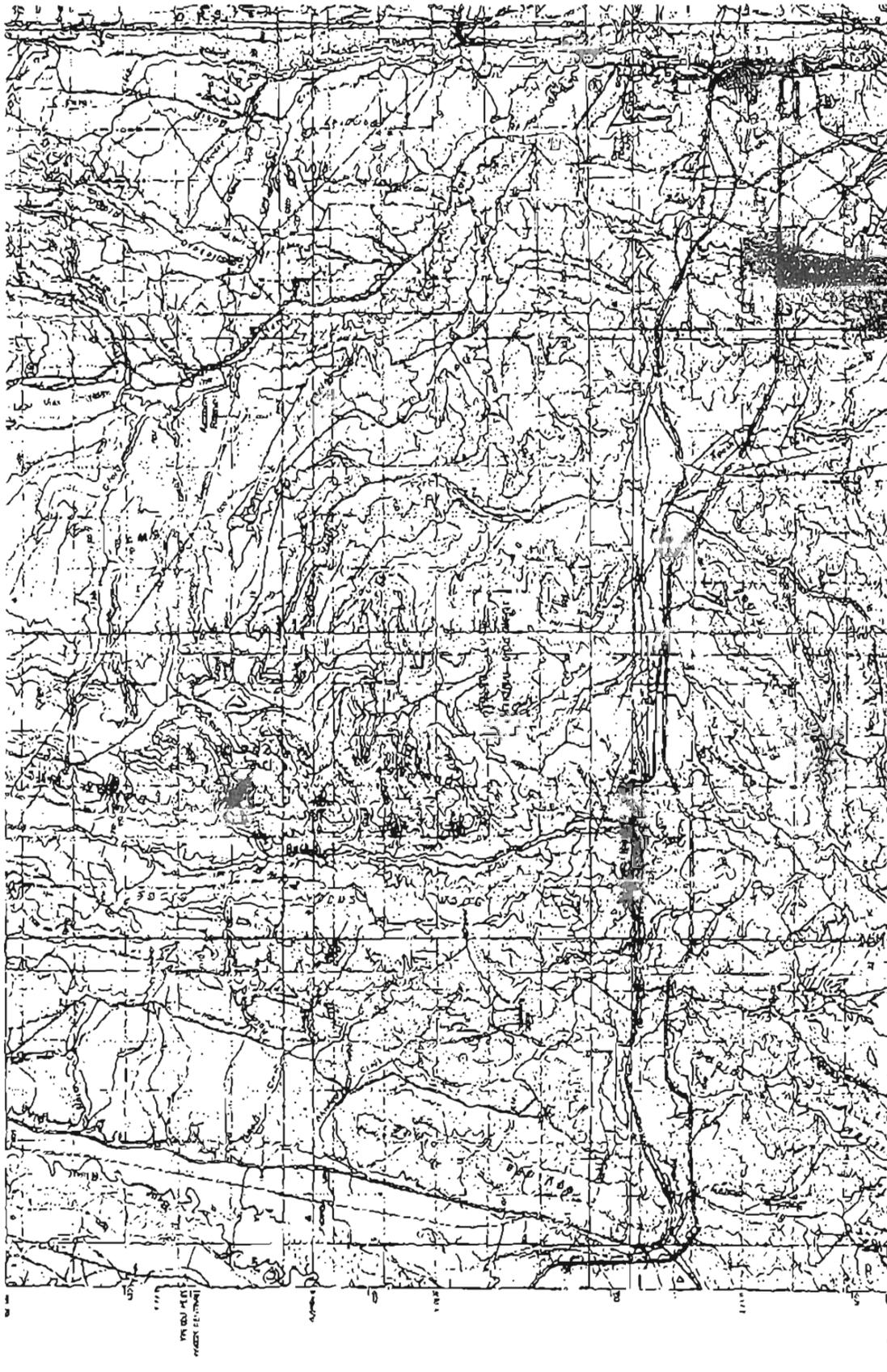
Thank you for the opportunity to comment.

Sincerely,


for JOHN EMMERICH
DEPUTY DIRECTOR

JE:VS:gfb

cc: USFWS





June 24, 2008

Bureau of Land Management
Gateway West Project
PO Box 20879
Cheyenne, WY 82003

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUN 25 AM 10: 00
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CHEYENNE, WYOMING

To Whom It May Concern:

I am writing this letter of support on behalf of the BLM's proposed route for the Gateway West Transmission Line Project. The Green River Chamber of Commerce Board of Directors and I strongly support the BLM's preferred route that follows the current transmission lines, especially as it comes across Sweetwater County. Sweetwater County has a large percentage of historic trails that are still very visible and undamaged by development. Keeping this new transmission line co-located to the current line will keep the trails integrity.

The Chamber is also voicing our strong support for the Gateway West Transmission Line project as it will provide much needed additional capacity for electricity. As our country energy needs continue to grow, Wyoming can address some of those needs—which is good for Wyoming's economy.

Attached you will find the names of Chamber of Commerce Board of Directors.

Sincerely,

Janet L. Hartford

Bob Saunders, Past President
Wells Fargo
1400 Dewar Drive
Rock Springs, WY 82901
352-5538

Michael Nelson, MS PT President
High Plains Physical Therapy
920 Upland Way
Green River, WY 82935
875-1847

Cindy Brandjord, Vice President
CD Center
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Bonnie Bigolin 1st Vice-President
Print Link Ad-Specialties
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Jeff Nieters, Treasurer
City of Green River
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Robert Berg Secretary
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Marie Colestock
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Kathy Gilbert
Green River Star
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Bryan Mortimer
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Terry Warren -President HIWG
Radio Network
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Tom McCullough, City Council
Liaison
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Jeff Wilson
Desert View Eye Care
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10010

Wyoming Department of Agriculture

2219 Carey Avenue, Cheyenne, WY 82002 ■ Phone: 307-777-7321 ■ Fax: 307-777-6593 ■ Cust. Serv. Hotline: 888-413-0114 ■ Website: wyagriculture.wyo.us ■ Email: wdal@state.wyo.gov



Dave Freudenthal, Governor
John Erchepare, Director

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

June 2, 2008

Bureau of Land Management
Gateway West Project
PO Box 20879
Cheyenne, WY 82003

To Whom It May Concern:

Following are our comments pertaining to the Scoping Notice for the proposed Environmental Impact Statement (EIS) for the Gateway West 230/500kV Transmission Line Project in Idaho and Wyoming and possible Land Use Plan amendments.

Our comments are specific to our mission: to be dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this proposed project affects our agriculture industry, our natural resources, and the welfare of our citizens, it's important that we be kept informed of proposed actions and decisions and that we continue to be provided the opportunity to express pertinent issues and concerns.

This project will impact grazing permittees, agriculture producers, landowners, and other citizens, as well as our natural resources, both in and near this transmission line project area. We were concerned when the listing of preliminary issues in the Scoping Notice failed to identify any rangeland grazing issues for this project. While issues were identified for visual resources, wildlife, National Historic Trails, soils, water, social and economic impacts, cultural properties, reclamation and noxious weeds, none were identified for livestock grazing or rangeland management. For these reasons, we are making the following comments.

Following are some specific individual effects upon livestock grazing needing analyzed in the EIS: increased off- and on-road traffic, increased number of speeding vehicles, construction of new roads and modifications to existing roads, destroyed cattle guards, increased number of vehicles in the area causing death or impairments of livestock, cut fences, opened gates, damaged range improvements, decreased AUMs and pastures for grazing, decreased palatability of vegetation and forage from road dust and development activities, unsuccessful reclamation of disturbed areas, introduction and spread of noxious weeds, and other detrimental social and economic impacts on livestock operators and livestock management operations.

We strongly encourage BLM staff and commercial operators to work closely and consistently with all affected grazing permittees and agriculture producers to learn of their concerns and recommendations regarding this project. Agriculture producers are

BOARD MEMBERS

Juan Reyes, District 1 ■ Jack Cotton, District 2 ■ Jim Mickelson, District 3 ■ Jim Bennage, District 4 ■ Joe Thomas, District 5 ■ David J. Graham, District 6 ■ Gene Hardy, District 7

YOUTH ADVISORY BOARD MEMBERS

Patrick Zimmerman, Southeast ■ Dalin Waters, Northwest ■ John Hansen, Southwest ■ Bridget Kukowski, Northeast

intimately familiar with areas affected by this proposal and they possess irreplaceable long-term, on-the-ground knowledge. They are particularly aware of the individual and cumulative impacts upon wildlife habitat and livestock forage, as well as rangeland health for the planning area. We highly recommend that during the planning process developers and BLM officials seek and address the concerns and recommendations of these stewards of habitat, forage, and rangeland health. Moreover, it is imperative that BLM officials continuously inform all livestock grazing permittees who are directly or indirectly affected of the issues, decisions, and resulting actions regarding this proposal.

Many environmental impact studies are deficient in identifying or analyzing social and economic impacts imposed by proposed developments. We strongly recommend that the EIS includes a full and thorough social and economic impact analysis. Since grazing on public lands represents a vital economic value to agriculture producers and local communities, we specifically suggest that that analysis includes the impacts upon livestock grazing in and adjacent to the planning area. The cumulative impacts of developments upon livestock grazing may jeopardize the livelihoods of grazing permittees. The loss or impaired ability of livestock grazing operations needs to be evaluated in the EIS.

In addition to its economic value, grazing also represents irreplaceable environmental and social values, contributing to the preservation of open spaces, the scenic vistas and visual beauty of the area, and the traditional image of the historic rural landscapes of Wyoming and the West. Any loss of these important environmental, historic, and social values of livestock grazing to users and visitors of the area and residents of impacted communities should be included in the scope of the study and the social impacts analyzed in the EIS.

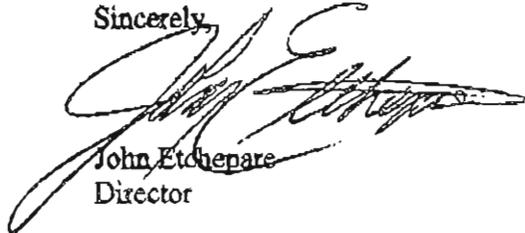
Timely and successful reclamation and mitigation are needed and should be required. Reclamation and mitigation requirements and the consequences of failing to accomplish successful reclamation and mitigation should be clearly stated. Congressional mandates, federal statutes, and implementing regulations call for multiple use, and should be an integral part of the assessments. Moreover, the EIS should evaluate the impact of this project upon the intent expressed in the Federal Land Policy and Management Act of 1976 to manage public lands in a manner that will provide food and habitat for fish, wildlife, and domestic animals. The impacts upon food and habitat for fish and wildlife are usually well documented in NEPA documents. The consequences of the transmission line project upon food and habitat for domestic animals deserve the same degree of study and documentation. Grazing is an essential tool to achieve desired environmental objectives in the planning area, including obtaining positive effects upon food and habitat for both wildlife and livestock. The EIS needs to include 1) these positive effects of livestock grazing upon the environment and as a tool to achieve environmental objectives and 2) the impacts of this project on limiting the ability of livestock grazing to achieve these positive effects.

Peer-reviewed science should underlie decisions that are made. The EIS needs to identify the science that supports the decisions and discussions regarding this project.

Decisions in the proposed plan should allow BLM officials, grazing permittees and private landowners the opportunity to work cooperatively. Flexibility to make the best site-specific, case-by-case decisions that are in the best interests of the affected resources and citizens throughout the life of this plan should also be addressed.

In conclusion, we appreciate the opportunity to comment on the scope of the proposed actions. We encourage continued attention to our concerns and we look forward to hearing about and being involved in proposed actions and decisions.

Sincerely,



John Etchepare
Director

JE/jc/cw

CC: Governor's Planning Office
Wyoming Game and Fish Department
Wyoming Board of Agriculture



Lincoln Conservation District

P.O. Box 98 - 110 Pine Street - Cokeville Town Hall, Room 1 - Cokeville, Wyoming 83114
Phone (307) 279-3256

June 20, 2008

Bureau of Land Management
Gateway West Transmission Line Project
Attention: Walt George, Project Manager
P.O. box 1828
Cheyenne, WY 82003-1828

Dear Mr. Claypool:

The Lincoln Conservation District (LCD) Board members reviewed the Gateway West Transmission Line Projects at our last month's board meeting. As a board, we would like to receive Gateway West Project mailings.

Our board is very concerned about the location of the transmission line in the Cokeville, Wyoming area. As a board, we have been working closely with the Wyoming Water Development Commission and the Cokeville Development Company to construct an irrigation water storage reservoir on Sublette Creek southeast of Cokeville, Wyoming. Please see the attached maps for the location of the proposed reservoir site.

You will note the existing power transmission lines just clip the proposed reservoir pond area on the northeast end. If the proposed Gateway West Transmission Line goes south of the existing power transmission lines it would run right through the proposed reservoir pond area and negate the efforts of LCD, Wyoming Water Development Commission, and the Cokeville Development Company for several years to get an irrigation water storage reservoir built, which is greatly needed by agriculture in the Cokeville area.

The LCD is a member of the Local Coalition of Governments in southwest Wyoming and has had Cooperating Agency Status on past BLM reviews and Environmental Impact Assessments (EIS). We, as a board, need to be at the table when the location of the proposed Gateway West Transmission Line is decided in the Cokeville area.

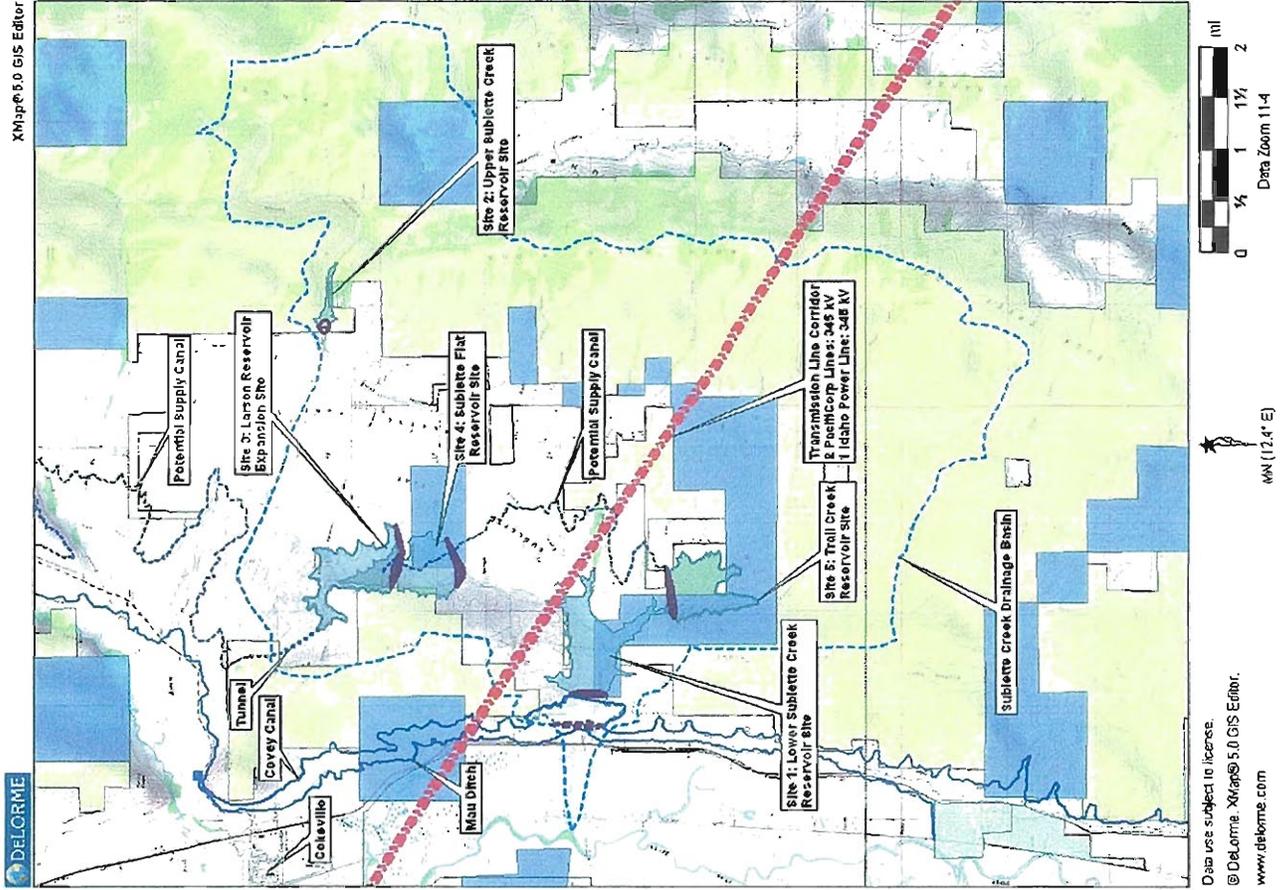
Your cooperation on this matter is of high importance. Please feel free to contact us if you have any questions or need any clarification, phone (307) 279-3256:

Thank you for your help.

Erick Esterholdt, Vice Chairperson
Lincoln Conservation District

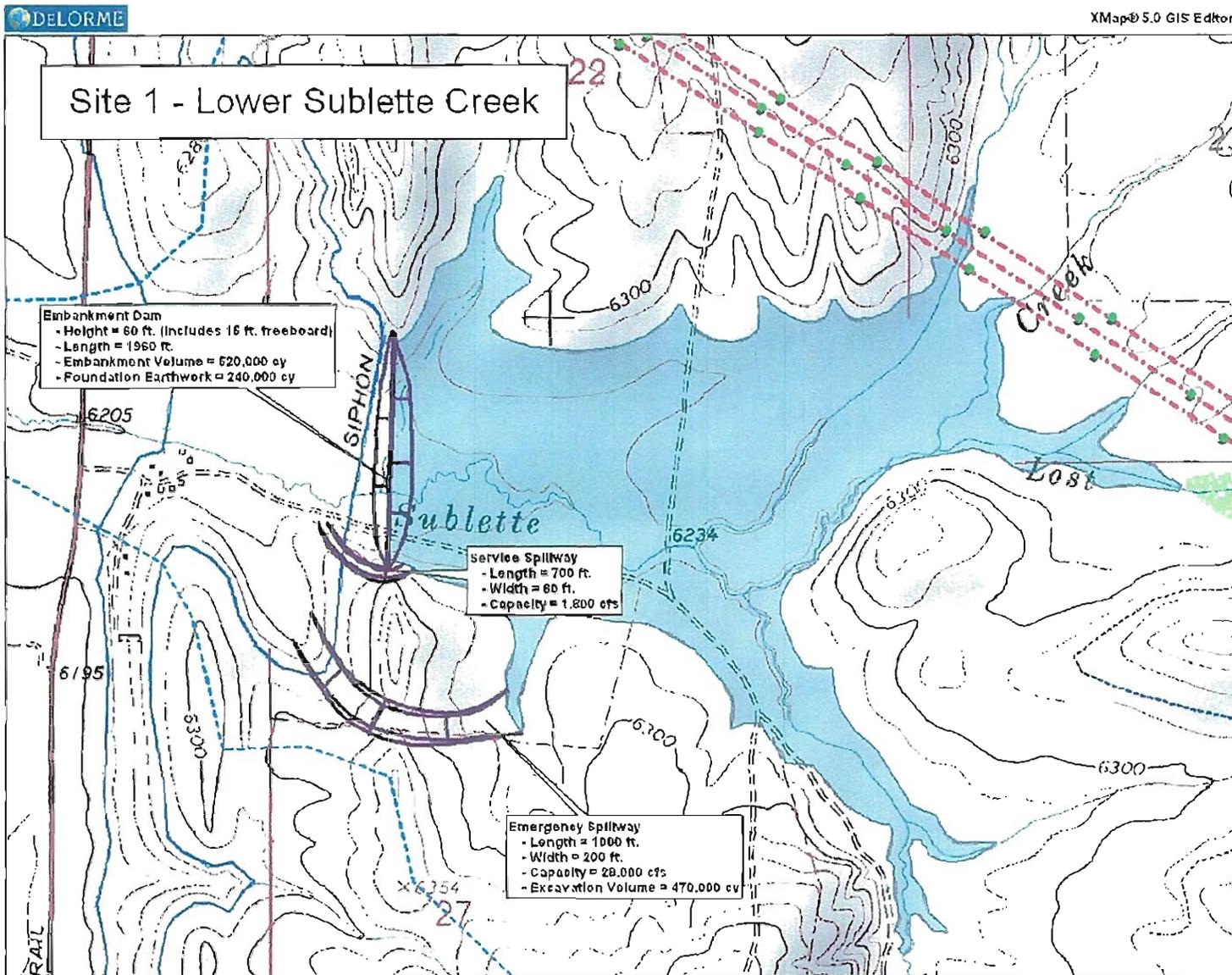
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
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CHEYENNE, WYOMING

Land Ownership/Transmission Line Corridor



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Dam and Spillways Layout



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MN (12.4° E)

0 400 800 1200 1800 2000 ft
 Data Zoom 14.0

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----- Forwarded by Walt George/WYSO/WY/BLM/DOI on 07/07/2008 08:11 AM -----

Kimmel.Larry@epamail.epa.gov
To Gateway_West_WYMail@blm.gov
07/03/2008 03:05 PM
cc Mbabaliye.Theogene@epamail.epa.gov
Subject Gateway West Transmission Line Project, EPA Scoping Comments

ATTN: Walter George, Manager
Gateway West Project

Dear Mr. George:

Attached is a copy of EPA's scoping comments for the Gateway West Transmission Line Project. A hard copy is being mailed to your office.

Larry Kimmel
EPA Project Manager

U.S. EPA Region 8
1595 Wynkoop Street
Mail Code: 8EPR-F
Denver, CO 80202-1129
Phone: (303) 312-6659
Fax: (303) 312-7203
kimmel.larry@epa.gov

(See attached file: gateway west project.epa scoping
comments.reg8&10.sig.doc)

(See attached file: gateway west project.epa scoping
comments.reg8&10.sig.doc)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

JUL 3 2008

Ref: 8EPR-N

Walter George, Manager
Gateway West Project
Bureau of Land Management
5353 Yellowstone Road
Cheyenne, WY 82009

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL 10 AM 10:00
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CHEYENNE, WYOMING

RE: Scoping Comments for the Gateway West
Transmission Line Project

Dear Mr. George:

The U.S. Environmental Protection Agency (EPA) has reviewed the US Bureau of Land Management (BLM) and Forest Service (FS) Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the proposed **Gateway West 230/500 kV Transmission Line Project in Idaho and Wyoming and Possible Land Use Plan Amendments**. Our review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures, we evaluate the document's adequacy in meeting NEPA requirements.

According to the NOI, Idaho Power and Rocky Mountain Power have filed a Right-Of-Way (ROW) application with BLM and FS to construct 230/500 kV electric transmission lines from the proposed Windstar substation near the Dave Johnston Power Plant at Glenrock in WY to the proposed Hemingway substation near Melba in Idaho. The project corridor would be 150-250 feet wide. Within this corridor, there would be 11 transmission line segments with a total length of nearly 1,250 miles, of which 500 miles would traverse federal lands in WY and ID. Impacted FS lands would include Montpelier and Ranger District of the Caribou-Targhee National Forest in Idaho and Douglas Ranger District of the Medicine Bow National Forest in Wyoming.

The NOI identifies a preliminary list of issues and environmental resources to be addressed in the EIS, including but not limited to: soils, water, air, vegetation and habitat, land use, recreation, cultural resources, and socioeconomics. Although the proposed project route would follow existing power lines in the Idaho Power and Rocky Mountain Power systems, it is possible that authorization of the project could require new routes, which would result in amendments of existing FS and BLM land use plans. While we agree that this list of issues is appropriate for the proposed project, we are offering the attached scoping comments to inform

BLM of issues that EPA believes should be considered as the EIS for the project is being developed.

We appreciate the opportunity to provide comments at this early stage of the EIS process. If you have questions about our comments, please contact Mr. Larry Kimmel of my staff at (303) 312-6659 or me at (303) 312-6004.

Sincerely,



Larry Syboda
Director, NEPA Program
Office of Ecosystems Protection
and Remediation

Enclosure

**EPA Scoping Comments on the Proposed
Gateway West 230/500 kV Transmission Line Project in
Idaho and Wyoming and Possible Land Use Plan Amendments**

Range of Alternatives

The EIS should include a range of reasonable alternatives that meet the stated purpose and need for the project and that are responsive to the issues identified during the scoping process. This will ensure that the EIS provides the public and the decision-maker with information that sharply defines the issues and identifies a clear basis for choice as required by NEPA. The Council on Environmental Quality (CEQ) recommends that all reasonable alternatives should be considered, even if some of them could be outside the capability of the applicant or the jurisdiction of the agency preparing the EIS for the proposed project. EPA encourages selection of feasible alternatives that will minimize environmental degradation.

Environmental Effects

The EIS should include environmental effects and mitigation measures. This would involve delineation and description of the affected environment, indication of resources that would be impacted, the nature of the impacts, and a listing of mitigation measures for the impacts. The transmission lines will cross several land use types, wetlands, and go through all kinds of slopes and soil types, resulting in impacts to a variety of resources including water, air, wildlife and their habitat, and land uses.

Water resources impacts

Water quality degradation is one of EPA's primary concerns. Section 303(d) of the Clean Water Act (CWA) requires States (and Tribes with approved standards) to identify water bodies that do not meet water quality standards and to develop water quality restoration plans to meet established water quality criteria and associated beneficial uses. The EIS must disclose which waters may be impacted by the project, the nature of potential impacts, and specific pollutants likely to impact those waters. It should also report those water bodies potentially affected by the project that are listed on the States and Tribes' most current EPA approved 303(d) list. The EIS document should describe existing restoration and enhancement efforts for those waters, how the proposed project will coordinate with on-going protection efforts, and any mitigation measures that will be implemented to avoid further degradation of impaired waters.

Public drinking water supplies and/or their source areas often exist in many watersheds. It is possible that source water areas may exist within watersheds in which the proposed project facilities would be located. Source water is water from streams, rivers, lakes, springs, and aquifers that is used as a supply of drinking water. Source water areas are delineated and mapped by the states for each federally-regulated public water system. The 1996 amendments to the Safe Drinking Water Act (SDWA) require federal agencies to protect sources of drinking water for communities. As a result, state agencies have been delegated responsibility to conduct source water assessments and provide a database of information about the watersheds and aquifers that supply public water systems.

Since construction and operation of the project may impact sources of drinking water, EPA recommends that BLM and FS contact the state agency responsible for developing and maintaining the database to help identify source water protection areas within the project area. The EIS document should:

- a) Identify all source water protection areas within the project area.
- b) Identify all activities that could potentially affect source water areas.
- c) Identify all potential contaminants that may result from the proposed project.
- d) Identify all measures that would be taken to protect the source water protection areas in the draft EIS.

The proposed project would require infrastructure, including machinery to transport materials and construction of new access roads and buildings. Roads often contribute more sediment to streams than any other management activity and interrupt the subsurface flow of water. Roads and their use also contribute to habitat fragmentation, wildlife disturbance and the introduction or exacerbation of noxious weeds. The EIS should therefore include data about existing road networks and evaluate the change in road miles and density that will occur as a result of the project and predicted impacts to water quality by roads. The EIS should note that, under the federal Clean Water Act (CWA), any construction project disturbing a land area of one or more acres requires a construction storm water discharge permit or the National Pollutant Discharge Elimination System (NPDES) permit for discharges to waters of the U.S. The EIS should document the project's consistency with applicable storm water permitting requirements and should discuss specific mitigation measures that may be necessary or beneficial in reducing adverse impacts to water quality.

Construction of the project facilities, such as access roads and substations may also compact the soil, thus changing hydrology, runoff characteristics, and ecological function of the area, affecting flows and delivery of pollutants to water bodies. Therefore, the EIS should include a detailed discussion of the cumulative effects from this and other projects on the hydrologic conditions of the proposed project corridor. The document should clearly depict reasonably foreseeable direct, indirect and cumulative impacts to groundwater and surface water resources. For groundwater, the potentially affected groundwater basin should be identified and any potential for subsidence and impacts to springs or other open water bodies and biologic resources should be analyzed.

Road improvements and construction issues

The EIS should evaluate effects of any proposed road improvements, new road construction, and general ROW construction and operation activities on the area. The evaluation should include increased access, travel management and enforcement aspects, as well as impact to the flora and fauna of the area. Dust particulates from construction, and ongoing operations on roadways are important concerns. Airborne dust may not only be a visual nuisance, but can be potentially dangerous to asthma sufferers. Sedimentation run-off can severely impact the aquatic environment. Construction techniques such as 95% base compaction prior to placement of

gravel, culverts for water drainage, steep slope construction measures to prevent erosion, and appropriate dust control methods (such as placement of a non-chlorine based dust abatement chemical treatment), are important dust suppression and sediment reduction techniques. Detailed plans for addressing dust control for the project should be included. The plans should include, though are not limited to: dust suppression methods, inspection schedules, and documentation and accountability processes.

Habitat, Vegetation, and Wildlife

During construction of the proposed project, vegetation would be cleared and soils moved during construction of roads, and building of substation and other facilities. The EIS should describe the current quality and capacity of habitat, its use by wildlife in the proposed project area, especially avian populations. Power transmission projects have the potential to disrupt important wildlife species habitat, resulting in mortality of migratory species such as birds and bats due to electrocution on power lines and collisions with towers, power lines, or with other related structures.

The EIS should describe the critical habitat for the species; identify any impacts the proposed project will have on the species and their critical habitats; and how the proposed project will meet all requirements under the Endangered Species Act (ESA). A proposed mitigation plan with detailed mitigation steps that will be taken to minimize or eliminate adverse impacts should be presented. For example, we recommend replacement trees be planted to offset any unavoidable tree loss. Replacement trees should be planted close to where the loss occurred. Native saplings should be used, if practicable, at a minimum ratio of 1:1. Mitigation might also include assisting county, state, or federal agencies with ongoing or planned forest or tree reclamation projects in watersheds affected.

Equipment and materials should not be placed or stored in any environmentally sensitive areas. Where possible, excavation should be done from non-sensitive areas. Site activities should be timed to avoid disturbing plants and animals during crucial seasons in their life cycle. The specific Best Management Practices (BMPs) that would be used for the project should also be identified in the EIS.

Because the project may have impacts on native and rare plants, the EIS should include general locations of rare plants, and how these sites will be managed to minimize impacts on the plants.

Noxious weeds and invasive plants

Among the greatest threats to biodiversity is the spread of noxious weeds and exotic (non-indigenous) plants. Many noxious weeds can out-compete native plants and produce a monoculture that has little or no plant species diversity or benefit to wildlife. Noxious weeds tend to gain a foothold where there is disturbance in the ecosystem. Studies show that new roads and utility ROWs can become a pathway for the spread of invasive plants. If possible, a vegetation management plan should be prepared to address control of such plant intrusions. The

plan should list the noxious weeds and exotic plants that occur in the resource area. In cases where noxious weeds are a threat, EPA recommends the document detail a strategy for prevention, early detection of invasion, and control procedures for each species. Early recognition and control of new infestations is essential to stopping the spread of infestation and avoiding future widespread use of herbicides, which could correspondingly have more adverse impacts on biodiversity and nearby water quality.

There are a number of prevention measures available such as reseeding disturbed areas as soon as possible and cleaning equipment and tires prior to transportation to an un-infested area. Plant seeds can be carried from a source area by the wind, wildlife or pack animals, on equipment tires and tracks, by water, and on the boots of workers, so care should be taken to implement control procedures in all source areas to avoid spread to unaffected areas. A specific concern for this project is to ensure that invasive species are not transferred as a result of the hydrostatic testing, and that measures are taken to preclude this potential impact. We also note that hay can be a source of noxious weed seed. Hay/straw is used as mulch to slow erosion and encourage seed germination, and used to feed horses in hunting and recreation camps, and as wildlife feed during harsh winters. Cattle that are released on grazing allotments or horses used on public lands can transport undigested weed seed and spread it in their manure. The use of certified weed free hay in mitigation should be considered.

Should an infestation occur or already be present, EPA supports integrated weed management (e.g. effective mix of cultural, education and prevention, biological, mechanical, chemical management, etc.). However, we encourage prioritization of management techniques that focus on non-chemical treatments first, with reliance on herbicides being the last resort. We recommend implementing yearly review and planning activity requirements for the above concerns, including evaluation of effectiveness to date.

If any pesticides and herbicides will be used for vegetation treatment during the proposed project operations, the EIS should address any potential toxic hazards related to the application of the chemicals, and describe what actions will be taken to assure that impacts by toxic substances released to the environment will be minimized. If vegetation would be burnt, then the EIS should include a smoke management program that would be followed to reduce public health impacts and potential ambient air quality exceedances.

Wetlands and riparian areas

The EIS should use existing plans to identify aquatic resources that would be potentially impacted by construction and operation of the proposed project. BLM and FS should coordinate with the U.S. Army Corps of Engineers to determine if the project would require a Section 404 permit under the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the U.S., including wetlands and other special aquatic sites. The EIS should describe all waters of the U.S. that could be affected by the project, and include maps that clearly identify all waters within the project area. The discussion should include acreages and channel lengths, habitat types, values, and functions of these waters. EPA strongly encourages early coordination with the U.S. Army Corps of Engineers.

If a permit is required, EPA will review the project for compliance with *Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials* (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the CWA ("404(b)(1) Guidelines"). Pursuant to 40 CFR 230, any permitted discharge into waters of the U.S. must be the least environmentally damaging practicable alternative (LEDPA) available to achieve the project purpose. The EIS should include an evaluation of the project alternatives in this context in order to demonstrate the project's compliance with the 404(b)(1) Guidelines. If, under the proposed project, dredged or fill material would be discharged into waters of the U.S., the EIS should discuss alternatives to avoid those discharges. If a discharge to waters of the U.S. becomes necessary, the EIS should discuss how potential impacts would be minimized and mitigated. This discussion should include:

- (a) Acreage and habitat type of waters of the U.S. that would be created or restored.
- (b) Water sources to maintain the mitigation area.
- (c) Re-vegetation plans, including the numbers and age of each species to be planted, as well as special techniques that may be necessary for planting.
- (d) Maintenance and monitoring plans, including performance standards to determine mitigation success.
- (e) Size and location of mitigation zones.
- (f) Parties that would be ultimately responsible for the plan's success.
- (g) Contingency plans that would be enacted if the original plan fails.

Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation.

Air quality

The protection of air quality should be addressed in the EIS. The types of fuels to be used during construction activities, increased traffic during operations, and related VOC and NO_x emissions, should be disclosed and the relative effects on air quality and human health evaluated. Dust particulates from construction activities and ongoing operation of the roadways are important concerns, as discussed previously. The EIS should evaluate air quality impacts, and detail mitigation steps that will be taken to minimize associated impacts. This analysis should also address and disclose the project's potential affect on: all criteria pollutants under the National Ambient Air Quality Standards (NAAQS), including ozone; visibility impairment, and air quality related values (AQRV) in the protection of any affected Class I Areas, any significant concentrations of hazardous air pollutants, and protection of public health.

Cumulative effects

EPA has issued guidance on how we are to provide comments on the assessment of cumulative impacts, *Consideration of Cumulative Impacts in EPA Review of NEPA Documents*, which can be found on EPA's Web site at: <http://www.epa.gov/compliance/resources/nepa.html>. The guidance states that in order to assess the adequacy of the cumulative impacts assessment, five key areas should be considered. EPA tries to assess whether the cumulative effects' analysis:

- a) Identifies resources, if any, that are being cumulatively impacted.
- b) Determines the appropriate geographic (within natural ecological boundaries) area and the time period over which the effects have occurred and will occur.
- c) Looks at all past, present, and reasonably foreseeable future actions that have affected, are affecting, or would affect resources of concern.
- d) Describes a benchmark or baseline.
- e) Includes scientifically defensible threshold levels.

The EIS document should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed project.

Climate change effects

Currently, there is concern that continued increases in greenhouse gas emissions resulting from human activities contribute to climate change. Effects of climate change may include changes in hydrology, sea level, weather patterns, precipitation rates, and chemical reaction rates. The EIS document should therefore consider how resources affected by climate change could potentially influence the project and vice versa, especially within sensitive areas. Also, the EIS should quantify and disclose greenhouse gas emissions from the project activities and discuss mitigation measures to reduce emissions.

Endangered Species

The proposed project may impact endangered, threatened or candidate species listed under the Endangered Species Act (ESA), their habitats, as well as state sensitive species. Evaluation of the proposed gas transmission project should identify the endangered, threatened, and candidate species under ESA, and other sensitive species within the project corridor and surrounding areas. The EIS should describe the critical habitat for the species; identify any impacts the project will have on the species and their critical habitats; and how the proposed project will meet all requirements under ESA, including consultation with the U.S. Fish and Wildlife Service (FWS) and National Oceanographic Atmospheric Administration (NOAA). The EIS may need to include a biological assessment and a description of the outcome of consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act. The Commission actions should promote the recovery of declining populations of species.

Coordination with Tribal Governments

The EIS should discuss whether or not the proposed project may affect historical or traditional cultural places of importance to the area's Native American communities. The document needs to identify historic resources, and assure that treaty rights and privileges are addressed appropriately. If the proposed project will have impacts on Native Americans, the development of the EIS document should be conducted in consultation with all affected tribal governments, consistent with Executive Order (EO) 13175 (*Consultation and Coordination with Indian Tribal Governments*).

Environmental Justice and Public Participation

The EIS should include an evaluation of environmental justice populations within the geographic scope of the project. If such populations exist, the EIS should address the potential for disproportionate adverse impacts to minority and low-income populations, and the approaches used to foster public participation by these populations. Assessment of the project's impact on minority and low-income populations should reflect coordination with those affected populations.

The EIS should demonstrate that communities bearing disproportionately high and adverse effects have had meaningful input into the decisions being made about the project. The EIS needs to include information describing what was done to inform the communities about the project and the potential impacts it will have on their communities (notices, mailings, fact sheets, briefings, presentations, exhibits, tours, news releases, translations, newsletters, reports, community interviews, surveys, canvassing, telephone hotlines, question and answer sessions, stakeholder meetings, and on-scene information), what input was received from the communities, and how that input was utilized in the decisions that were made regarding the project. One tool available to locate Environmental Justice populations is the Environmental Justice Geographic Assessment tool available online at: <http://www.epa.gov/enviro/ejl>.

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994), directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, allowing those populations a meaningful opportunity to participate in the decision-making process.

Monitoring

EPA supports project strategies that include monitoring, which is a necessary and crucial element in identifying and understanding the consequences of actions. The proposed project could be designed to include an effective feedback element, including implementation and effectiveness monitoring.

10014



"Pam Eaton"
<pam_eaton@tws.org>
07/03/2008 05:02 PM

To <Gateway_West_WYMail@blm.gov>
cc
bcc
Subject Scoping Comments

Attached are the scoping comments of The Wilderness Society on the Gateway West Transmission Project.

Pamela Pride Eaton
Deputy Vice President
Public Lands Campaign
The Wilderness Society
1660 Wynkoop Street, Suite 850
Denver, CO 80202
303-650-5818, ext. 103

Take a walk on the wild side at: www.wilderness.org



Scoping Comments Gateway West Project.doc



THE WILDERNESS SOCIETY

July 3, 2008

Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003
Submitted via email: Gateway West WYMail@blm.gov

Re: Notice of Intent To Prepare an Environmental Impact Statement, for the Gateway West 230/500 kV Transmission Line Project in Idaho and Wyoming and Possible Land Use Plan Amendments.

To Whom It May Concern:

Please accept these comments for the record of the Gateway West Project, a right-of-way (ROW) application for a power line corridor across public lands, including Bureau of Land Management (BLM) lands, and National Forest System lands in the Caribou-Targhee and Medicine Bow-Routt National Forests.

These comments are submitted on behalf of The Wilderness Society (TWS) and our more than 250,000 members. The mission of The Wilderness Society is to protect wilderness and inspire Americans to care for our wild places. We are concerned about the route of this power line and potential impacts on wild lands and wildlife, and about the potential for this power line to facilitate the development of additional fossil fuel power plants and thereby accelerate greenhouse gas emissions. **We expect to submit supplemental scoping comments** on this project once we are able to obtain data layers and produce maps that will allow us to more thoroughly review the proposed route.

We appreciate that BLM has already identified important issues of concern. We address these below. In addition, we have list of concerns not yet identified by the BLM that must be addressed in the EIS. These include:

- **What is the type and extent of new energy development that will be induced by the project?**

We understand that the Gateway West Project is now expected to use its capacity to carry wind energy out of Wyoming to service areas in Utah, Idaho and elsewhere. (Pers. Comm. Brian Weber, PacifiCorp) We strongly support the expanded use of wind energy in the West.

Unfortunately, we remain concerned that Gateway West may actually facilitate the development and transmission of additional fossil fuel energy resources out of Wyoming. The website of Rocky Mountain Power, one of the project proponents for the Gateway West Project, states that the project “will enable the companies to access and deliver energy from new and existing generating resources, including renewable energy resources such as wind.” It does not specifically identify generating resources that will be connected to the new power line. BLM must fully analyze the energy development that will be induced by this power line and evaluate the environmental impact of various scenarios—including one that fully subscribes the line with wind and one that would result in the construction and operation of one or more new coal fired power plants.

- **What is the potential for the project to facilitate the development of new coal-fired or natural gas power plants and what will be the associated release of greenhouse gas emissions?**

According to a report in the Casper Star Tribune, “Erik Grill of Rocky Mountain Power said wind will make up a good deal of the new electrical generation that goes onto the transmission lines. But it could also come from additional coal-based generation, solar, or geothermal.”

(<http://www.casperstartribune.net/articles/2008/06/10/news/casper/c4ad3235b59ce7158725746400009725.txt>) A story in the Idaho Statesman noted that “Until early 2007, Idaho Power planned to meet its growth demands primarily by building new electric generation units at the mouth of coal mines in Wyoming. But the threat of new regulations and taxes aimed at reducing carbon dioxide - the main greenhouse gas blamed for global warming - dried up capital to build new coal plants. ‘It became obvious it wasn't going to happen,’ said James Miller, Idaho Power vice president for generation. . . . The company also is taking bids for a 250-megawatt natural gas turbine plant to replace the planned units in Wyoming. But with the volatility of gas prices, the company is looking at a range of generating sources, transmission lines and energy conservation strategies to balance out its demand.” (<http://www.idahostatesman.com/evpiece/storv/404378.html>)

We are deeply concerned that this project will exacerbate greenhouse gas emissions and climate change. BLM needs to analyze the generation sources that will be on this power line and what the greenhouse gas emissions will be induced by the development of the proposed project.

Appendix A contains information BLM should use in evaluating greenhouse gas emissions (including induced emissions) and impacts of climate change in the West.

- **Is the power line needed or could the demand the power line is intended to meet be met with the aggressive use of conservation and efficiency?**

Rocky Mountain Power’s website points out that “Individually, consumers today are using 26 percent more electricity than they did 20 years ago.” In California, per capita consumption of electricity has remained essentially flat due to energy conservation and efficiency. BLM should evaluate whether the need for the power lines could be avoided altogether if Rocky Mountain Power and Idaho Power aggressively pursued conservation and efficiency. We understand that Idaho Power is moving forward energy efficiency programs that NRDC has called “a regional leader.” But those programs were only initiated in 2007. According to the Western Governors’ Association’s Clean and Diversified Energy Advisory Committee (CDEAC) achievable, if high

but achievable levels of efficiency are reached in the western region, approximately 30 percent of a projected need for 4,000 miles of new power lines, or 1,150 miles, could be eliminated. (CDEAC, <http://www.westgov.org/wga/initiatives/cdeac/>)

- **What public lands are impacted by this proposal and where are they?**

The purpose of the Gateway West EIS is to evaluate the environmental impacts of the proposed project. According to the notice of intent to prepare an EIS, BLM notes “Approximately 500 miles or 40% of the total length traverses federally-administered land in Idaho and Wyoming.” Yet the map posted on BLM’s website for this project does not show public lands. This makes it impossible for the public to see whether public lands they care about impacted by the proposed power line. In order for the public to provide meaningful comments on the issues of concerns identified in the scoping notice, more information about where the power line and right-of-way will cross public lands is needed.

The lack of appropriate maps showing proposed route and public lands makes it impossible for us to adequately comment on the proposal.

The public lands areas identified in the NOI as being affected by the proposal, including BLM lands in Idaho in the Bruneau, Burley, Four Rivers, Jarbidge, Owyhee, Pocatello, and Shoshone Field Offices and Casper, Kemmerer, Rawlins and Rock Springs Field Offices, contain important public wild lands, wildlife habitat, and other public values. In addition the NOI notes that the Douglas Ranger District of the Medicine Bow National Forest in Wyoming would have two miles of the line and the Montpelier Ranger District of the Caribou-Targhee National Forest in Idaho would have 10 miles of the line. We are deeply concerned about the potential impacts of this project on public lands—including BLM lands and National Forest..

- **Does the proposal avoid roadless areas and other special areas on Forest Service and BLM lands?**

We are deeply concerned about the protection and management of roadless areas on public lands. Citizen’s across the west have identified roadless areas on BLM lands and proposed them for protection as wilderness. We do not yet know whether the proposed routes for the Gateway West project go through any citizen-proposed wilderness on BLM land, but **we plan to do an analysis of the proposed route and citizen-proposed wilderness areas and submit supplemental information to the BLM on potential conflicts.** The same is true of roadless areas on Forest Service lands.

- **Does the proposed power line follow existing power line routes or does it go through areas without current development?**

The NOI notes that “The proposed route generally follows existing power lines in the Idaho Power and Rocky Mountain Power systems.” This is good news. We strongly believe that such infrastructure should be sited in already disturbed areas as much as possible to reduce fragmentation of public lands and reduce impacts on wildlife and other values.

Unfortunately, given the information available about this project, it is impossible for us to figure out where the line would follow existing power lines and where it will pioneer new right-of-way corridors across public lands.

BLM identified the following issues and concerns, which we also think are important considerations for the EIS:

- **Effects on wildlife habitat, plants, and animals including threatened, endangered, and sensitive species.**

This is of great concern. The proposed route of the power line goes through lands that are used by the Greater Sage Grouse. The distribution of greater sage-grouse (*Centrocercus urophasianus*) has declined by at least 44% while overall abundance has decreased by up to 93% from presumed historic levels. These decreases are the result of habitat loss, fragmentation, and degradation. Federal and state public land management agencies currently are responsible for about 70% of the remaining sagebrush (*Artemisia* spp.) steppe, with the Bureau of Land Management and U.S. Forest Service managing most of these lands for multiple uses. We submit for the record **A Blueprint for Sage-grouse Conservation and Recovery**, Prepared by Clait E. Braun, Ph.D., Grouse Inc., Tucson, Arizona, **May 2006** (<http://www.voiceforthewild.org/SageGrouseStudies/Braunblueprint2006.pdf>).

Routing of the powerline must avoid crucial habitat for this species. This includes core areas identified by the State of Wyoming. All surface activity should be prohibited within 5.5 km (3.3 miles) (Holloran and Anderson 2004, 2005) of active Sage Grouse leks. No surface occupancy is preferred to simply limiting use of areas to specific periods, as the latter does not appear to benefit Sage Grouse. Roads should not be placed within 5.5 km (3.3 miles) of active leks. If roads are present, they should be seasonally closed during the sage-grouse breeding season from 1 March to 20 June. In addition to these practices for protection of active leks, BLM should implement standards for protection of areas used by Sage Grouse in winter, spring, summer, and fall and throughout the lifecycle of the birds.

U.S. Fish and Wildlife Service is currently reconsidering whether the Greater Sage Grouse needs to be protected under the Endangered Species Act.

In addition, the Western Governors' Association has identified protection of crucial wildlife habitat and wildlife corridors as an important goal and created the Western Wildlife Habitat Council. The council's task will be to identify key wildlife corridors and habitats for wildlife such as pronghorn antelope, sage grouse and bear. We urge the federal agencies and the project proponents to work closely with the WWHC and with the state wildlife agencies to avoid crucial wildlife habitats and wildlife corridors. (<http://www.westgov.org/wga/initiatives/corridors/index.htm>).

- **Effects to visual resources and existing view sheds.**
- **Effects to National Historic Trails and their view sheds.**
- **Effects to Native American traditional cultural properties and respected places.**

- **Effects to soils and water from surface disturbing activities.**
- **Land use conflicts and inconsistency with land use plans.**
- **Effect of the project on local and regional socioeconomic conditions.**
- **Increased potential for introduction and spread of noxious weeds and the ability to efficiently reclaim lands disturbed by transmission line construction or location.**
- **Alternative locations and access routes.**

We appreciate the opportunity to comment on this significant project. We will submit supplemental comments once we have been able to more thoroughly analyze the proposed route.

Sincerely,

Pamela Pride Eaton
Deputy Vice President
Public Lands Campaign

Attachment A

Contributions to, and effects of, Climate Change

Global warming is a recognized threat to public health, welfare, and the environment, and fossil-powered electricity generation—the type that could be incentivized and expanded as a result of this transmission project—is a primary source of anthropogenic emissions. As such, the EIS must address this important issue in a manner consistent with case law and standing agency guidance.

Climate Change is a Serious Threat to Human Health and Welfare

The Intergovernmental Panel on Climate Change (IPCC) was established by the World Meteorological Organization and the United Nations Environment Programme in 1988. The IPCC's mission is to comprehensively and objectively assess the scientific, technical and socioeconomic information relevant to human-induced climate change, its potential impacts, and options for adaptation and mitigation¹. The IPCC completed its First Assessment Report in 1990, its Second Assessment Report in 1995, and its Third Assessment Report in 2001.² The IPCC recently finalized its Fourth Assessment Report, "Climate Change 2007."³ The summaries include the following significant conclusions that are relevant to Public Lands and the West⁴:

- By mid-century, annual average river runoff and water availability are projected to decrease by 10-30% over some dry regions at mid-latitudes and in the dry tropics, some of which are presently water stressed areas;
- In the course of the century, water supplies stored in glaciers and snow cover are projected to decline, reducing water availability in regions supplied by meltwater from major mountain ranges, where more than one-sixth of the world population currently lives;
- Warming in the mountains of western North America is projected to cause decreased snowpack, more winter flooding, and reduced summer flows, exacerbating competition for overallocated water resources;

¹ See <http://www.ipcc.ch/about/index.htm>.

² See <http://www.ipcc.ch/ipccreports/assessments-reports.htm>.

³ Id.

⁴ IPCC, 2007: Summary for Policymakers. In: *Climate Change 2007: The Physical Science Basis*. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA; IPCC, 2007: Summary for Policymakers. In: *Climate Change 2007: Impacts, Adaptation and Vulnerability*. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, M.L. Parry, O.F. Canziani, J.P. Palutikof, P.J. van der Linden and C.E. Hanson, Eds., Cambridge University Press, Cambridge, UK, 7-22; IPCC, 2007: Summary for Policymakers. In: *Climate Change 2007: Impacts, Adaptation and Vulnerability*. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, M.L. Parry, O.F. Canziani, J.P. Palutikof, P.J. van der Linden and C.E. Hanson, Eds., Cambridge University Press, Cambridge, UK, 7-22. IPCC, 2007: Summary for Policymakers. In: *Climate Change 2007: Synthesis Report*, Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf

- Disturbances from pests, disease and fire are projected to have increasing impacts on North American forests, with an extended period of high fire risk and large increases in area burned;
- In North America, major challenges are projected for crops that are near the warm end of their suitable range or depend on highly utilized water resources;
- Approximately 20-30% of plant and animal species assessed so far are likely to be at increased risk of extinction if increases in global average temperatures exceed 1.5-2.5 Degrees Celsius;
- Even the most stringent mitigation efforts cannot avoid further impacts of climate change in the next few decades, which make adaptation essential, particularly in addressing near term impacts. Unmitigated climate would, in the long term, be likely to exceed the capacity of natural, managed and human systems to adapt.
- Global greenhouse gas (GHG) emissions have grown since preindustrial times, with an increase of 70% between 1970 and 2004;
- The largest growth in global GHG emissions between 1970 and 2004 has come from the energy supply sector (an increase of 145%).

The IPCC reports authoritatively document the adverse environmental and socio-economic impacts of global warming at local, regional, national and global scales, and the primary role of the burning of fossil fuels, including fossil fuel-powered electricity generation, in causing global warming. The evidence in the IPCC reports conclusively shows that greenhouse gases, including CO₂, endanger public health, welfare, and the environment.

Many researchers have highlighted the severity of the threats posed by global warming. A recent study found that from 2000 to 2006, the average emissions growth rate was 3.3 % per year, compared to 1.3 % per year during the 1990s.⁵ The study estimates that global warming is happening faster than expected, and attributes this to recent growth in the world economy, increasing carbon intensity, and decreasing efficiency in carbon sinks on land and in oceans.⁶ This evidence suggests that even the estimates of the IPCC are too conservative, and that the threat of global warming may be even more imminent than originally anticipated.

The World Health Organization reported in 2005 that, over the past 30 years, global warming has contributed to 150,000 deaths annually.⁷ EPA has already recognized this and other potentially adverse effects of climate change on public health: Throughout the world, the prevalence of some diseases and other threats to human health depend largely on local climate. Extreme temperatures can directly lead to loss of life, while climate-related disturbances in ecological systems, such as changes in the range of infective parasites, can indirectly impact the incidence of serious infectious diseases. In addition, warm temperatures can increase air and water pollution, which in turn harm human health.⁸ One threat identified by EPA is fatalities due to extreme temperatures. Indeed, increased heat waves lead to heart failure and other heat-related deaths. Global warming also exacerbates the problem of ground-level ozone ("smog"), intensifying the public health dangers associated with air quality violations. Breathing

⁵ Canadell, J.G., *et al.*, *Contributions to Accelerating Atmospheric CO₂ Growth from Economic Activity, Carbon Intensity, and Efficiency of Natural Sinks*, Proceedings of the National Academy of Sciences, October 25, 2007.

⁶ *Id.*

⁷ Jonathan A. Patz, *et al.*, *Impact of Regional Climate Change on Human Health*, *Nature*, 438, 310-317, November 17, 2005, available at <http://www.nature.com/nature/journal/v438/n7066/full/nature04188.html>

⁸ EPA, *Climate Change, Health and Environmental Effects*, December 20, 2007. See also Centers for Disease Control, *CDC Policy on Climate Change and Public Health*.

ozone can trigger a variety of health problems, including chest pain, coughing, throat irritation, and congestion, and repeated exposure can lead to bronchitis, emphysema, asthma, and permanent scarring of lung tissue.⁹ In addition, global warming will result in increased surface water evaporation, which in turn could lead to more wildfires and increased dust from dry soil, both of which generate particulate matter emissions. Particulate matter triggers a host of health problems, including aggravated asthma, development of chronic bronchitis, irregular heartbeat, nonfatal heart attacks, and premature death in people with heart or lung disease.¹⁰

Public Land Resources are already being adversely affected by climate change

Many of the public resources managed by the Department of the Interior are being harmed by climate change resulting from increased greenhouse gas emissions.¹¹ The West in particular is being affected more by a changed climate than any other part of the United States outside of Alaska: compared to the 20th century average, the West has experienced an increase in average temperature during the last five years that is 70 % greater than the world as a whole.

The West Is Getting Hotter

The American West has heated up even more than the world as a whole. For the last five years (2003 through 2007), the global climate has averaged 1.0 degree Fahrenheit warmer than the 20th century average. RMC0 found that¹² during the 2003 through 2007 period, the 11 western states averaged 1.7 degrees Fahrenheit warmer than the 20th century average. That is 0.7 degrees, or 70 %, more warming than for the world as a whole. And scientists have confirmed that most of the recent warming in the West has been caused by human emissions of heat-trapping gases. The West has also experienced more frequent and severe heat waves, with the number of extremely hot days increasing by up to four days per decade since 1950. These heat waves, particularly those with excessive nighttime heat, can be deadly. Climate change has eroded the severe winter cold of the West's mountains. This has resulted in declining springtime western snowpacks.¹³ This limits winter recreational opportunities on public lands and diminishes water supplies that the public lands provide residents across the West.

The West Is Getting Drier

In the arid and semi-arid West, global warming is already having serious consequences for the region's scarce water supplies, particularly the snow that makes up most of the region's precipitation and, when melted, provides 70 % of its water. Already, decreases in snowpack, less snowfall earlier snow melt, more winter rain events, increased peak winter flows, and reduced summer flows have been documented. Scientists have recently attributed more than

⁹ EPA, Ground-Level Ozone: Health and Environment, March 6, 2007.

¹⁰ EPA, Particulate Matter: Health and Environment January 17, 2008.

¹¹ See generally, GAO, Climate Change: Agencies Should Develop Guidance for Addressing the Effects on Federal Land and Water Resources (Aug. 2007).

¹² Saunders S and others. "Warming in the West: Evidence of Climate Disruption in Western States". The Rocky Mountain Climate Organization and Natural Resources Defense Council, March 2008.

¹³ Mote P. W., Hamlet A. F., Clark M. P., and Lettenmaier D. P. 2005. Declining Mountain Snowpack in Western North America. Bulletin of the American Meteorological Society. 86: 39-49. See also Intergovernmental Panel on Climate Change (IPCC), "North America," in *Climate Change 2007: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*, M.L. Parry and others, eds., Cambridge University Press, Cambridge, UK (2007), 621-22.

half of these changes in the West between 1950 and 1999 to the effects of heat-trapping pollutants. As global warming continues, the IPCC also predicts more intense and longer droughts, and characterized the severe drought that began in the western United States in 1999 and continues today as a "notable extreme climate event."

Utah has seen 5 year average temperatures rise +2.1°F. In Utah, ongoing drought has qualified most of the state for disaster relief during several years. In the summer of 2007, the U.S. Department of Agriculture (USDA) declared 24 of 29 Utah counties primary disaster areas due to drought, wildfire, and flash floods.¹⁴ In 2003, the USDA declared all 29 counties primary disaster areas due to drought, insect infestations and high winds.¹⁵ In 2002, the amount of non-irrigated farm lands that were harvested fell by more than 30 %, compared to 1997.¹⁶ Drought hit Utah so hard in 2002 that every county in the state qualified for disaster relief. 2,600 Utahans lost their agricultural jobs and the dryland harvest shrunk 30 %. In northeastern Utah in 2002, the fourth straight year of drought, depleted water sources and loss of forage led to a 75 % drop in pronghorn numbers.¹⁷

Climate change is disrupting ecosystems

The IPCC also concluded that "recent warming is already strongly affecting" ecosystems and wildlife. One study found that warmer spring and summer temperatures are responsible for increases in wildfire in the West. The researchers found¹⁸ that spring and summer temperatures in the West in the 17 years after 1987 were 1.5 degrees Fahrenheit warmer than in the previous 17 years, leading to: 1. a 78-day increase in the length of the fire season; 2. a fourfold increase in the number of fires; 3. a fivefold increase in the time needed to put out the average wildfire; and 4. 6.7 times as much area being burned.

Forests across the West have suffered as warming has extended the range of some damaging insects, such as bark beetles. As outlined in Saunders et. al.¹⁹, the IPCC concluded that recent warming trends have led to "proliferation" of mountain pine beetles in the West. Because they kill their host trees to reproduce, mountain pine beetles are agents of great disturbance in western forests. Their populations normally are held in check by extreme cold, but now western mountains are warmer and so more beetles can survive winters; they can survive at higher latitudes and higher elevations where it used to be too cold; and they even can complete their

¹⁴ U.S. Department of Agriculture, *USDA designates 24 Utah counties primary natural disaster areas* (news release), August 23, 2007, http://www.fsa.usda.gov/FSA/newsReleases?area=newsroom&subject=landing&topic=edn&newstype=ednewsrel&type=detail&item=ed_20070823_rel_1510.html.

¹⁵ Utah Department of Agriculture, *USDA designates Utah federal drought disaster area* (news release), July 2, 2003, http://www.fsa.usda.gov/FSA/newsReleases?area=newsroom&subject=landing&topic=edn&newstype=ednewsrel&type=detail&item=ed_20070823_rel_1510.html.

¹⁶ U.S. Department of Agriculture, *2002 Census of Agriculture – State Data, Utah* Vol. 1, Ch. 1, Part 44, Table 11 (Washington, D.C.: National Agricultural Statistics Service, 2004), 17, http://www.nass.usda.gov/census/census02/volume1/ut/st49_1_011_011.pdf.

¹⁷ W. Donaldson, "Drought to impact wildlife," *Vernal Express*, July 31, 2002, http://droughtreporter.unl.edu/map.jsp?Cmd=filter&scn=rv&st=Utah&co=Garfield&c_en=on&src=&daterange=cus tom&month1=1&day1=15&year1=2002&month2=2&day2=15&year2=2003.

¹⁸ A. Westerling and others, "Warming and earlier spring increases western U.S. forest wildfire activity," *Science* 313, no. 5789 (August 2006): 940-943.

¹⁹ Saunders S and others. "Warming in the West: Evidence of Climate Disruption in Western States". The Rocky Mountain Climate Organization and Natural Resources Defense Council.

life cycles in just one year rather than two.²⁰ Largely for these reasons, beetle outbreaks are now widespread across the West. In Colorado, the U.S. Forest Service (USFS) and the Colorado State Forest Service recently predicted, "At current rates of spread and intensification of tree mortality, the MPB [mountain pine beetle] will likely kill the majority of Colorado's large diameter lodgepole pine forests within the next 3-5 years."²¹ Beetles are also now causing widespread devastation of whitebark pines, a high-altitude species that grow where winters almost always have been too cold to allow beetle populations to reach outbreak numbers.²² In the Yellowstone ecosystem, the loss of whitebark pines threatens the survival of the region's grizzly bears, which depend on the fatty seeds of the whitebark pine as their single most important food source.²³

Also newly linked to global warming is a rapid mortality of aspen trees that scientists call "sudden aspen decline." New research by the USFS has, for the first time, linked the sudden aspen decline in Colorado to the hotter and drier conditions that represent an altered climate in the interior West.²⁴

Glaciers are melting across the West. U.S. Geological Survey researchers projected in 2003 that all glaciers in Glacier National Park could be completely melted by 2030, but they actually are melting so fast they are likely to be gone by 2022. In Washington's North Cascades Mountains, 47 glaciers monitored since 1984 have lost, on average, 20 to 40 % of their volume, with five having melted entirely away. In North Cascades National Park in Washington, the total area covered by glaciers has fallen by 13 % since 1971.

The warming of the West is also disrupting the natural timing of seasons and leading to loss of wildlife. Lilacs and honeysuckle bushes are blooming earlier in the spring, marmots are emerging from hibernation earlier, jays are nesting earlier, ptarmigan are hatching earlier, and butterflies are emerging earlier. Species of wildlife are adapting to an altered climate by changing where they live (moving toward the poles or to higher elevations) —and in a few cases are being eliminated from areas where they used to live. In Yosemite National Park, for example, 14 of 50 studied animal species can no longer be found in lower-elevation portions of the range they occupied early in the 20th century. In Yosemite, a century ago pikas lived as low as 7,800 feet. Today, they cannot be found any lower than 8,300 feet.²⁵ As one researcher has said, "We might be staring pika extinction in the Great Basin, maybe in Yosemite, too, right in

²⁰ Regniere J, Bentz B. 2007. „Modeling cold tolerance in the mountain pine beetle, *Dendroctonus ponderosae*”, *Journal of Insect Physiology*, 53: 559–572, http://www.usu.edu/beetle/documents/Regniere_Bentz2007.pdf). Logan J., J. Powell. 2003. Ghost Forests, Global Warming, and the Mountain Pine Beetle (Coleoptera: Scolytidae). *American Entomologist*, 47:3 161-162, 166-168. Logan J., Regniere J., Powell J. 2003. Assessing the impacts of global warming on forest pest dynamics. *Front. Ecol. Environ*, 1:130-37.

²¹ U.S. Forest Service, Region 2, and Colorado State Forest Service, "Forest Health Aerial Survey Highlights," available at http://www.fs.fed.us/r2/news/2008/01/press-kit/survey_highlights.pdf.

²² J. Connelly, "West Can't Beat Heat of Global Warming," *Seattle Post-Intelligencer*, April 23, 2006, http://seattlepi.nwsource.com/connelly/282173_joel23.html.

²³ Logan J., Powell J. 2003. Ghost Forests, Global Warming, and the Mountain Pine Beetle (*Coleoptera: Scolytidae*). *American Entomologist*. 47:3 161-162, 166-168. C. Petit, "In the Rockies, Pines Die and Bears Feel It," *New York Times*, January 30, 2007, <http://query.nytimes.com/gst/fullpage.html?res=9403E5DB143FF933A05752C0A9619C8B63>.

²⁴ J. Worrall and others, "Rapid mortality of *Populus tremuloides* in southwestern Colorado, USA," *Forest Ecology and Management* (in press), 11 pp., 3-6.

²⁵ C. Mortiz, "Report – Year 4 of the terrestrial vertebrate resurvey of the 'Grinnel sites' in Yosemite National Park' (2006 report), 1, http://mvz.berkeley.edu/Grinnell/pdf/Yosemite_Report_2006-FINAL.pdf.

the face. [...] They don't have much up-slope habitat left."²⁶ Warming is reducing the amount of alpine tundra in the West. For instance, scientists studying the effects of climate change on Rocky Mountain National Park, home to the largest expanse of alpine tundra in the United States outside of Alaska, projected that warming of 5.6 degrees Fahrenheit could cut the park's area of tundra in half.²⁷ An increase of 9 to 11 degrees Fahrenheit could virtually eliminate the park's tundra.²⁸

Climate Change is Affecting Wildlife

Greenhouse gas emissions are also having direct and indirect impacts on wildlife species, including numerous listed species. The IPCC has reported that 30 % of animal and plant species could be at an increased risk of extinction if global warming continues unabated.²⁹ Another recent report chronicles the various types of extinction threats posed by global warming.³⁰ Undeniably, the global warming pollution that would be associated with fossil fuel-powered electricity generation would affect many western wildlife species, including endangered and threatened species, as the result of changes to habitats and migration corridors as well as other impacts.

Warmer Temperatures Affect Business, Recreation, and Tourism

In the first few years of the 21st century, western farmers and ranchers have suffered significantly from the combination of above-normal heat and drought. Across the country, four of the five top years for crop loss claims due to drought have been since 2000. Warming temperatures and other manifestations of a changing climate are already diminishing fishing and hunting opportunities in the West. Sea-run salmon stocks are in steep decline throughout much of North America. Some have predicted losses of western trout populations as high as 64 % and of Pacific Northwest salmon of 20 to 40 % by 2050.³¹ In Montana, drought and higher temperatures have led to fishing closures and restrictions to sustain fish populations in eight out of the last ten years.³² During the summer of 2007, closures were in force on 29 rivers in Montana by August 2. Since 2000, the number of annual fishing permits issued to Yellowstone National Park visitors has dropped by nearly a quarter, from 67,700 to 51,900, even as total

²⁶ J. Schwarz, "Tiny Pikas Seem to Be on March Toward Extinction in Great Basin," University of Washington Office of News and Information, December 29, 2005. See also, Beaver EA, Brussard PF, Berger J. 2003. Patterns of apparent extirpation among isolated populations of pikas (*Ochotona princeps*) in the Great Basin. *J. Mammal.* 84:37-54.

²⁷ N. Hobbs and others, "Future Impacts of Global Climate on Rocky Mountain National Park: Its Ecosystems, Visitors, and the Economy of its Gateway Community – Estes Park," (2003) 1-45, 16-17, http://www.nrel.colostate.edu/projects/star/papers/2003_final_report.pdf.

²⁸ Id.

²⁹ IPCC, 2007: Summary for Policymakers. In: *Climate Change 2007: Fourth Assessment Report, Synthesis Report*, available at http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf

³⁰ Randall, J., *Climate Change, Wildlife and Endangered Species* (2007).

³¹ J. Williams, Trout Unlimited, testimony, U.S. Senate, Committee on Energy and Natural Resources, Subcommittee of Water and Power, June 6, 2007, <http://www.livingrivers.org/pdfs/CongressionalTestimony/WilliamsTestimony.pdf>

³² Id.

park visitation remained steady.³³ Hotter and drier conditions have also led to fewer opportunities for hunting in some places and times. In the West, ski areas at lower elevations have recently suffered from less snow, with the Northwest and the Southwest taking turns having very bad years.

BLM must analyze the impacts of climate change in the EIS and take action to reduce it

Case law and agency guidance dictates BLM must address this important issue in an EIS, and specific guidance exists for how this should be done.

The Supreme Court decision in Massachusetts v. EPA, FLPMA and Dept. of the Int., Sec. Order No. 3226

In April 2007, the U.S. Supreme Court issued a decision that recognized the severity of the climate change crisis, and the U.S. Environmental Protection Agency's obligation to confront the problem. The Supreme Court held, in *Massachusetts v. EPA*, 127 S. Ct. 1438 (2007), that the "unambiguous" definition of "air pollutants" includes carbon dioxide and other greenhouse gases. This case was initiated by a dozen states and numerous environmental organizations, and the Supreme Court's ruling is widely viewed as a landmark recognition of the global warming crisis by the judiciary. The Court, even without the benefit of the most recent IPCC Summary Reports, noted that the "[t]he harms associated with climate change are serious and well recognized." *Id.* at 1455. The Court also acknowledged "the enormity of the potential consequences associated with man-made climate change," *id.* at 1458, and the contribution of carbon dioxide emissions to global warming, *id.* at 1457-58. As discussed above, evidence abounds that carbon dioxide is present in the atmosphere at concentrations that will be injurious to human health and welfare, animals and plant life. Accordingly, given the Supreme Court's conclusion that, "[t]he harms associated with climate change are serious and well recognized,"³⁴ the federal government has a responsibility to take action to reduce it, even if such action may not completely reverse global warming.³⁵ BLM is not exempt from that responsibility.

In enacting the BLM's "organic act," the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. §§ 1701 et seq., Congress enacted a policy that "the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values...." *Id.* at § 1701(a)(8). Further, FLPMA directs BLM to manage the lands under its jurisdiction in such a manner that will "best meet the present and future needs of the American people;" "provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions;" and "take[] into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish...." *Id.* § 1702(c). In addition, the statute requires BLM to "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved." *Id.* § 1732(d)(2)(a). As documented above, climate change is already threatening many of these very resources in the West including undoubtedly resources on BLM-administered lands. Accordingly, FLPMA imposes an obligation on BLM to

³³ U.S. Department of the Interior, National Park Service, Yellowstone National Park, "Yellowstone Fish Reports," 2000 to 2005, <http://www.nps.gov/yell/planyourvisit/fishreports.htm> and "Park Statistics," <http://www.nps.gov/yell/parkmgmt/statistics.htm>.

³⁴ *Massachusetts v. E.P.A.*, 127 S.Ct. 1438, 1455 (2007).

³⁵ *Id.* at 1458.

take the effects of climate change into account in managing and in making decisions about various uses of the public lands under its stewardship.

In fact, an order issued by the Secretary of the Interior requires that:

Each bureau and office of the Department will consider and analyze potential climate change impacts when undertaking long-range planning exercises, when setting priorities for scientific research and investigations, when developing multi-year management plans, and/or when making major decisions regarding the potential utilization of resources under the Department's purview.³⁶

Thus, the BLM must address climate change impacts in its review.

BLM is required under NEPA to analyze climate change impacts that result from its actions

Given the threats of climate change to public land resources, the Department of the Interior and the BLM face an increasingly daunting challenge to preserve the public resources for which they are responsible. Citizens depend on the public lands and the ecological resources they contain, such as drinking water supplies, fish and game and diversity of species. These public lands also support the economies and life styles of many local communities.³⁷

In addressing climate change, the Department of the Interior has two critical roles. First, in making decisions regarding the amount of public lands utilized for various types of energy development including transmission corridors, the Interior Department directly influences future greenhouse gas emissions. Second, given its role in managing large tracts of land, the Interior Department influences whether the public's natural resources survive the impacts of climate change.

Existing CEQ regulations and NEPA case law currently require climate change analysis.³⁸ Greenhouse gas (GHG) emissions are within the direct, indirect and cumulative effects that NEPA documents must analyze.³⁹ Not only are increased GHG emissions "reasonably foreseeable"⁴⁰ but so too are their climate consequences. As discussed previously, the overwhelming consensus of national and international scientific evidence supports the conclusion that the build-up of greenhouse gases in the atmosphere is contributing to global warming, and that the subsequent changes will adversely affect our local, regional and global environments.⁴¹ The impacts of climate change, which will be exacerbated by increased fossil

³⁶ U.S. Dept. of the Int., Sec. Order No. 3226 (Jan. 19, 2001), Section 3.

³⁷ See, e.g., M. Harris, P. Morton, Culver, *Natural Dividends: Wildland Protection and the Changing Economy of the Rocky Mountain West* (The Wilderness Society), available at <http://www.tws.org/Library/Documents/NaturalDividends.cfm>.

³⁸ See, e.g., *Ctr. for Biological Diversity v. Nat'l. Highway Traffic Safety Admin.*, 508 F.3d 508, 550 (9th Cir. 2007) (NHTSA failed to evaluate adequately global warming impacts of changes to fuel efficiency standards for vehicles); *Mid States Coalition for Progress v. Surface Transp. Bd.*, 345 F.3d 520 (8th Cir. 2003) (increased coal consumption and global warming emissions was reasonably foreseeable effect of railroad expansion to transport coal).

³⁹ See 40 C.F.R. § 1508.8.

⁴⁰ 40 C.F.R. §§ 1508.7, 1508.8.

⁴¹ See, e.g., U.S. Climate Change Science Program, *Effects of Climate Change on Energy Production and Use in the United States* (Report to Congress by U.S. Secretaries of Energy and Commerce and the Director of the Office of Science and Technology) (October 2007), available at <http://www.climatechange.gov/Library/sap/sap4-5/final-report/default.htm>. The report concludes, "Climate

fuel-powered electricity generation are much more than "reasonably foreseeable" – and as such BLM must analyze them in the PEIS.

Gathering and developing information about how climate change is affecting the public's natural resources is precisely the kind of action NEPA was intended to spark.⁴² CEQ regulations require federal agencies to get information "essential to a reasoned choice among alternatives" when the overall costs of obtaining the information are "not exorbitant." 40 C.F.R. § 1502.22(a). Modeling to predict effects of climate change on specific landscapes and wildlife populations is absolutely essential when planning whether to allow thousands of new wells, mining and the construction of associated large scale infrastructure. The cost of failing to obtain such information in terms of damaged forests, shrinking fish and wildlife populations, lost tourist revenue, and disappearing drinking water supplies may very well be exorbitant.⁴³ As steward of the public lands, the Department of the Interior must act to address the threat climate change poses.⁴⁴

The required scope of BLM's analysis

Programmatic NEPA analyses clearly provide the Interior Department the ability to address climate change in the most efficient and effective way. Coal-fired and other fossil fueled power plants are a significant contributor to the generation of greenhouse gases⁴⁵ and, consequently, to climate change. It is essential that the BLM examine the increase in GHG from the proposed transmission line and the global, regional and local impacts of climate change on resources, such as wildlife, water and air, including precipitation, air temperatures, wind, lightning storms and secondary impacts including decreased snow pack and insect outbreaks.

To that end, we recommend the BLM review the extensive body of information that is already available for use in predicting the effects of GHG emissions and climate change. This includes publications from leading ecologists employed by the US Forest Service, US Geological Survey, other federal agencies and universities are engaged in the study of climate change impacts, including but not limited to the following:

change is expected to have noticeable effects in the United States: a rise in average temperatures in most regions, changes in precipitation amounts and seasonable patterns in many regions, changes in the intensity and pattern of extreme weather events, and sea level rise. Some of these effects have clear implications for energy production and use." See also, National Academies of Science, Joint Science Academies' Statement: Global Response to Climate Change, available at <http://nationalacademies.org/onpi/06072005.pdf> (stating "[t]he scientific understanding of climate change is now sufficiently clear to justify nations taking prompt action."); Intergovernmental Panel on Climate Change, Summary for Policymakers of the Synthesis Report of the IPCC Fourth Assessment Report (Nov. 16, 2007), available at http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf.

⁴² See *Colorado Environmental Coalition v. Dombeck*, 185 F.3d 1162, 1171-72 (10th Cir. 1999)(citing *Robertson*, 490 U.S. 332 at 350).

⁴³ Even in circumstances where an agency determines that the "costs of obtaining information is exorbitant or the means to obtain it are not known," CEQ regulations require an agency in its EIS to (1) state that the information is unavailable; (2) state the information's relevance; (3) give a summary of the existing "scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts"; and (4) evaluate such impacts based on "theoretical approaches or research methods generally accepted in the scientific community." 40 C.F.R. § 1502.22(b).

⁴⁴ See, e.g., 43 U.S.C. § 1732(d)(2)(a) (FLPMA requires BLM to "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved.").

⁴⁵ Massachusetts Institute of Technology. "The Future of Coal – Options for a Carbon Constrained World, An Interdisciplinary MIT Study", 2007, p.ix. Available at: <http://web.mit.edu/coal/>

Aber, J.D., R.P. Neilson, S. McNulty, J.M. Lenihan, D. Bachelet and R.J. Drapek. 2001. Forest processes and global environmental change: predicting the effects of individual and multiple stressors. *Bioscience*. 51(9):735–751. Existing ecological communities probably will not survive climate change intact.

Dale, V.H., L.A. Joyce, S. McNulty, R.P. Neilson, M.P. Ayres, M.D. Flannigan, P.J. Hanson, L.C. Irland, A.E. Lugo, C.J. Peterson, D. Simberloff, F.J. Swanson, B.J. Stocks, and B.M. Wotton. 2001. Climate change and forest disturbances. *BioScience*, 51: 723-734. Climate change can affect forests by altering the frequency, intensity, duration and timing of fire, drought, introduced species, insect pathogen outbreaks, hurricanes, windstorms, ice storms and landslides.

Hansen, AJ, Neilson, RP, Dale VH, Flather, CH, Iverson, LR, Currie, DJ, Shafer, S., Cook, R, Bartlein, PJ. (2001). Global change in forests: responses of species, communities and biomes. *Bioscience* 51 (9): 765-779. Ranges of tree species and forest communities were predicted over 100 years using several models and six CO₂ emission scenarios.

Haynes, R. W., Adams, D. M.; Alig, R. J.; Ince, P. J.; John R.; Zhou, X.. (2007). The 2005 RPA timber assessment update. Gen. Tech. Rep. PNW-GTR-699. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 212 p. Models can be used to predict the impacts of climate change and elevated CO₂ on the inventories of soft and hardwoods. Impacts on markets are at rates that reflect the change in inventories.

Joyce, L. A.; Birdsey, R., Technical Editors. (2000a). The impact of climate change on America's forests: a technical document supporting the 2000 USDA Forest Service RPA Assessment. Gen. Tech. Rep. RMRS-GTR-59. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 133 p. This report documents trends and impacts of climate change on America's forests as required by the Renewable Resources Planning Act of 1974. Recent research on the impact of climate and elevated atmospheric carbon dioxide on plant productivity is synthesized. Modeling analyses explore the potential impact of climate changes on forests, wood products, and carbon in the United States.

Joyce, L.A.; Aber, J.; McNulty, S.; Dale, V.H.; Hansen, A.; Irland, L.C.; Neilson, R.P.; Skog, K. (2000b). Potential consequences of climate variability and change for the forests of the United States. In: National Assessment Synthesis Team, comps. *Climate change impacts on the United States: the potential consequences of climate variability and change: foundation*. Cambridge, UK: Cambridge University Press: 489-522. Increases in forest productivity by warming and elevated CO₂ are likely to be tempered by local environmental conditions (moisture stress, nutrient limitations). Increases in forest inventories are likely to be met with lower prices. Changes in severity, frequency and extent of natural disturbances are possible, with impacts on forest structure, biodiversity and functioning. Ecological models indicated changes in the location and area of potential habitats for many tree species. Recreation and socioeconomic impacts are predicted and discussed.

Joyce, L. R., Haynes, White, R., and Barbour R. J., Technical Coordinators (2007) Bringing climate change into natural resource management. Proceedings of a

Workshop June 28-30, 2005 Portland, Oregon. PNW-GTR-706. Summary of ideas from a workshop to explore climate and natural resource management in the western US. Articles illustrate the complexity of climate change and the need for managers to consider how the impacts will unfold across regional and local landscapes.

Prasad, A. M. and L. R. Iverson. (1999-ongoing). A Climate Change Atlas for 80 Forest Tree Species of the Eastern United States [database]. <http://www.fs.fed.us/ne/delaware/atlas/index.html>, **Northeastern Research Station, USDA Forest Service, Delaware, Ohio.** Although exclusive to the Eastern US, this tool developed by the USFS demonstrates the methodology and application of climate change models towards predicting landscape change, especially species distributions.

Walsh, J.E., Chapman, W.L. Romanovsky, V., Christensen, J.H. and Stendel M. 2007. Global Climate Model Performance over Alaska and Greenland. Journal of Climate, submitted.

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To Gateway_west_WYMail@blm.gov

cc

bcc

07/03/2008 11:37 PM

Please respond to
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Subject Gateway West Transmission Lines Project

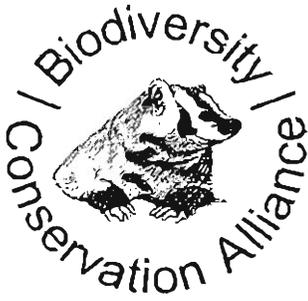
Please See Comments (attached) Map Attachments emailed separately (due to size)
Thank you.

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Gateway West Transmission Lines DS FINAL Comments 7-3-08.doc



Working to Protect Native Species and Their Habitats

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July 3, 2008

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To whom it may concern:

The following are Scoping Comments of Biodiversity Conservation Alliance and the Upper Green River Valley Coalition on the Gateway West Transmission Line Project. Our comments are limited to transmission lines in Wyoming.

The proposed transmission line routes, with a few exceptions, appear to follow existing routes and present no major environmental threats. As stated in our comment on the Energy Corridor PEIS, we are concerned about two segments of routes that could be re-routed along alternate existing corridors that do not pose major concerns about lands and wildlife (described later).

Inasmuch as these transmission lines follow existing energy corridors and utilize established transportation and utility right-of-ways, impacts to land, scenic landscapes, historic sites and wildlife will be minimized. Again, we discourage corridors that would degrade the viewsheds of sites and trails like e.g., the Cherokee trail, Overland Trail, and Oregon Trail.

Realizing the technical difficulties of doing so, we suggest that every effort should be made to bury electrical transmission lines where scenic views would be violated and wildlife impacted by the presence of towers and highlines. If line burial is impossible, we suggest locating towers in corridors that are most suitable for line burial should the technology become available and feasible in the future.

Appreciating the BLM/companies step-wise approach to delineating the final route within the two-mile wide corridor and understanding the flexibility this width provides, we request this flexibility is utilized to protect the land, landscapes, viewsheds, and wildlife along the finalized route.

NOTE: Unless noted otherwise, the Corridor #s we reference hereafter are those used in our DPEIS comments on the Designation of Energy corridors on Federal Land in the 11 Western States.

Areas of Particular Concern:

Shirley Basin

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Corridor 78-85 Should be Re-routed Westward

An energy corridor on Page G-4 of the Map Atlas (presumably the northern leg of corridor 78-85) should be re-routed to avoid the Shirley Basin and Bates Hole, and should instead pass to the west of the Shirley Mountains following east of the Kortez Dam and Hanna-Leo Roads. A rough representation of the proposed substitute alignment is appended to these comments (see pdf Attachment 1, Casper and Attachment 2, Rawlins Land Use Maps). It appears our more westward route recommendation was not taken into consideration during earlier phases of public input. We have overlaid these maps, with 10 pt red lines, our recommendations on these maps and a third map that is discussed later.

We remain concerned that the proposed powerline routing through the Shirley Basin will negatively impact one of the two viable wild black-footed ferret populations in the world. The Shirley Basin black-footed ferret population is completely dependent on prairie dogs for prey and habitat; a large transmission line through this area could concentrate raptor nesting and roosting activities on prairie dog colonies inhabited by ferrets, resulting in significant impacts on both ferrets and their prey. First reintroduced in the 1990s, this population was initially written off as lost, but a survey in 2002 revealed a thriving population and in 2005 BCA contributed a substantial sum of money to fund the supplemental introduction of 85 additional ferrets into the Shirley Basin to enhance the genetic variability of the population. They are now doing very well.

The Shirley Basin black-footed ferret population is one of two viable ferret populations in the wild; the other is in the Conata Basin of South Dakota, where a new prairie dog poisoning program threatens its viability. Adding pressure to the Conata Basin black-footed ferret population is a recently discovered outbreak of plague near the Conata Basin prairie dog populations. In fall 2004 prairie dogs with plague were found in southwestern SD. In spring 2005 a die-off occurred in Shannon County. On May 13, 2008 prairie dogs found near Conata Basin, also tested positive for plague. At present, SD Game Fish & Park states it can only hope to keep plague out of Conata Basin and away from the black-footed ferrets (South Dakota Game Fish & Parks 2008). Plague threatening the Conata Basin renders Shirley Basin the black-footed ferrets last hope for survival. As the black-footed ferret is listed as Endangered, we are determined to prevent activities likely to have negative impacts on them.

We are also concerned about this same powerline segment's potential impact on the Bates Hole Sage Grouse Area of Critical Environmental Concern (ACEC), established in the 2007 Casper Resource Management Plan. As with prairie dogs, the construction of overhead power lines can concentrate raptor predation on sage grouse. This basin is recognized as the most important sage grouse breeding complex in the Casper Field Office, and the designation of an energy corridor through this area is inconsistent with BLM's directives to protect the sage grouse habitat for which the ACEC was designated.

We have provided Attachment 3 (Gateway West Rock Springs Biological Resources Map with alternate route overlay) to express our concern for the proposed route running east of Opal through T21N, T20N - R114W, R111W to T20N - R109W. It appears the proposed route passes through high-density sage grouse lek and raptor nest area, particularly in the following township/range blocks of T20- R112W, R111W and T21N - R111W, R110W.

We have overlain the Rawlin's Biological Resources Map with alternate routes (in solid and dashed 10 pt red lines) that may offer more protection for sage grouse and raptors by creating greater distance from and fewer disturbances to both. The solid red line indicates the route we believe may be most appropriate because: 1) this route would have the least impact on wetlands and thereby expose waterfowl (in particular) to less risk of collisions with transmission lines. 2) this route covers the shorter distance of our two alternative routes and would likely cost less to install than our second alternative (indicated with the dashed red line). This second alternative also creates greater overall distances from sage grouse leks and known raptor nests than the BLM's proposed route. We recognize that our second alternative would expose more waterfowl to risks posed by transmission lines and does add significant distance to the length of the route. It is clear an attempt has been made by the BLM to also minimize the presence of the transmission lines in big game crucial winter range. Our alternatives

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consider this but we opt to prioritize protections to accommodate sage grouse and raptors as they are most sensitive to disturbance and most vulnerable to dangers posed by the transmission lines. This concession has been made in the case of waterfowl as well, thus the offering of our second alternative route (the dashed red line). In essence, sage grouse and raptors (in general) are under greater anthropogenic caused stress in Wyoming than, in general, are big game and waterfowl at least in the area indicated (within the black oval) on the Rock Springs Biological Resources Map (Attachment 3).

Rock Springs/ Jack Morrow Hills

We support the apparent elimination of Corridors 121-221 for the following reasons

Where the major east-west energy corridor along Interstate 80 reaches Rock Springs, Wyoming, it splits into three parallel strands. These strands would have been duplicative in nature, and there appears to be no need for three parallel federal energy corridors here. The northernmost of the three, 121-221, would have passed unacceptably close to the Jack Morrow Hills planning area, a portion of BLM land so sensitive from a conservation and public interest perspective that it was segregated from the Green River Resource Management Plan and given its own special Coordinated Activity Plan, completed in 2005. It has been proposed as a National Conservation Area. Sensitive resources in this area include the viewsheds of Wilderness Study Areas such as the Sand Dunes, Buffalo Hump, and Alkali Draw WSAs, the White Mountain petroglyph site, and the Boar's Tusk, a unique volcanic butte that is sacred to the Eastern Shoshone people and is perhaps the most iconic landscape feature in the Red Desert. The proposed power line corridor would not only have been a severe impact on the scenic quality of the important viewsheds in this area, but would have also encouraged the development of wind farms in the area. Wind farm development appears to cluster near existing transmission lines, and conversely, distance from existing lines can be a disincentive for wind farm placement. There are many acceptable possibilities for routing an energy corridor through this area. It appears 121-220 (along an existing electrical transmission line) is the best option of the three.

We, again, applaud the avoidance of Adobe Town and Red Creek ACEC by Powerline Corridors

The re-siting of the electrical powerline component of corridor 73-133 eastward to the Wyoming Highway 789 corridor as corridor 138-143 is an environmentally beneficial change that will strongly reduce impacts. The 73-133 corridor passes within the viewshed of Adobe Town, the crown jewel of Wyoming's desert wilderness areas, and across the Powder Rim, a habitat of extremely high value and importance for big game, birds of prey, and juniper obligate songbirds. The movement of the electrical transmission component to its present alignment in corridor 138-143 alleviates these difficulties. The co-location of additional pipelines along the existing CIG and Entrega pipelines of corridor 73-133 would not be expected to have major wildlife and viewshed impacts.

In addition, we support the routing of corridor 126-218 west of the Red Creek Wilderness Study Area and Greater Red Creek ACEC and Sugarloaf Basin Special Management Area, in order to comply with the explicit limitation on transmission corridor siting in the BLM's Green River Resource Management Plan.

Co-Location with Existing Transmission Corridors

Energy corridors should be co-located with existing transmission corridors except in cases where there is not a compelling environmental reason not to do so (e.g., adding an aboveground powerline to a pipeline corridor that runs through a sensitive viewshed, where the electrical lines would constitute a major visual intrusion while the buried pipeline does not). To the extent that the Energy Corridor Proposed Alternative does co-locate corridors under these restrictions, we applaud the agencies' efforts to provide transmission while minimizing additional impacts to the environment

Burial of Powerlines

The burial of all electrical transmission lines is an environmentally preferable alternative, and this should be required in the final decision in all cases where such burial is technically feasible. At present, overhead powerlines enjoy some feasibility advantages, but this is a long-term plan, and technological advances could readily provide buried power line options that are

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feasible over long distances and for high volume electrical transport in the foreseeable future. The Corridor decision should require the use of such technologies in all cases where this is possible.

Impacts to Wildlife

There are a number of types of habitats that are particularly vulnerable to intrusions by overhead powerlines. These include prairie dog colonies, sensitive habitats for native galliform birds (such as sage grouse and prairie chickens), and other key habitats for sensitive or rare wildlife species that are preyed upon by raptors.

A number of raptors and corvids prey on sage grouse. Important sage grouse nest predators include golden eagles and common ravens (Heath et al. 1997). According to Braun et al. (2004), "Impacts to sage grouse from CBM development include direct loss of habitats from all production activities along with indirect effects from new powerlines and significantly higher amounts of human activity, both during initial development and during production." For leks within 0.25 mile of coalbed methane facilities, significant reductions in males/lek and rate of growth, presence of overhead power lines within 0.25 mile of a lek also depressed sage grouse population growth, and compressor stations within 1 mile of a lek significantly reduced sage grouse numbers (Ibid.). The maintenance of appropriate habitat and adequate cover, particularly on nesting and brood-rearing habitats, is important to ensure that predation rates do not increase to abnormal levels. In addition to maintaining cover, it is important to avoid the construction of tall structures that serve as raptor perches and concentrate predation pressure, like powerlines and gas condensate tanks, near these habitats.

The following, inset paragraphs, are from *Avian Collisions with Wind Turbines: A Summary of Existing Studies and Comparisons of Avian Collision Mortality in the United States*, a resource document of the National Wind Coordinating Committee (NWCC) Resource Document* © August, 2001 Western EcoSystems Technology Inc.

Powerline towers are likely to concentrate raptor nesting and perching activities, to the potential detriment of prey species. Transmission towers may be particularly attractive as nest sites for ravens, and Steenhof et al. (1993) reported that 133 pairs of ravens had colonized transmission towers on a single stretch of powerline in Idaho during its first 10 years of existence. Gilmer and Wiehe (1977) found that nest success for ferruginous hawks was slightly lower for transmission towers than other nest sites, and noted that high winds sometimes blew tower nests away. In North Dakota, small clumps or rows of hardwood trees were the most common ferruginous hawk nest sites, while ground nests atop rugged moraines made up 22% of the nest sites and powerline towers accounted for 18% of ferruginous hawk nests (Gilmer and Stewart 1983). Steenhof et al. (1993) also found that transmission tower nests tended to be blown down, but found that nest success was not lower on towers for ferruginous hawks and was significantly higher on towers for golden eagles. In North Dakota, Gilmer and Stewart (1983) found that ferruginous hawk nest success was highest for powerline towers and lowest for nests in hardwood trees. Thus, although powerlines can be designed to minimize impacts to raptors, these corridors should be sited more than 2 miles away from prairie dog colonies and sage grouse leks to prevent major impacts to these sensitive prey species.

Avian Mortality due to Collisions with High Tension Lines

Concern over avian collisions with high-tension lines has existed at least since 1876, when Coues (1876) counted approximately 100 avian carcasses (primarily horned larks) beneath a 3-mile long (4.8 km) section of telegraph wire between Denver, Colorado, and Cheyenne, Wyoming. Faanes (1987) searched 6 miles (9.6 km) of powerlines in North Dakota in the spring and fall of 1977 and 1978. Based on a total of 633 dead birds found, he estimated that 200 avian fatalities per mile per year (125 birds/km/yr) were occurring at those sites. The powerlines included in the study were located near wetlands or lakes and most of the fatalities consisted of waterbirds (46%) and waterfowl (26%), followed by shorebirds (8%) and passerines (5%).

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For some types of birds, powerline collisions appear to be a significant source of mortality. Waterfowl band recovery data collected prior to 1967 indicated that powerline strikes were responsible for 65% of the collision fatalities involving 3,015 banded birds (Stout 1967). Of 75 trumpeter swan deaths recorded from 1958 to 1973, 19% of the fatalities were due to powerline collisions (Weaver and St. Ores 1974).

During a 2-year study of mute swans in Rhode Island, Willey (1968) found that 26.7% of adult fatalities were due to collisions, mostly with powerlines.

The U.S. electrical energy system includes more than 500,000 miles (800,000 km) of bulk transmission lines (Kappenman et al. 1997, Edison Electric Institute 2000). A total of 157,810 miles (252,496 km) are comprised of the larger 230 kV transmission lines (North American Electric Reliability Council 2000). Estimates for the length of distribution are likely to be much greater than for bulk transmission lines.

The U.S. Fish and Wildlife Service reports tens of thousands of avian fatalities per year (Manville 2000) due to collisions with power transmission and distribution lines, but there are very few quantitative studies relative to the length of powerlines in the U.S. Based on the limited studies, waterfowl including ducks, geese, swans, and cranes appear to be most susceptible to powerline collisions when powerlines are located near wetlands. In upland habitats away from wetlands, raptors and passerines appear most susceptible to collision.

In the Netherlands, where approximately 2,875 miles (4,600 km) of high-tension lines are present, Koops (1987) estimated that 750,000 to 1 million birds are killed annually by collisions. Extrapolating this estimate to the 500,000 miles (800,000 km) of bulk transmission lines in the United States would lead to a fatality estimate of 130 million to 174 million birds per year. A range using the estimate by Manville (2000) and this extrapolation based on Koops (1987) would yield an annual fatality estimate of >10,000 to 174 million.

Wind Energy facilities (at least in Wyoming) will follow Transmission Lines This reality compels Biodiversity Conservation Alliance to submit the following data on avian mortality due to collisions with wind turbines.

Avian Mortality due to Collisions with Wind Turbines

...The first large-scale wind energy development took place in California. In response to several reported incidents of avian collisions, the California Energy Commission (CEC) obtained data on bird strikes at the Altamont and Tehachapi windplants through interviews and review of unpublished data collected over a 4-year period from 1984 to 1988 (CEC 1989). This study documented 108 raptor fatalities of seven species. Collisions with windplant structures accounted for most of the avian fatalities (67%), including 26 golden eagles and 20 red-tailed hawks. Several subsequent studies were initiated to further examine windplant-related fatalities at California windplants. Many of these studies have been conducted at Altamont Pass, where more than 5,000 turbines exist within the WRA. In general, these studies focused on obtaining raptor fatality estimates with other bird fatalities recorded coincidentally. An early 2-year study documented 182 bird deaths on study plots, 68% of which were raptors and 26% of which were passerines. The most common raptor fatalities were red-tailed hawk (36%), American kestrel (13%), and golden eagle (11%). Causes of raptor mortality included collisions with turbines (55%), electrocutions (8%), and wire collisions (11%) (Orloff and Flannery 1992). Based on the number of dead birds found, the authors estimated that as many as 567 raptors may have died over the 2-year period due to collision with wind turbines.

Additional investigations discussed in *A Summary of Existing Studies and Comparisons of Avian Collision Mortality in the United States* include the following:

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At a windplant recently completed in Carbon County, Wyoming, total mortality associated with the 69 turbines and 5 meteorological towers was estimated to be approximately 159 birds per year based on the 95 turbine collision fatalities actually found during the first two years of operation (Johnson et al. 2001). Mean annual mortality was estimated to be 1.75 birds per turbine and 0.036 raptors per turbine per year. Of the 95 fatalities found during the first year of operation, raptors comprised only 5.2%, whereas passerines comprised 91%. Furthermore, while many of the fatalities at this location were nocturnal migrant passerines (Johnson et al. 2001), the largest number of carcasses detected at a turbine during one search was two.

...Composition of fatalities is most likely biased towards larger birds, since small birds are more difficult to detect and scavenging of small birds can be expected to be higher (e.g. Johnson et al. 2000b).

...The percentage of the total number of fatalities comprised of likely nocturnal migrants has ranged from a low of 19.0% at the Wisconsin windplant to a high of 48.0% at the Foote Creek Rim, Wyoming, windplant.

...These data suggest that while turbines are generally below the flight altitude of most nocturnally migrating birds, weather and other factors that reduce migrating bird flight altitudes may result in collisions with wind turbines as well as other artificial structures.

Summary of Windpower Fatality Estimates (Erickson et al. 2001)

... we estimate approximately 33,000 birds (range 10,000 to 40,000) die annually from collision with wind turbines in the United States (assuming 15,000 turbines).

...Species composition data indicate that approximately 14.0% of the projected fatalities are non-protected birds (house sparrows, European starlings and rock doves), and excluding these non-protected species yields an estimate of approximately 28,500 (protected) birds. We estimate approximately 6,400 birds will die annually outside California at the 3,500 turbines estimated to be in operation by the end of year 2001. Species composition data outside California indicate 3.3% of the projected fatalities are non-protected birds; excluding these non-protected species yields an estimate of approximately 6,200 avian fatalities per year.

Because much attention has been given to the issue of raptor/windpower interaction, we also developed separate fatality estimates for raptors. Estimates of raptor fatalities per turbine per year from individual studies ranged from 0 at the Vansycle, Oregon; Searsburg, Vermont; Ponnequin, Colorado; Somerset County, Pennsylvania; and Buffalo Ridge, Minnesota, Phase II and Phase III sites, to 0.10 per turbine per year at the Altamont, California site (Thelander 2000, pers. comm.). Based on these statistics and the estimated total number of operational turbines by the end of 2001, we estimate that approximately 488 raptors are killed annually by turbines in the United States, nearly all in California. We project raptor mortality at windplants outside California to be 20 per year based on 1 raptor found at Buffalo Ridge, Minnesota over a 6-year period and 5 raptors found at the Phase I Foote Creek Rim, Wyoming facility during a two-year study of 69 turbines.

SUMMARY (Erickson et al. 2001)

Our review indicates that avian collision mortality associated with windplants is much lower than other sources of collision mortality in the United States. We believe there are reasons for the relatively low mortality rates at most windplants. The primary reason is that there are far fewer windplants and that many of the windplants are located in areas with relatively low bird and raptor use. However, even if windplants were quite numerous (e.g.,

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1 million turbines), they would likely cause no more than a few percent of all collision deaths related to human structures.

It appears from the available data that siting windplants in areas with low bird and raptor use is currently the best way to minimize collision mortality. The apparently high raptor mortality levels at Altamont can mostly be attributed to high prey base for raptors, large populations of raptors, topography and the large size of the windplant. Other factors such as older turbine designs may also contribute to the raptor mortality levels, but such factors are less understood.

Windplants sited in areas of high bird use can expect to have higher fatality rates than many of those reported in this document although other factors such as topography, prey abundance, and species composition also likely influence mortality. For example, in the Netherlands, where turbines are often sited near coastal areas, estimates of collision rates have been as high as 37 birds per turbine per year (Winkelman 1994).

The results of our review and updated estimates indicate that avian collision mortality attributable to windpower at the current level of production in the U.S. is minor in comparison to other sources of collision mortality. The current levels of mortality caused by windplants do not appear to be causing any significant population impacts (except possibly for golden eagles at Altamont (Hunt et al. 1999), although several possible contributors to this decline have been proposed). Due to recent declines in many species of birds, especially some raptors and many neotropical migrants, however, any additional mortality may be a cause for concern. Monitoring programs in place at many of the newer generation windplants will continue to provide information to better understand avian mortality levels and to continue to determine factors important for siting windplants. Because the cumulative impacts of all mortality factors on birds continue to increase as the human population climbs and resource demands grow, efforts by every industry are important to reverse avian mortality trends and to minimize bird deaths.

BLM Range of Alternatives

The Gateway West Transmission Line Project currently proposes only one alternative to its Preliminary Proposed Corridor, a Preliminary Alternative Corridor. While Segments 4, 7, 8, 9 offer Alternatives the other segments do not. While 4 of the 10 segments offer one or more alternatives in this Scoping stage of the project is a step in the right direction, it remains troubling that during the Draft Programmatic EIS phase of the Energy Corridors designation process only two alternatives were offered, a Proposed Alternative and a No Action alternative. It certainly would have been reasonable for the agency to provide several action alternatives with differing energy corridor locations, so that the public could have a range of options to comment on, and the agencies could have a range of options from which to choose. It is mysterious why the agencies chose to present only one option for designating energy corridors. This does not appear to satisfy the “range of alternatives” requirements pursuant to NEPA. This need is rendered even more compelling because the designation of energy corridors is essentially required by the Energy Policy Act of 2005 (DPEIS at I-1), rendering the No Action alternative legally non-viable. This reduces the legally sufficient alternatives in the DPEIS to one (the Proposed Alternative), a legally untenable position under NEPA. We anticipate an eventual positive outcome of this project that will not necessitate a re-examination of process.

Unnecessary or Undue Degradation

In the West, much of the area impacted by the proposed energy corridors falls within BLM lands, which implicates the legal requirements of FLPMA. Going forward the EIS needs to define what constitutes “unnecessary or undue degradation” in the context of both pipeline and power line development, and determine whether each of the corridors proposed would result in unnecessary or undue degradation.

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Direct Impacts Analysis

A number of aspects of the impacts analysis in the Energy Corridors DPEIS appeared to be incomplete. It is not clear, at this stage, if and how much more analysis has been done to address the following concerns originating with inadequate impacts analysis in the DPEIS.

For paleontological resources, it appears that the agencies rely exclusively on the BLM's Probable Fossil Yield classification, which raises some significant problems. The requirement for field surveys and recovery of fossils appear to be limited to PFY Class 5 formations (DPEIS at 3-65), which is a mistake as outlined below. The PFY classification assigns higher values to formations where vertebrate fossils are likely to be abundant. However, the paleontological value of an abundance of (potentially common) vertebrate fossils may be eclipsed by a single find of a very rare species in a formation that is much less fossiliferous. Paleontological research activity tends to be concentrated in formations that are highly fossiliferous (and therefore high PFY class) due to the greater probability of encountering a find. However, this systematic bias in research effort results in a case where the organisms from a highly fossiliferous formation are well-studied, relatively common in collections, and therefore of relatively lower value versus a find in a low fossil yield formation which may be more likely to be new to science and therefore of higher value paleontologically. The agency's impact analysis is therefore skewed toward a lower perception of impact in low PFY class formations, when the reverse may be true. For this reason, fossil field surveys of proposed surface disturbing activity should be required for any formation that has the possibility of fossil resources (Class 3 or higher). These surveys should be a requirement of the PEIS and must be conducted by a trained paleontologist; archaeologists have a different skill set and might not recognize or recover significant fossil finds.

The direct and cumulative global climate change effects of the combustion of petroleum products to be transported via pipeline in the project should be analyzed. Likewise, the cumulative effects of gas- and coal-fired electricity generation that will feed the powerlines should be analyzed. Conversely, the cumulative effects of wind-, solar-, and geothermal-power generation to replace fossil fuel electricity generation should be considered. Specifically, the agencies should consider whether the addition of clean energy sources as a result of available transmission will replace carbon-based electricity generation, or whether it will simply be additive to the existing and proposed fossil-fuel powered generation. The amount of power plant construction expected to increase as a result of increased transmission capacity should be disclosed by power plant type, emissions levels, and location so that an adequate cumulative effects analysis on air quality and global climate change can be undertaken. The current analysis appears to be limited to corridor-related construction and operation activities and does not appear to address impacts to global climate change.

The PEIS did not appear to attempt to analyze impacts to sensitive wildlife species. Because the site-specific locations of proposed energy corridors are known for federal lands, and because the types of impacts that will be permitted within these corridors are also known, it is reasonable to expect the agencies to map the corridor locations against known sensitive habitats that would be expected to be impacted by the corridors. These data are key to deciding on the optimal final location of the proposed corridors at a fine scale. We reiterate this concern in this Scoping phase of the Gateway West Transmission Lines project. Habitat attributes that should be avoided for Wyoming are as follows:

Prairie dog colonies – These are vulnerable to increased raptor predation as a result of power line siting in or adjacent to active colonies. The degree to which corridors overlaps these sensitive habitats should be analyzed and disclosed. Active prairie dog colonies should be avoidance areas for overhead electrical transmission lines; impacts of pipelines should be much lower and temporary in nature.

Grouse and other galliform nesting and wintering habitats – State fish and game agencies typically map sage grouse, Columbian sharp-tailed grouse, and other galliform lek areas (lands within 3 miles of sage grouse leks and within 1 mile of Columbian sharp-tailed grouse leks are typically considered most important as nesting habitats) and wintering areas. The degree to which corridors overlaps these sensitive habitats should be analyzed and disclosed. These are vulnerable to

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increased raptor predation as a result of power line siting in or adjacent to active colonies. These habitats should be avoidance areas for overhead electrical transmission lines; impacts of pipelines should be much lower and temporary in nature.

Sensitive sagebrush obligate species – Species such as the sage sparrow, Brewer’s sparrow, Baird’s sparrow, and sage thrasher are sensitive to the fragmentation of large blocks of sagebrush habitat. The extent to which the proposed corridors will cumulatively contribute to the fragmentation of these habitats, together with other permitted activities such as oil and gas development, should be fully investigated.

Interior forest species – Sensitive species such as the northern goshawk and American marten require large blocks of mature timber and are impacted by forest fragmentation. The extent to which the proposed corridors will cumulatively contribute to the fragmentation of these habitats, together with other permitted activities such as timber harvesting, should be fully investigated.

Big game species – Crucial winter ranges, parturition areas, and migration corridors are typically mapped by state fish and game agencies. The degree to which corridors will contribute to direct and cumulative displacement of big game species from these habitats as a result of human activity and vehicle traffic during both the construction and operational phases of energy transmission should be fully disclosed and analyzed, and the overlap between corridors and these sensitive habitats needs to be investigated.

Special habitats required by rare or sensitive species. Examples include mature to overmature, dense sagebrush stands and other habitats required by the pygmy rabbit as well as dry, gravelly ridges that appear to be the obligate habitat for the Wyoming pocket gopher. The degree to which there is overlap between these habitats and energy corridors should be evaluated in detail; corridors should be shifted to avoid these habitats to the fullest extent possible.

This type of spatially explicit analysis will not only allow the agencies to accurately predict the magnitude of impacts to these types of wildlife, but will also provide the information needed to route corridors away from sensitive habitats to a great extent.

Historical and Cultural Resources

There have been problems in the past with pipelines destroying historically significant segments of the Overland and Oregon Trails, and with wind power facilities heavily impacting the settings of these features. The agencies should map historic trails and other known sites on or eligible for the National Register of Historic Places, so that the level of impact of the proposed corridor routings can be adequately assessed. Corridors should be routed to avoid direct impacts or visual impacts to the settings of these sites to the greatest extent possible.

Cumulative Impacts

The PEIS and subsequent Transmission Line maps reveal only the alignments of proposed energy corridors as they cross public lands; locations of these same corridors crossing private lands is not disclosed. Yet both pipelines and powerlines are linear features that run from point to point in an unbroken fashion; they (and their impacts) will not simply disappear when they leave public lands. The approval of energy corridors will necessarily and inevitably result in the eventual construction of pipelines and powerlines along them, much as oil and gas leasing necessarily leads to the likelihood of future development. The designation of these corridors have corresponding impacts to private lands which are not evaluated in the PEIS, even though it is reasonably foreseeable that the corridors that are shown as “ending” at the edge of federal land ownership will indeed continue on and impact resources on private lands. NEPA requires that the cumulative impacts of the corridor designation, including disclosure of anticipated alignments on private lands and the corresponding impacts to

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sensitive resources on these private lands, be fully disclosed and evaluated in the EIS in order to fulfill the cumulative impacts analysis requirements of NEPA.

Some examples of sensitive resources that would be expected to be impacted on private lands include: crucial big game winter ranges, greater sage grouse (as well as Columbian sharp-tailed, Gunnison sage grouse, and prairie chicken) nesting and wintering habitats, mountain plover and raptor nesting concentration areas, and historical features eligible for the National Register of Historic Places. These are site-specific features, and the magnitude of impacts is wholly dependent on the location and proximity of the energy corridors and associated developments. Without disclosing the site-specific location of proposed energy corridors on private lands, it is therefore impossible for the agencies to analyze the levels of impacts of the corridors on private lands they will cross.

Interim Reclamation of Corridors

Once an energy transmission line is placed in the corridor, strong interim reclamation standards should apply. For pipelines and other surface disturbing activities, reclamation should include not only re-seeding with native vegetation, but also re-planting with trees (or at least shrubs) to match the predisturbance landscape mosaic of plant communities. In some areas, re-establishment of native vegetation may require watering (as in many arid locales, seed sprout and seedling establishment occur only during unusually wet years, and not at all during dry years). The potential for linear transmission of noxious weeds such as cheatgrass is a major concern, and there is high potential for energy transmission corridors to become weed transmission corridors if native vegetation is not re-established successfully over a short time horizon. Operators should have no more than two years to fully re-establish native vegetation on the site, and bonding should be required to cover the full cost of remediation should interim reclamation prove unsuccessful.

Both pipeline and powerline corridors often become vehicle corridors as well, as access to and maintenance of pipelines and powerlines often involves motor vehicles. Brum et al. (1983) observed that powerline ROWs can become access ways for ORV use, serving as a means of gaining access to previously undisturbed areas. Brum et al. also found that effects of disturbance in the Mojave Desert were still apparent 33 years after construction, including depressed mycorrhizal activity, high seedling mortality, and poor shrub recruitment (Ibid.).

We have significant concerns that, without specific prohibitions on vehicle use, energy corridors will become conduits of off-road vehicle access, leading to illegal and resource-damaging proliferation of off-road vehicle routes stemming from the energy corridors. In order to prevent this, the establishment of any but temporary vehicle routes along the energy corridors should be prohibited, and the corridors should be expressly closed as travelways for recreational use. We recommend that pre-existing vehicle routes that comply with law and regulation that cross the proposed corridors remain open at corridor crossings to maintain the current level of legal public access.

Roadless Areas

Regardless of whether there are currently pipeline or powerline rights-of-way through Inventoried Roadless Areas, the corridors designated under this decision should explicitly stay out of roadless lands.

Thank you for considering these comments, and we look forward to seeing how they will be incorporated into the final energy corridor designation decision.

Sincerely,



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Duane Short, Wild Species Program Director
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Laramie, Wyoming 82073
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and signing on behalf of :

Linda Baker, Grassroots Coordinator
Upper Green River Valley Coalition
PO Box 994 Pinedale, WY 82941
307-367-3670
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Cc: Approving officials for the USFS:

Regional Forester, Region 2
740 Simms Street
Golden, Colorado 80401-4720

and

Regional Forester, Region 4
324 25th Street
Ogden, Utah 84401.

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ATTACHMENTS

- 1 - Casper Land Use Map with Alternate Route Overlay
- 2 - Rawlins Land Use Map with Alternate Routes Overlay
- 3 - Rock Springs Biological Resources Map with Alternate Routes Overlay

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10016



"Ken Miller"
<kmiller@snakeriveralliance.org>

07/03/2008 04:14 PM

Please respond to
<kmiller@snakeriveralliance.org>

To <Gateway_West_WYMail@blm.gov>

cc

bcc

Subject Gateway West comments - Snake River Alliance

Letter

Dear Gateway West Project Team,

Please accept the attached brief comments relative to your scoping efforts on the Gateway West transmission project in Wyoming and Idaho.

My contact information is included with my comments as well,

Ken Miller

Ken Miller
Clean Energy Program Director
Snake River Alliance
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SRA BLM Gateway West Comments 7 3 08.doc

July 2, 2008

Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

Dear BLM's Gateway West Project Management Team

Please accept the following comments pursuant to your solicitation for comments on your Notice of Intent to Prepare and Environmental Impact Statement for the Gateway West 230/500kv Transmission Line Project in Idaho and Wyoming and Possible Land Use Plan Amendments.

The Snake River Alliance is a 29-year-old, Idaho-based public interest organization dedicated to promoting clean energy solutions for Idaho's future energy needs and serving as Idaho's nuclear watchdog. In my capacity as Clean Energy Program Director, I manage the Alliance's energy program, which promotes sustainable energy solutions that include renewable energy development and expanded energy conservation and efficiency policies at the state and local levels. I also serve on Idaho Power Company's Magic Valley Community Advisory Committee, and in the course of my work devote considerable time to analyzing prospective transmission projects that could affect Idaho, including the Gateway West proposal. I was pleased to have had the opportunity to attend the recent open house on the project in Boise.

The Alliance is a strong advocate of renewable energy development in Idaho, and believes Idaho can meet its future energy needs through development of our state's abundant renewable energy resources and through pursuit of all cost-effective energy-saving measures. The Alliance is not opposed to transmission projects, so long as they are appropriately sited and so long as a need for such projects has been established by power suppliers as well as the respective land management agencies.

Based on a number of presentations by the utilities proposing this project, it is our understanding that barring unforeseen circumstances, this line will in fact be a 500kv line that will begin at the Dave Johnston Power Plant in Wyoming and terminate at a proposed Hemingway substation near the Snake River at Melba, Idaho. Perhaps the greatest recommendation for this line, other than to ease existing east-west constraints on the Rocky Mountain Power and Idaho Power transmission systems, is that it will free up capacity on existing transmission. We have been advised by representatives from both utilities that such additional transmission capacity will facilitate the transmission of power from planned renewable energy projects in Wyoming and Idaho.

We appreciate that the precise route for the line has not been identified. Still, we wish to join those who have some concerns about the line's siting and construction. We encourage the land management agencies to strive to use existing rights of way when appropriate so as to minimize additional disturbances to public lands along the transmission line's route, but also to reduce to the maximum extent possible disturbances to wildlife habitat, cultural resources, and soil and vegetation. The proposed segment from Borah to Midpoint is particularly worth exploring given that no new transmission facilities are required for that segment. Similarly, we would encourage serious consideration of the alternative that follows the existing PacifiCorp 500kv line from Midpoint to Hemingway north of the Snake River, providing such a route ensures minimal wildlife and lands impacts in the Snake River Birds of Prey National Conservation Area. We understand such a segment would

require amending the new resource management plan to the SNBPNCA, and would expect such amendments would allow for adequate public review.

We are particularly concerned about impacts to sage grouse leks and associated habitat, particularly in the Populus to Cedar Hill segment, and would urge careful consideration of route alternatives to minimize those impacts. We have conveyed similar concerns to the Bureau of Land Management relative to the proposed China Mountain wind project in Twin Falls County.

These are the primary concerns and issues we have at this early stage in the process. We anticipate participating in much greater detail during the EIS process.

In addition, I would appreciate remaining on your e-mail or snail-mail updates list so I can continue to keep abreast of developments and further comment opportunities relative to this project.

Respectfully submitted,

Ken Miller
Clean Energy Program Director
Snake River Alliance
Box 1731
Boise, ID 83701
208 344-9161
kmiller@snakeriveralliance.org
www.snakeriveralliance.org



Nate Sandvig
Project Development Manager, Wyoming
Horizon Wind Energy LLC
808 Travis St., Suite 700
Houston, TX 77002
June 23, 2008

Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

To Whom It May Concern:

Horizon Wind Energy would like to express its support for the efforts of Pacificorp to develop the Gateway West Transmission Project. Horizon Wind Energy is the third largest developer of wind energy projects in the US (in terms of installed megawatts of capacity owned) and is actively developing a portfolio of projects in Wyoming and elsewhere across the country. This line will be a crucial step in moving power from areas with substantial wind resources to areas with growing electricity demand further west. As the demand for energy continues to grow, transmission projects such as Gateway West will allow us to meet that demand with clean and renewable energy.

Wyoming is endowed with abundant wind resources, and this transmission project will allow the state to take advantage of that endowment through low-impact energy development that brings jobs and tax revenue. Horizon believes that the high net capacity factor of Wyoming wind together with the implementation of the Gateway West transmission project would enable Horizon to offer an abundant source of affordable power to the growing loads to the west.

Horizon looks forward to participating in this project and hopes for the successful development of Gateway West.

Sincerely,

Nate Sandvig
303.718.7255
nate.sandvig@horizonwind.com

10018

Bureau of Land Management
Gateway West Project
Post Office Box 20879
Cheyenne, Wyoming 82003

June 10, 2008

Dear BLM Staff,

I support the construction of the Gateway West Transmission Line Project as it enhances the viability of the Wyoming energy resource industry and simultaneously provides the future infrastructure needed to meet the electrical demands of the public both here and nationally.

The focus of our historical energy industry has been on extraction of coal, oil, and natural gas. It would be beneficial to have additional transmission capacity, which in turn could support the growth of the Wyoming power generation industry.

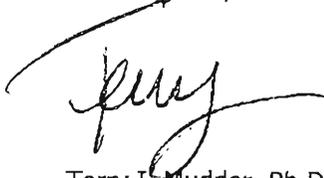
Traditionally, power generation has been associated with primarily the burning of coal or natural gas. However, as the evaluation of this project proceeds and its pros and cons are debated, it would be worthwhile to consider the placement of the transmission line in such a manner to enhance the broader development of alternative energy sources.

Two sources of power generation not nearly fully developed in Wyoming include nuclear and wind. Although building of nuclear power plants could occur in the future, nonetheless, Wyoming was historically a national leader in uranium production. Recently, there has been renewed interest in exploration for uranium. With respect to wind, Wyoming has tremendous potential for developing this form of electrical power with its elevated and sustained velocity corridors.

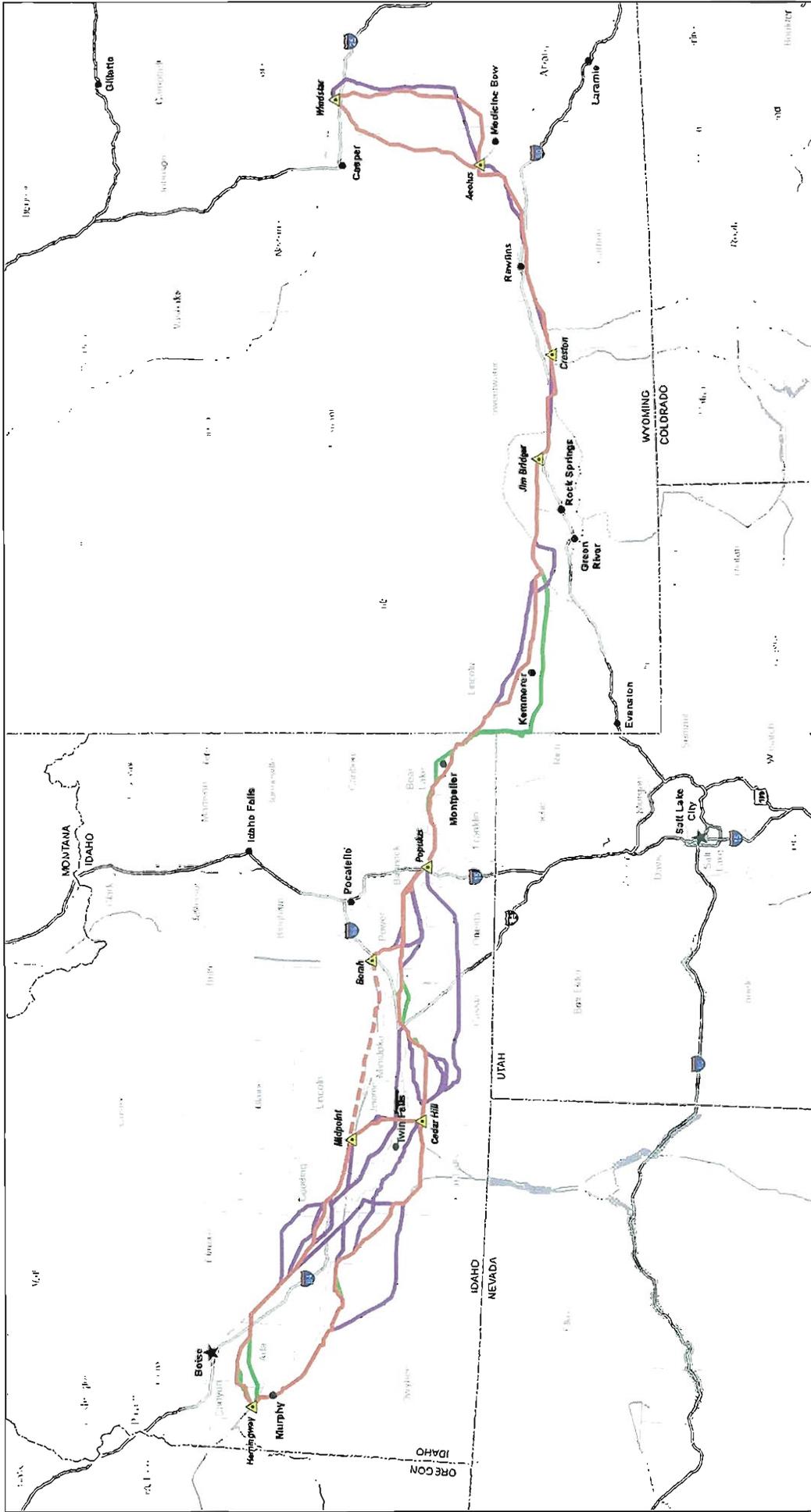
One recommendation is to consider placement of the proposed transmission lines to allow access points to the national power grid to facilitate the potential future development of wind power and enhanced resource extraction, such as uranium mining. To aid this discussion, copies of the maps of historical uranium mining districts, wind power resource estimates, and the proposed transmission line have been included to aid in the visualization of this concept. Although I am not aware that this concept has been considered, it may already have been during the initial phases of this project.

Thank you for affording the public the opportunity of providing comments regarding this important project.

With Regards,



Terry I. Mudder, Ph.D.
Environmental Scientist and Engineer
1604 Leopard Street
Sheridan, Wyoming 82801



Project Features

- ▲ Approximate Substation Location
- Preliminary Proposed Corridor
- Preliminary Alternative Corridor
- No New Transmission Facilities Required
- Considered, Not Proposed
- Study Area Boundary
- Potential West-Midwest Energy Corridor

Administrative

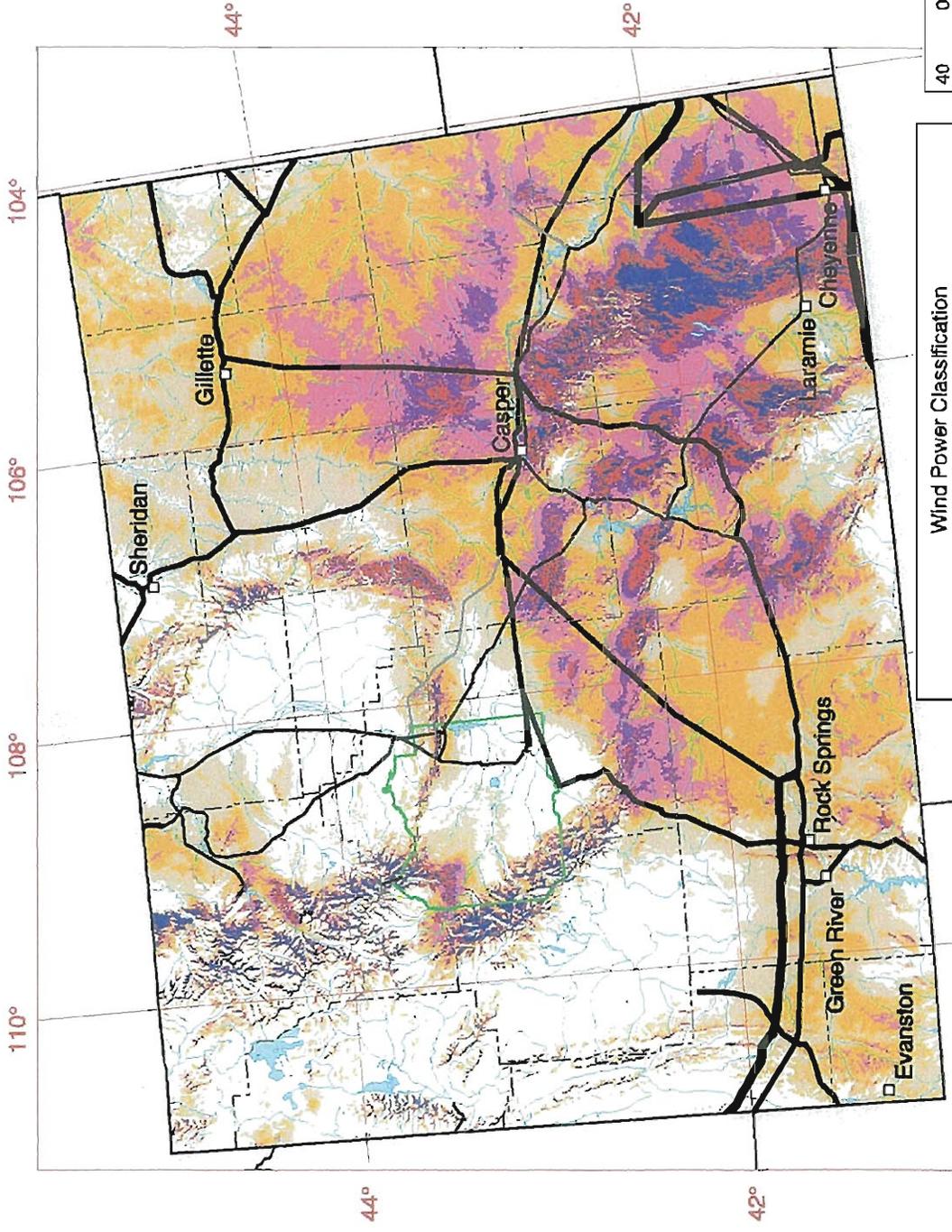
- City
- County Boundary
- State Boundary
- Transportation
- Limited Access Highway

Revised 06-25-08

Gateway West Transmission Line Project Preliminary Corridors Considered

Wyoming

Wind Power Resource Estimates

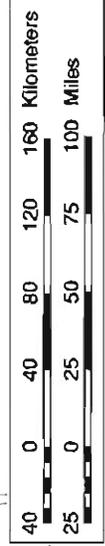


Wind River Indian Reservation

Transmission Line*
Voltage (kV)

- 69
- 115
- 230
- 345

* Source: POWERmap ©2002 Platt, A Division of the McGraw-Hill Companies



Wind Power Classification				
Wind Power Class	Wind Resource Potential	Wind Power Density at 50 m W/m ²	Wind Speed at 50 m m/s	Wind Speed at 50 m mph
2	Marginal	200 - 300	5.6 - 6.4	12.5 - 14.3
3	Fair	300 - 400	6.4 - 7.0	14.3 - 15.7
4	Good	400 - 500	7.0 - 7.5	15.7 - 16.8
5	Excellent	500 - 600	7.5 - 8.0	16.8 - 17.9
6	Outstanding	600 - 800	8.0 - 8.8	17.9 - 19.7
7	Superb	> 800	> 8.8	> 19.7

^aWind speeds are based on a Weibull k value of 2.0

U.S. Department of Energy
National Renewable Energy Laboratory

06-JUN-2002 2.1.2

The wind power resource data for this map was produced by TrueWind Solutions using the Mesomap system and historical weather data. It has been validated with available surface data by the National Renewable Energy Laboratory and wind energy meteorological consultants.



Little Mountain
1955

Bear Lodge Mtns./
Black Hills
1949

Pumpkin Buttes
1951

Copper Mountain
1953

Gas Hills
1953

Crooks Gap
1953

Great Divide Basin
1930

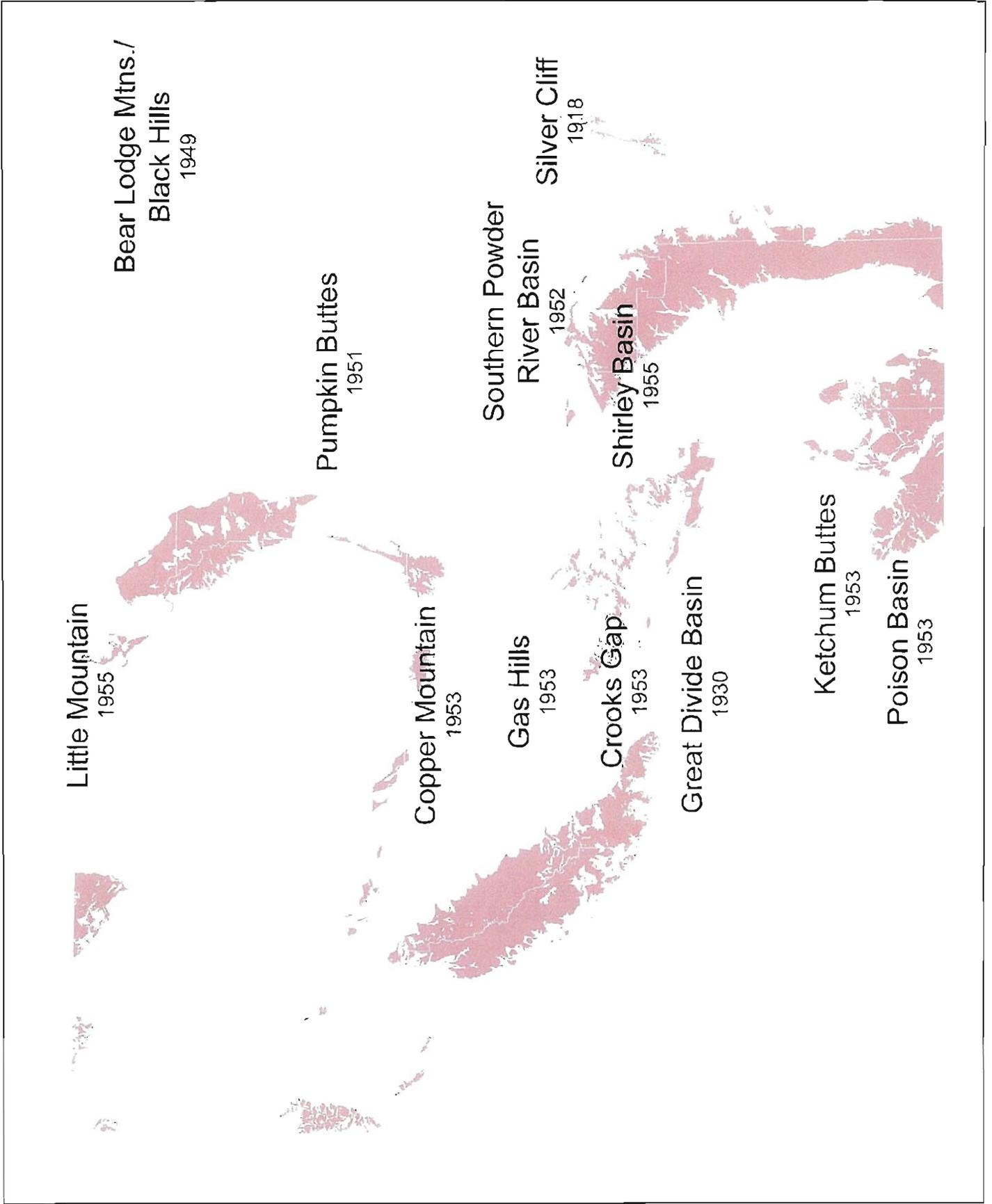
Ketchum Buttes
1953

Poison Basin
1953

Southern Powder
River Basin
1952

Silver Cliff
1918

Shirley Basin
1955



July 13, 2008

BLM
Gateway West Project
PO Box 20879
Cheyenne, WY 82003

Gateway_West_WYMail@blm.gov

RE: Notice of Intent to Prepare an EIS – Gateway West 230/500 kV transmission line project in ID and WY and possible Land Use amendments

Dear BLM,

Here are comments of Western Watersheds Project on the Gateway West transmission line proposal.

We have submitted many of these comments in association with the Westwide Energy Corridors EIS. There are striking parallels to the DOE Corridors (and associated rampant wind and other “renewable” mega-projects) that would proliferate from it, and the effects this project would have on the sagebrush biome, as well as other fragile lands the Gateway Project would slice across and further fragment.

Of particular concern is the devastating impact Gateway and other such Corridor projects would have on species like the pygmy rabbit, sage-grouse, and other increasingly rare and imperiled native species where habitats are already greatly altered and fragmented, and undergo chronic livestock grazing disturbance and damage.

As part of this EIS process, BLM must fully examine the plethora of new corridors/lines/disturbance – including natural gas (Ruby, Bronco), DOE corridors, and others in the region of Idaho, Wyoming and Utah. ANY new line here should follow the Freeway to the maximum extent possible, or be bundled into existing utility corridor swaths. What are these existing corridors – please provide detailed mapping so this all can be understood.

Please fully analyze bundling into existing corridors. Please also fully analyze the impacts of “developing” new energy projects (wind, geothermal, fossil fuel, etc.) in the path of this line. This is part of understanding the full range of connected, linked, and foreseeable actions. Where are sites where development is likely?

Please fully explain WHY this line, along with all the other existing proposed and foreseeable corridors are needed. It seems to us that this all is a free-for-all scramble for rights-of-way right now. Various large energy companies seem to each be trying to get their own lines - perhaps even speculating on lines to be sold or traded in the future. Certainly part of what is going on here is large corporations/energy giants making sure that energy can be manipulated and centralized, rather than decentralized, in the future.

All of these projects will result in a proliferation of roading, and cut-off roads at all points from existing roads – all of this must be fully analyzed. A thorough analysis of all existing roading in lands in or near the corridor must be provided. How many of these lands are Forest Service roaded, or potentially suitable for BLM WSA status? With lines such as this, wild land fire danger is greatly

increased – including from increased weeds, increased OHV use (we note BLM has failed abysmally in controlling OHV use - and many LUPs are woefully outdated where crosscountry use is allowed). In Idaho, there have been several wildfires from raptor electrocutions on lines falling to earth and igniting cheatgrass or other vegetation.

Several of these various Corridor processes are inter-linked, and the full picture of energy alternatives that site any power generating/transmission facilities much closer to urban areas, that focus on private land development of “renewables”, and that focus on de-centralized energy and home or other solar/wind generation and conservation must be fully explored. This should be contrasted with the current apparent free-for-all Corridor Grab that appears to be unfolding across the Western Landscape.

The sudden current rise in oil, food and other essentials is “shocking” the public. Part of what may be occurring is akin to the NeoConservative philosophy of creating economic chaos and then promoting complete unregulated free-market profiteering at public expense. That includes letting energy companies run roughshod over public lands, through imposing excessive new corridors and speculation on their use and development. Such “shock” has been much-espoused by the current administration – and laid out in Naomi Klein’s excellent book *The Shock Doctrine*. Right now in the US, we are undergoing ENERGY shock of a sort – and part of what is occurring seems aimed at allowing any and all kinds of energy projects to go forward – no matter what the deleterious impacts to the environment. See article (Pasted at end of DOE comments here). It must be considered that part of the Energy Shock is aimed not just at fossil fuel profiteering – but also at weakening environmental laws and protections of public lands from damage by “renewable” energy as well, and keeping a chokehold on centralized large-grid projects like this one.

BLM must fully evaluate whether there REALLY is a NEED for the plethora of projects/corridors being proposed, and must explain why Gateway can not just hook into other areas. It can not just take Gateway’s word for a “Need”. It must critically examine the adverse effects, including promoting devastating habitat loss and fragmentation, visual pollution of wild landscapes, greatly lowered private property values, and other factors. BLM must consider saying NO to Gateway and other projects that would have such deleterious effects.

Please incorporate the full range of ecological concerns (such as habitat loss and fragmentation for powerline-targeted lands native biota such as sage-grouse, cumulative and adverse effects of grazing, etc). Please also consider the tremendous adverse ecological footprint of a host of linked developments – ranging from powerlines to road networks that these projects would spawn) to this Solar process.

Please fully consider the full range of cumulative effects on lands and habitats affected by this project - of many other activities such as livestock grazing disturbance and facilities that serve to degrade and fragment habitats, and as referenced in the Westwide DOE comments included here.

Please also examine the national security threats pose by large-often foreign-owned or financed corporations/consortiums/entities controlling power distribution and production on remote public lands. This makes it much easier for process to be manipulated, consumers, gouged, and America’s energy supply be much less secure.

What is the full disturbance and fragmentation Footprint for these facilities for sagebrush species? Especially in a landscape faced with increasing human development, sprawl, military base expansions, threats of brome grasses that thrive on disturbance drastically altering fire cycles, and other ongoing or

foreseeable threats? Where is it predicted that viable populations of sage-grouse may occur in 10 years? 20 years? 50 years? How many such areas does this corridor traverse? How will this project reduce population viability? What are the geographic delineations of all sage-grouse populations affected?

How will this corridor, all associated facilities, and linked wild land or other energy project proliferation promote expansion of cheatgrass and other weeds? What lands are currently infested, and what lands are “at risk” for new or expanded infestation if this project is built? How many areas where these lines and facilities would be placed would be grazed by public lands livestock? What are the cumulative adverse effects of livestock grazing?

Will this line be related to nuclear power plants? INEEL? If so, how might nuclear energy here endanger human health and the environment?

Please describe the current structure of the industry –and parties involved in transmission and power and mega-projects vs. small projects.

What other areas, close to cities and close to existing grids, would provide suitable sites?

As with the USFWS Interim Guidelines for Wind Facility Siting, an appropriate set of guidelines must be drawn up and this EIS under all alternatives must establish a careful and systematic process to evaluate ecological and other impacts of utility corridor and facility siting. This must establish a process for BLM to say NO to Projects where significant adverse impacts would arise. Under all alternatives, prohibition of corridors and development in biologically, culturally, or other “sensitive” areas and important habitats must be mandatory.

As mitigation here – please require that project proponents set aside significant sums for purchase of private lands with important biological values, as well as for purchase of public lands grazing permits and permanent permit retirement for the specific region where the corridor or linked new development is located. This EIS should amend Land Use Plans to authorize such retirement.

How much power will be lost in the remote lands siting of energy projects that may tie into this line, vs. siting closer to metro areas and/or emphasis on local and more self-sufficient generation of wind, geothermal, solar and other power? How might local or self-sufficient generation of power alleviate or reduce rolling black-outs, and other effects of an overloaded centralized grid?

Again, please apply these comments and the concerns expressed in WWP’s comments on the DOE Corridors EIS (See Below) to this process as appropriate.

We have recently received Burley BLM Wind Project (MET tower) scoping documents – that appear directly linked to this. It appears this line is being built to facilitate such projects – mapping shows the line southern path in this area. We again request that it follow the freeway – and not fragment and destroy new areas.

In the vicinity of SE Idaho – please consider instead following the freeway to Salt Lake and then heading north along existing routes. If the “Need” is really because there is more demand at certain times – then adding more lines in existing corridors should rectify that.

We ask that these comments be applied to all parts of the process.

Sincerely,

Katie Fite
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Western Watersheds Project
PO Box 2863
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February 14, 2008

DOE West-wide Corridor PEIS
Argonne National Laboratory
9700 S. Cass Ave., Bldg. 900, Mail Stop 4
Argonne, IL 60439

Dear DOE,

Here are amended comments by Western Watersheds Project and the Idaho Wildlife Federation on the West-wide Energy Corridor PEIS. This EIS would authorize 6,055 miles of Energy Corridors that are 3300 feet (3/4 of a mile wide) ripped across some of the most remote areas of the American West. 61% of the project area has existing rights-of-way (either utility and/or transportation –DEIS at 2-43) – but large portions do not. Plus, a road right-of-way is nowhere near 3/4 mile in width as these corridors are. In many areas with existing rights-of-way (Nevada, Oregon critical sagebrush habitats for example), roads or powerlines may currently exist, but they are relatively small (two lane) and do not open the door to colossal development of public lands as the Westwide corridors will.

WWP has also previously submitted comments as part of this process. We ask that all those comments be carried forward, and applied to this EIS. Plus, we are Attaching comments and letters on SWIP, Browns Bench/China Mountain, Cotterell wind development, and other energy projects that demonstrate the very significant ecological problems with the type and manner of large industrial development in wild land or remote areas of public lands and critical sage grouse and pygmy rabbit habitats that this EIS is designed to facilitate.

We are dismayed that DOE could not be bothered to provide sufficient Hard Copies of the EIS. Sufficient copies were not printed to be provided to the public, and that some parties - even government agencies – are being charged for documents. This appears designed to limit both public agency and private landowners and citizens whose interests are affected by this mega land grab that lays down a network to facilitate fragmentation and mega energy company exploitation of some of the West's most important wild and currently undeveloped landscapes.

Critical information is absent from many of the maps. The DEIS fails to show all existing powerline, utility or other corridors in or near these areas, and across the Interior West. This is necessary to understand the full level of cumulative effects of additional development, and to rationally develop a range of reasonable alternatives. It also fails to show a plethora of highly foreseeable proposed new energy lines that may be punched across critical sage grouse habitats (examples: Ruby, Spectra Energy Bronco, etc). There is no requirement that any energy company or utility use the DOE corridors – in fact a company could get a right-of-way right beside this 3/4 mile swath. In our discussions of SWIP

legs with BLM officials, we have been informed that MULTIPLE corridors may need to be designated – just in that area alone if all the industrial energy developments of public lands that is anticipated happens. Why designate this massive corridor if additional mushrooming corridors, even in the same area, can be obtained at any time? Or –if distance separation is needed between various energy conduits in the corridor and ¾ mile won't even suffice – DOE must also fully address this issue.

We are dismayed at either the purposeful gross mistakes and inaccuracies of the DEIS or purposefully misleading presentation – all, apparently, designed to underestimate the impacts of corridor designation and bias outcomes. For example, DEIS at 3-91, Table 3.5-6 claims that only 15 or so “named streams and canals” in Idaho are crossed by Corridors. This is wildly off. What scale of map is this based on? A view from the Moon? For example, the Corridor in Owyhee County crosses many more named streams. The title of the Table is “Aquifer systems” - aquifer systems do not in any way adequately reflect the number of perennial and intermittent streams these Corridors cut across. When this deficient info is carried forward into a summarized effects analysis (EIS-25), it is clearly misrepresented as the number of perennial and intermittent drainages and canals. As will be discussed later, the same applies even to the estimation of foreseeable wind energy development sites, which is grossly under-estimated in association with the Corridor.

The DEIS fails to consider an adequate range of alternatives, including those focused on locally generated and locally used power – instead of transport (and much associated loss of electrical power) across long-distances ripping apart critical big game winter ranges, sage grouse habitats, pygmy rabbit habitats, loggerhead shrike habitats, cultural and historical sites, landscapes and ecosystems critical to the integrity of National Parks and Monuments, ACEC, WSAs and Wilderness Areas, etc.

There is also no adequate analysis of how these mega corridors that are to serve as the basis for siting hideous polluting coal or other plants, as well as dynamiting public lands to carve out mega corporate-owned wind farms, and how this will also destroy biodiversity on public lands, and also devalue private lands and negatively impact the human residents of the region.

Adverse impacts to residents and wildlife and potential health hazards include: Gas explosions and release of all kinds of toxic fumes, routine venting or other operations release of toxic chemicals, herbicide use along huge disturbed corridors and the disturbance associated with the development that will be spawned, pollutants associated with linked/facilitated coal plants and other development, spills or leakage of all manner of nasty chemicals ranging from PCBs to chemical solvents, ground and surface water contamination from materials transported when lines break or rupture, chemical contamination from materials/substances transported or spilled/leaked by the uses of the pipeline, or that may contaminate water used or “run-through” or re-injected in association with geothermal or other development that will be spawned. There may also be cumulative impacts of herbicides and chemicals used with roadways in areas where the Corridor and road r-o-w-s overlap.

There is no analysis of the necessary reduction in livestock AUMs across the entire public lands path of the pipeline. Infrastructure placed into this corridor, and all of the roading and facilities including those potentially fenced, that would be associated with this uses of this mega swath will remove or reduce available livestock “forage” across thousands of miles of the interior West. Necessary AUM reductions will have to occur on all associated public lands grazing permits.

Understanding of the current ecological health of all public lands grazing allotments in and near this mega corridor will also be necessary in order to conduct a necessary NEPA analysis of all the direct, indirect, cumulative, and additive/synergistic adverse effects of this pipeline – on top of chronic

grazing disturbance. It is necessary to understand the effects of the additional disturbance associated with Corridors (if grazing use is in any way facilitated), and which may be much more likely to result in new invasive species problems in landscapes already degraded and disturbed by livestock, and thus “primed” for invasions. See Fleischner (1994), Belsky and Gelbard (2000), Gelbard and Belnap 2003.

A Supplemental EIS is clearly required to fully address the effects on public lands of this tremendous new Corridor disturbance on top of the adverse effects of habitat degradation, loss and fragmentation caused by livestock grazing, and often linked wildfire, roading, vegetation “treatments” and other disturbances. Please see Fleischner (1994), Belsky et al. 1999, Belsky and Gelbard 2000, USDI BLM 2001 Belnap et al. Technical Bulletin on microbiotic crusts) to understand just some of the broad array of adverse impacts from livestock grazing that chronically occur across many portions of the corridor and areas where new development would be promoted. If portions (or all?) of this corridor is not fenced off – then how will livestock grazing be dealt with? How will it be possible to rehab disturbed Corridor lands (soils, microbiotic crusts, native vegetation communities, fragile habitats) with continued chronic grazing disturbance? There is no annual monitoring, Ecological Site Inventory, Rangeland Health, allotment evaluation, lentic or lotic PFC monitoring or examination of condition of aquatic habitat components or other data essential to understand the current condition of the lands the Corridor slices across.

All of this is necessary to understand both indirect and cumulative impacts, as well the feasibility or likelihood of any rehab of disturbance being successful, risk of weed invasions with disturbance, current chronic grazing disturbance and degradation stressors on sage grouse and other habitats. There is no baseline information provided on the existing livestock facilities that serve to degrade or fragment essential species habitat components across the Corridor and landscape impacts – this includes livestock fences, water developments (spring “development” and de-watering projects, water pipelines and troughs, wells) salting sites, etc. – all of which may have spawned an extensive road network over time and are also deleteriously affecting sage grouse, pygmy rabbit and other important and sensitive species habitats. Fleischner (1994), Frelich (2003), Connelly et al. 2004. This is also essential to understand the impacts additional fencing, roading and other development that the Corridor projects and linked wild land industrial developments would spawn.

There is not adequate mitigation or other action associated with this EIS to adequately address the deleterious effects of pipeline, powerline, transformer station, new or expanded roading, etc. associated with placement construction and maintenance disturbance. This will be amplified by livestock degradation of the corridor area and its surrounding areas where development will be promoted. This is essential to understand, because any disturbance effects of livestock grazing are likely to be exacerbated by global warming processes. Global warming is also likely to increase cheatgrass and other invasive species problems resulting from Corridor and livestock disturbance. This will lead to further altered wildfire cycles (Whisenant 1991, Billings 1994) related to corridor projects and grazing. See Pellant 2007 USDI BLM Congressional Testimony. How much will the risk of wild land fires (and thus significant losses of habitat) increase with Corridor development? Wildfires that start due to construction and operation accidents (raptor collisions with lines, explosions, maintenance or operation of vehicles, etc.) may spread well beyond the Corridor and affect a vast area of important and critical habitats for ESA-listed species and sensitive species like sage grouse and pygmy rabbit.

Fences (livestock or corridor-related or r-o-w associated) may have serious adverse effects on mule deer, elk, bighorn sheep, antelope, sage grouse, and many migratory bird species (Connelly et al. 2004). How many miles of fencing will be associated with this project – under a range of development scenarios? How will that block or impede big game use and movement – including during periods of

snow accumulation when any supposed “wildlife friendly” spacing will not be “friendly”, movement to seasonal ranges, etc. Where are all critical or seasonal ranges located in the landscape impacted? During nesting season for migratory birds, any Corridor or linked facility fences - as well as Corridor power lines, gas lines, compressor stations, etc. – will provide even more elevated perches for brown-headed cowbird nest parasites on species like sage sparrow, Brewer’s sparrow, sage thrasher, loggerhead shrike, etc., or perches for egg predators like ravens, or predators on nesting birds.

Plus, as DEIS Appendices show, the Corridors slice across or impinge on Wildlife Refuges, Wilderness areas and other important wild lands. Note: We can find no mention of Forest Inventoried Roadless Areas. Placement of high tension lines in or near Wildlife Refuges, sage grouse leks, migratory bird flyways, etc. may have serious adverse impacts to migratory birds – and result in mortality and population losses, including of birds that breed in Canada, and are internationally significant. Where are all known migration corridors or pathways? Please conduct necessary baseline studies to determine migratory bird routes, especially in the Great Basin and other areas where such routes may be less known. What percentage of the population of each species may use each route? How might this Corridor, and also the development that may be spawned such as industrial wind farms on remote ranges affect population viability?

All of this must be determined NOW in a comprehensive EIS analysis– as many of the Land Use Plans to be amended contain specific protections for big game and sensitive species, as well as some wildlife species “forage” allocations and population goals. The consequences of any Amendment can not be understood unless current and comprehensive wildlife information is provided.

Please provide a full and detailed analysis of how any rehab of disturbed areas would occur, how any rehabbed areas would be protected from grazing – will entire pastures be closed? – or more fencing built? Will native species only be used in any site rehab? How will global warming impede rehab of Corridor disturbance zones? This is no small question – because invasive species like cheatgrass (promotes wildfires – see Billings 1994) and tumbleweeds thrive in disturbed areas. Windblown tumbleweeds and tumbledustards at times endanger motorists on roads, clog fences, heighten fire danger, etc.

There is no detailed analysis of the adverse effects on health and safety of motorists on federal, state, and local highways in the area of these corridors. What dangers does the infrastructure foreseeable here pose? How will disturbance result in windblown weeds that may be a hazard? What effects might fencing have in concentrating livestock or big game use on roadways? What exposure will passing motorists have to herbicides used to control weeds thriving in corridor disturbance zones? Please note that the BLM Weed EIS (Vegetation Treatment EIS) is considered by many to be greatly inadequate in addressing ecological and human and wildlife health concerns related to the use of a great number of herbicides across public lands. Will corridors be blocked off from motorists – or will all of the roading necessary to construct and maintain the corridor infrastructure

How will this (especially transmission lines) affect the safety of small plane operation, and landing at smaller airstrips across this vast area? This can have ramifications for emergency medical service on remote areas, state or federal agency monitoring of land conditions or wildlife populations, wildland fire fighting, and many other increasing uses of small plane airstrips.

There is no discussion or analysis of the current ecological health or importance of all the lands that will be affected by this swath, or the lands where new development is likely to occur as a result of this corridor. This is important not only to understand the difficulty of any rehabbing and the likelihood of

invasive species dominance, altered fire cycles, etc. with Corridor development, but also to understand the relative scarcity/tremendous ecological importance – of tearing apart the remaining less developed landscapes and habitat areas especially in shrubsteppe, salt desert shrub and other arid habitats. Landscapes will be fragmented and torn apart once the Corridor infrastructure is in place. Example: Figure 2.2.4 shows areas of potential wind development in remote areas. We stress that this map seems to be greatly understating possibilities – vs. western Wind Potential maps that we have often seen! Such wind development - as by mega often foreign-owned corporations like RES UK to export power to Las Vegas or some other big city (as discussed below, see Attached Times-News 2008 article on Browns Bench (China Mountain). However, the real point here is that the lands in the Owyhee region of Oregon and Idaho shown for Potential Wind Energy contain some of the largest remaining relatively intact blocks of shrubsteppe habitat. This was shown in ICBEMP and other analyses (Wisdom et al. 2002, Connelly et al. 2004). Siting this mega Corridor that will promote huge corporate and potentially foreign-owned wind facilities in remote areas of the Owyhee Canyonlands would doom sage grouse, pygmy rabbit and other imperiled wildlife species populations in one of the few remaining “core” population areas. Please conduct a full-scale analysis of the effects of this development on short term, mid term, and long-term viability of all BLM sensitive species populations, and the significance of these core habitat areas and populations to the species as a whole (see Wisdom et al. 2002, Connelly et al. 2004 as a starting point for this analysis).

We again note that the mapping in Figure 2.2.4 (page 2-17) greatly underplays areas of potential wind development – including large areas of Nevada BLM lands where MET towers may already be placed, and where wind facilities have been discussed. Perhaps this is being done to minimize public understanding the tremendous damage that would occur with the long north-south leg of the Corridor associated with the greatly inadequate SWIP segmented EAs being conducted in bits and pieces to also minimize public understanding of the full effects of energy corridor development in the West?

There has been a large amount of discussion and promotion of wind energy development on remote public lands in areas in and near the SWIP swaths. Ely and Elko BLM know this – why have you not included that here? The windy ridges and plateaus (both in the area colored purple on your map as well as across of the Nevada landscape that you have omitted) lands are critical to maintaining viable populations of sage grouse and pygmy rabbit. They are also critical migration corridors for migratory birds, and placement of hazardous powerlines, wind facilities, likely lighting that may lure some species during migration, etc. would have international significance – as these serve as migration corridors for raptor, migratory songbird and perhaps bat movement north to Canada and south to Mexico. The bottom line is that the EIS appears to have purposefully downplayed the linked and foreseeable industrial wind farm development areas to cover up the tremendous ecological footprint that these corridors would have.

Figure 2.2.4 does, however, show areas of “Potential Geothermal Energy Development”. This includes the entire range of sage grouse and pygmy rabbit in Nevada including the Nevada Owyhee Canyonlands, the SWIP zone of development north-south through Nevada, significant wild and undeveloped areas of Oregon including the Trout Creek, Alvord Desert and Steens region and portions of the Owyhee. It also includes large swaths of the Jarbidge BLM lands, Bruneau BLM lands, and much the northern Snake River Plain and portions of the Idaho batholith. Anything that facilitates industrialization of this landscape will have a tremendous adverse impacts to sage grouse, pygmy rabbit and other important and sensitive species in this region, as well as rare aquatic biota.

Development of geothermal energy facilitated by this Corridor would have a broad array of adverse effects to wildlife, recreational uses of public lands, and potentially even agriculture. For example, the

Bruneau snail is an ESA-listed species that is tied to hot water springs in the lower Bruneau River watershed. It is already on a trajectory headed towards extinction due to Simplot and other large irrigators depleting ground water. Further tapping into or altering geothermal waters would accelerate aquifer depletion and snail extinction. Geothermal development would also deplete, alter and potentially destroy important recreational hot springs, or areas with important cultural importance to Native Americans.

Large geothermal facilities themselves have a significant Footprint on the environment, and lead to further habitat loss, alterations and fragmentation. The Footprint includes new and/or expanded road networks to facilities, new spur powerline corridors – and all the adverse effects associated with these - from elevated perches for sage grouse nest predators or pygmy rabbit predators in livestock-degraded landscapes that have suffered extensive alteration of shrub structure and denser sagebrush - to weed invasions from disturbed areas choking pygmy rabbit habitats. There is also greatly increased human activity (including during sensitive wildlife wintering, birthing or nesting periods) associated with siting energy facilities in remote areas, as well as increased wildlife mortality on roads, or from collisions with infrastructure.

As this EIS will result in new roading, new development, transport or use of hazardous substances and environmental pollutants/contaminants, a broad array of effects on ground and surface waters may occur. These effects range from increased sedimentation (for new or expand road networks) that pollute and clog endangered or sensitive salmonid, springsnail or other habitats, to pollution/contamination from PCBs, petroleum products, herbicides, etc. contaminating ground and surface waters – with impacts to aquatic species, wildlife, human populations especially rural well water users, and even wild horses.

Construction of new roads or facilities with this mega-Corridor will alter hydrological processes, and may affect both ground and surface waters – and a broad range of native wildlife species, and human uses and enjoyment of wild land waters – including fishing opportunities. For example, sage grouse brood rearing, especially in desertified livestock-depleted landscapes is tied to green vegetation on wet meadow and other areas. Roading that alters hydrological flows, or energy development linked to this EIS that depletes ground or surface waters, may have significant adverse impacts to sage grouse.

On top of this, geothermal or other development linked to or spawned by this mega-Corridor will further later or deplete surface and ground waters. Of great importance are the effects of potential depletion on exceedingly scarce spring sources in high desert regions of Nevada, Idaho, Oregon, California. Springs are critical to a broad array of wildlife, and many have already suffered large-scale degradation, depletion and in some cases been killed entirely by the effects of livestock grazing and BLM and forest service “development” for livestock. See Sada et al. 2001, BLM Technical Bulletin, describing the sad and sorry state of many of the region’s springs. A Supplemental EIS must fully examine the current condition (including both water quantity and quality and any documented changes over time up to this point) of springs, seeps and riparian areas across the affected landscape. It must then determine the effects of Corridor and associated, linked or foreseeable development on these critical riparian/watershed areas.

Riparian areas across the arid West will be under even greater stress, and facing further flow reductions due to diminished snow pack, increased temperatures, and other factors linked to global warming. How will this Corridor and the linked and foreseeable development amplify global warming effects and losses to riparian areas?

How will development of this corridor affect municipal watersheds?

There is no analysis of the enhanced national security protection for energy (not to mention the energy conservation that could occur) with locally generated and used power vs. this mega swath where many energy structures/facilities would be concentrated.

The effort appears aimed at promoting and continuing large corporate control of the nation's energy supply. Now the Bush administration has run this country into trillions of dollars of debt, at the same time as large energy companies have profited. It is now many of the same giant energy corporations that would most benefit from opening up vast swaths of public land to large-scale corporate energy facility development with this West-wide Energy Corridor DEIS. Many of the corporate entities are foreign-owned or have significant foreign ownership. How can it be considered energy independence, or in the interests of "national security" to push in these mega-corridors – when the energy that is developed will often be controlled by foreign money interests, and thus to an unknown and unassessed degree – subject to foreign control? This seems sort of like the energy equivalent of the Dubai Ports deal. With wind, geothermal or other energy development across public lands, even remote areas in the heart of the country will come under control of energy giants. Reliance on this system only facilitates the Enron-type crises engineered for financial speculation and other purposes – and that could run counter to national security.

Plus, this EIS also encourages remote siting of coal or natural gas plants – again something that could only be done with a tremendous investment and under control of a few powerful corporations. It also thus promotes the large-scale environmental ravages of public lands to obtain coal, natural gas, oil shale, tar sands, or other fossil energy.

The bottom line is that part of the purpose behind this appears to be to facilitate and ensure continued large corporation dominance of energy by encouraging remote public wild land "development" that is only likely to occur with massive investments of capital. Under this EIS, both "renewable" – even though it is hard to consider dynamiting an industrial wind facility into a mountain on top of sage grouse leks "renewable" – and non-renewable energy on an industrial scale, and exporting energy across long distances - is the focus. A Supplemental EIS must be prepared to examine the full economic and energy "security" effects of the energy structure of the U. S. that this promotes.

We are also very concerned that sufficient independent analysis of chokepoints and solutions for chokepoints has not occurred. It is in the interests of large energy producers and power companies the may be in league with to claim problems exist where there are none. Look at Enron! We ask that court records and proceedings related Enron be analyzed as part of this EIS to determine any real need, and the way energy companies may currently be gaming the system to claim chokepoints.

A much broader range of alternatives must be developed to focus on smaller, less destructive energy production - and that includes using existing corridors wherever possible. There has been no systematic and fact-based examination of any "need" for the particular swaths of the single EIS alternative.

Promoting and relying on huge energy projects detracts funding, interest and incentives (both federal and private) from efforts to develop local conservation, and home-produced energy such as solar or wind-powered houses with power generated on-site. By promoting giant developments, this DEIS and its very limited ONE alternative also cuts against small, local producers such as wind farms on the

depleted, marginal irrigated private ag lands of the Snake River Plain where there is sufficient wind for energy and no public land would be destroyed.

The single DEIS alternative that promotes remote siting and large-scale exploitation, development and destruction of public lands also promotes large corporate interests at the expense of smaller, diversified local energy producers. It frees industrial wind farm developers of paying for use of private lands – and instead they pay much cheaper fees for rights-of-way and land use on the public lands that they destroy. Mitigation for any “renewable” resource that will be spawned by this is likely to be minimal – example – the Burley BLM Cotterell wind farm EIS (which we incorporate by reference) shows how little the public receives in mitigation for these industrial sites that wipe out sage grouse and other native wildlife populations.

How are these energy corridors related to NAFTA? This was a highly controversial trade agreement that has resulted in the loss of American jobs. How might development of this mega-Corridor promote out-of-basin piping of water – such as the Southern Nevada Water Authority water exploitation and aquifer mining of Spring valley and other areas of central Nevada and Utah underlain by a deep carbonate aquifer. Could this corridor be used for moving water across the West – as well as “energy” related materials and power? If so, where is it foreseeable that water would be removed from, and exported to? In the late 1950s and early 1960s, there was a proposal for a large water transport system to take Canadian, Idaho and other water south and to California. Please review that proposal, and examine how this energy corridor - if foreseeably used for water pipelines as well, may affect local, regional and national water supplies and established uses as well as critical ESA-listed and other important species habitats?

This EIS and its single alternative promotes global-warming gas producing coal-fired plants in areas with currently cleaner air, and it also promotes mega industrial wind farm and other complexes in remote areas of public lands where their Footprint and harm to the environment will be maximized. This is the dead opposite path that the U. S. should be taking in the 21st century.

The full carbon and other green house gas footprint of all materials involved in any of the facilities, lines, etc here – from steel to transformers – such as involved in monstrous powerlines that might be built must be estimated.

You must also examine the costs of transport of materials (likely from China) for materials for mega-power or pipelines here, and the oil and other energy costs and emissions produced for construction and support operations for this. Please factor into this the LOSS of energy in transport over long distances. Please consider this under an array of development scenarios as part of an impacts analysis, including analysis of cumulative impacts. How does this compare to the Carbon and other global warming gas and energy footprint of small, localized technology for America’s energy independence.

DOE must provide a detailed analysis of the scale and degree of coal plant emissions that would occur from plant development linked to this mega new corridor. How will such coal plant development – like the proposed Ely coal plants or Toquop affect cleaner air, visibility over national parks and monuments, wilderness areas and WSAs, etc. contribute to global warming gases, etc. How many Toquops or Ely –lie plants are foreseeable under the DEIS proposed action? The layout of the Corridors looks like a Mega Energy company wishlist to exploit areas with currently relatively cleaner air and pollute it. Such pollution becomes an environmental justice issue, as communities most likely to be close to remote coal plants are often minority or Native American. It also would destroy air

quality and generate haze over national parks, like Great Basin National Park, southern Utah, and downwind areas like the Jarbidge Wilderness.

DOE must also provide detailed analysis and information on the current power line and other utility corridors across the Project Area, so the full cumulative effects of these can be understood. These are simply not adequately shown or examined in this EIS.

The DEIS provides some species lists. However, DOE or land management agencies have conducted no current, site-specific surveys for rare or imperiled species over the project areas – and that includes surveys for rare plants – which are likely to be greatly affected by invasive species promoted by disturbance from construction, operation, and linked developments associated with the Corridors.

We are appalled at how little consideration is given to nationally significant biological resources that are affected and will be further imperiled or driven extinct under the profligate development of public wild lands that this EIS promotes. Two prime examples are sage grouse and pygmy rabbit.

The recently constructed Nevada Falcon-Gonder powerline newly fragmented critical sagebrush and pinyon-juniper communities and important sage grouse, pygmy rabbit, loggerhead shrike, pinyon jay and other BLM sensitive and rare and declining species habitats. Now powerline sage grouse “mitigation” studies are showing that sage grouse nesting success is plummeting – as raven populations that thrive with elevated perches and increased disturbance rise.

At the time it was built, I commented on that process too. It was claimed then that purpose of the line was not really known. Well, it turns out that the purpose was known all along –it’s just that the energy companies were doing things in a sly way – first get a leg of the powerline corridor in – then propose building mega coal-fired powerplants in the heart of the Great Basin - plants that if built will now spew polluting air into some of the cleanest air in the nation. WWP stresses that NOW a leg of this DOE EIS ties right into the area of the proposed Ely coal plants.

The likely decline of sage grouse, of course, had all been anticipated and a science-based analysis beforehand would have shown this (Connelly et al. 2000, Connelly et al. 2004). Note: Copy of Sage Grouse Conservation Assessment on cd included with WWP comments on this DOE EIS. Powerlines provide ample sage grouse avian predator and egg-predator perches – where ravens can scan for nests. Powerlines are always accompanied by new roading. Additional roading and other disturbance also increases sage grouse nest predator travel corridors.

It is alarming to us that “mitigation” for mega powerlines and energy corridors is minimal and consists largely of minor measures and a bit of “research” dollars to Game Departments or BLM to once again prove that already known to be highly predictable wildlife declines and species loss will occur. Such highly damaging powerlines, carved into core habitats for sensitive species are virtually always given the greenlight – despite the long-lasting tremendous impact these developments have on wildlife, watersheds, native plant communities and much-increased risk of weed development, cultural sites, wild land recreational uses, etc. DOE must fully examine the large-scale deleterious effects of development of these Corridors, as well as other foreseeable linkage or development powerlines that will result, and provide some sizable mitigation funding and significant mitigation actions – not just giving the Game Department some funds to study grouse and kill some junipers, and fragment more habitats.

As part of the DEIS process - and certainly a supplemental DEIS must be prepared to adequately do this as well as evaluate a full range of science-based alternatives – we ask that DOE use the methodology and science in the Sage Grouse Conservation Assessment (Connelly et al. 2004) to conduct a science based analysis of the direct, indirect and cumulative effects of the designation and/or development of the Energy Corridors as shown in the DEIS and under a full range of new alternatives for a broad range of species.

For example, conduct current and updated habitat impact and fragmentation analyses for all sage grouse populations as described in the Connelly et al. 2004 assessment. Then, take this one step further, and examine the effects on “Population Management Units”, as described and defined in, for example, the Nevada Sage Grouse Plan. Since both the sage grouse Range-wide CA and the state-specific planning documents like the Nevada Bi-state plan are now a few years old, please collect and apply current data. In Nevada, for example, the claimed population increases of sage grouse from much more intensive sampling in the early 2000s are now dropping. In all of these efforts – the broader populations of the CA and the smaller PMUS, please examine the current effects of fragmentation and loss of habitats – including fire, livestock fences and other infrastructure, roads, existing and foreseeable energy development, powerlines, etc. Please project effects to populations over time with and without development of this mega utility corridor in the area. Please do this under all of a greatly expanded range of alternatives.

Please use analyses as found in ICBEMP and other current science-based assessments such as the ICBEMP Wisdom et al. 2002 species examination and other ICBEMP documents, also Nevada Wisdom et al. 2003 assessment, and the Wyoming Basin Environmental Analysis (WBEA) to examine the full range of ecological threats and habitat fragmentation that currently exists for other sensitive species, as well especially the pygmy rabbit.

Note that the WBEA Assessment did not take into account the effects of livestock grazing and livestock-related infrastructure – this a cause for serious concern, and must be included in the analyses conducted to examine the effects of the West-wide EIS Corridor legs under all alternatives, including baseline/No Action.

As mitigation for every leg of this DOE corridor, WWP requests that the DOE/federal government set up a substantial fund to purchase and retire public lands grazing permits across regions where sage grouse and other native wildlife habitats and populations will be adversely affected by this project.

This DOE EIS should work with BLM and the USFS to contain language that amends Land Use Plans and allows for permanent retirement of grazing permits so purchased. Funding should come from the federal government, as well as coal or foreign-owned mega wind farm proponents like RES UK or other companies that may benefit from these West-wide corridors.

This DOE EIS must disclose all the reasonably foreseeable new powerlines, gas [pipelines, water pipelines (like the SNWA aquifer-mining pipelines to Las Vegas, or the Harvey Whittemore Geyser Ranch to Coyote Springs developments) and other energy developments that are being discussed, or are likely. Then, an analysis of the environmental footprint, if built, must be provided.

This EIS seems aimed at turning large tracts of public lands, and little-developed areas into Energy provinces of larger population centers – where all the environmental damage and adverse Footprint – ranging from coal plant pollution to herbicide use to control the proliferation of weeds in the corridor

and linked development areas – will affect large areas of the interior West - and its human populations, wildlife, and other important attributes.

In Idaho, WWP’s members would be “downwinders” of the toxic rain of mercury and other pollutants that would result from development of the lands associated with the Nevada Corridors. We received the nuclear fallout from this region. Wind roses for this area are not adequate in the cursory EIS analysis.

The full Footprint of the project on ALL important resources and values of public lands must be assessed. This includes the scale and degree of wind, geothermal, solar or other mega often foreign

While the Energy Policy Act may direct corridors be established, it does not direct that be established in the species habitats here - which maximize impacts on many critical and nationally significant and important environmental resources.

DOE has considered a much too meager range of alternatives. DOE should consider a full range of alternative actions, including siting any corridors paralleling interstate Highway systems and existing large powerline routes (i. e bundling), not establishing huge new powerlines across remote or little-developed areas, and a broad range of alternatives.

The RES UK foreign energy company proposal to construct a mega wind farm on Browns Bench (called the China Mountain project) in a critical sage grouse and pygmy rabbit habitat in the Jarbidge BLM lands south of Twin Falls illustrates of much that is wrong with the energy development that the EIS promotes with its single Alternative. See 2008 Times-News article. See WWP and IWF Appeal of MET tower placement (Attached).

In the case of Browns Bench/China Mountain, the lands lie in the Jarbidge Field Office, while the West-wide corridor is located in lands of an even older LUP area by a different Field Office (Burley). However, plans are already underway to develop a large new bridge across Salmon Falls Creek that would span the 2 areas to facilitate movement of mega wind turbines to develop the Browns Bench site. This demonstrates the complexity and scale of the many development projects and adverse environmental effects that would occur from this project.

The impacts that this development will have on public wild lands and America’s wildlife heritage would be devastating. The foreign energy company has already violated terms of a right-of-way for MET tower placement. Please see Attached WWP Appeal and Comments on MET tower placement for the RES UK (a FOREIGN-owned energy mega) and Sierra Pacific that plans to export the power to Las Vegas. This is a perfect example of the destruction of critical wildlife habitats to benefit urban energy waste and excess, and the role of foreign-owned energy companies in proposals that would devastate America’s public lands and wildlife populations like sage grouse. See Attached 2008 Times-News article by Matt Christensen.

Please see the Attached Jarbidge AMS to understand the large-scale depletion of sagebrush habitats in this large 1.3 million acres landscape. Since the AMS was finalized in early July 2007, over half a million acres of the Jarbidge lands burned in later summer 2008 fires. Now, pretty much the only intact block of habitat left is the Browns Bench/China Mountain area where this massive and destructive project and environmental destruction would be facilitated by the Westwide EIS. Linked to this project

would be large-scale road cuts, dynamiting, a plethora of new powerlines, and large-scale human disturbance of the only area in 1.3 million acres JFO that may contain anything resembling a viable population in the short-term. In the mid and long-term, especially with ANY disturbance development on top of the huge Footprint of livestock grazing and fire fragmentation across the Jarbidge, sage grouse would very foreseeably be extirpated here. This EIS will promote rapid ESA listing of sage grouse, pygmy rabbit and other sagebrush-dependent species.

In addition, an area like Browns Bench is a migratory bird migration corridor, as well as several areas that would be flung open to development by SWIP and the various legs of SWIP greatly expanded on in the Westwide EIS.

Even a highly conservative Bush BLM RAC (Lower Snake River District) opposed development of a mega wind farm here, in discussion of MET tower placement. Yet, this EIS is predicated on maximizing development like Browns Bench that is opposed by local entities.

SWIP is a prime example of how the DOE EIS and BLM appear to be coasting on long-outdated and deficient environmental analysis. It is unclear if the Westwide EIS is trying to rely on long-outdated analyses in old LUPs or the musty Idaho Power SWIP EIS as somehow being adequate for any consideration of effects of the DOE EIS across several hundred miles of Nevada. WWP believes SWIP analyses certainly are not.

Large areas of Nevada, Idaho, and other important wild lands traverse by the various SWIP legs, and the surrounding sage grouse and other habitats that would be destroyed, have only old or outdated Land Use Plans. See Attached WWP comments on SWIP.

Plus, in many instances, the imposition of this large SWIP lines on top of the increasingly fragmented sage grouse, pygmy rabbit and other important habitats in Elko and Ely and southern Idaho BLM lands would likely be in violation of existing land use plans. That certainly is the case for the sensitive species and wildlife provisions of the Wells and Elko RMP and many other Land Use Plans in lands impacted by this behemoth. Is this DOE EIS planning to amend LUPS to authorize SWIP? Or will current approval for SWIP be a wholly separate process? This Westwide EIS can not just waltz in, impose this much-opposed huge project, and amend LUPs without undertaking a very detailed site-specific analysis of effects, including how this type of development may be in direct contradiction to Land Use Plan policies for Threatened or Endangered or candidate species, important and sensitive species, cultural resources, recreational resources, watersheds, etc.

Some Additional Comments

The DEIS is supposed to: Designate corridors for oils, gas, hydrogen pipelines and electricity transmission and distribution corridors. Will these also be used for water, or other liquid transport? For example the SNWA aquifer mining pipelines are highly controversial. Please provide a full and detailed analysis of any foreseeable additional uses, including for water or wastes.

The DEIS does not appear to amend LUPS to require that any utility companies (gas, electricity, etc.) actually bundle new projects into these corridors. Instead it leaves the door wide open for a plethora of OTHER lines, corridors and developments paralleling the path or area of the Corridor. There is no requirement for "bundling".

There is little discussion of hydropower in the West and the grid that supports movement of this energy, or any additional developments associated with even more dams being proposed – as in Washington state There is no discussion that we can find that sufficiently addresses various conservation actions and other efforts that might provide alternative ways to relieve congestion.

The DEIS mentions “congestion”, and 49,430 existing miles of transmission lines, 27,000 miles of natural gas lines, two million miles [is this really correct – or is the EIS treating oil differently than electrical lines) of oil pipelines (how many in the West??). The DEIS fails to identify all of these existing powerlines, oil and gas lines, etc. on maps. The DEIS fails to adequately examine the areas of congestion, and alternative ways to relieve congestion.

This claims to be enhancing capability of the grid, but not provide necessary analysis to allow understanding of why only the Proposed Action in that and only that location, would magically achieve this compared to a broad range of other alternative locations, conservation actions, and more localized energy development.

Will this corridor facilitate remote siting of nuclear plants? If so, this is a major human health issue that needs to be thoroughly examined. This will also generate hazardous waste that somehow must be dealt with. Plus, nuclear energy requires a large volume of water for cooling, and any nuclear development in the water-scarce West may greatly strain and deplete waters – plus has a potential for contamination and pollution.

How is this Corridor potentially or foreseeably or known to be linked to military uses? We can not help but notice that it comes close to many military areas. Is the military advocating that this be built for training or development of new or expanded weapons? What about the INEL path? Is this associated with more nuclear development at INEL? If so, what are the potential health risks to human populations? How is this related to current or proposed rail corridors?

Will there be disposals of public land to promote compressor station or other facility siting linked to this Corridor? If so, where and how much? How much additional public land will be lost as a result of this?

Issuance of rights-of-way by federal agencies is often just the start of a long process of violations. Companies/r-o-w holders extend uses beyond rights-of-way, do things first before getting agency authorization, etc. A full analysis of the risk associated with any rights of way and potential lack of compliance with provisions must be thoroughly examined.

Will this facilitate additional cyanide heap leach gold mining, and linked mercury poisoning of regional airsheds and waters from energy-intensive gold-roasting operations by foreign-owned gold mines like Newmont and Barrick Goldstrike in Nevada? The path of the Corridors through Nevada certainly look like they will. What adverse effects will this have on human health, and on aquatic biota exposed to mercury and other poisons – on top of the adverse effects of the mercury and other poisons released by the coal or other energy plants associated with this Corridor?

How will this corridor promote weeds, wild land fire, and accelerated loss of sage grouse and other arid lands species through more frequent and unnatural fires?

For example, weeds like cheatgrass invade disturbance zones associated with this corridor and the Pandora’s box of other development that it opens. Raptor electrocutions on powerlines are an

increasing cause of wildland fires in the arid West, as are OHV and vehicle catalytic converter fires on unpaved roads and berms. Given that a large series of roads, and intensive motorized access to tend various facilities, compressors, etc may be required, this is all likely to very significantly increase fire starts, and further expand and accelerate loss of wild land habitats from fire in salt desert shrub, sagebrush, and pinyon-juniper habitats.

It is very likely that the corridors and the developments that they spawn will result in a very large area of new “wildland urban interfaces”, where agencies will seek to do large-scale vegetation manipulation projects. This will increase disturbance – and likelihood of weeds and habitat and species losses. This, of course, will spawn additional loss and fragmentation of sage grouse, pygmy rabbits and other important species habitats.

The corridors traverse or are located right next to Historic trails like the Oregon Trail, and will greatly mar scenic viewsheds, natural ambiance, etc. The EIS must fully examine the adverse effects to public enjoyment of historic sites, and potential adverse effects on them (such as promoting alien weed spread onto historic sites).

Please provide mapping and analysis that overlays Dark Night Sky areas with the path of this Corridor. Locating the Nevada, Oregon and other legs of this corridor will result in serious adverse effects to some of the only remaining areas in the West with dark night skies, including near Wilderness Areas, National Monuments, National Parks and other important wild places. There is no mitigation or limitation placed on lighting used in the corridor.

The EIS has not addressed the likely amount of lighting that would be associated with various facilities in the corridor, or with the developments that would be spawned.

The EIS must do a much better job of describing the type of existing rights-of-way in or near all segments of the Corridor.

How much land leveling might be required for pipelines? What is the potential for spills of pipelines crossing springs, rivers, streams? DEIS at 2-46 states the project crosses 285 streams, 26 lakes and reservoirs, and 4 wild and scenic rivers.

Why in the world couldn't alternatives such as just paralleling existing large roads to relieve congestion be done- instead of new paths. The DEIS does not in these analyses distinguish between existing r-o-w-s with roads vs. utility lines.

An electric line crossing a stream may not have nearly as serious a likelihood of water contamination and spills as a petroleum or other hazardous substance line.

As part of the socioeconomic impacts the EIS must fully examine the de-valuation of residential property as a result if the industrialization of the landscape stemming from this Corridor EIS. Also, how much will the federal government have to pay for any property condemned? How many billions of dollars would this be?

It is impossible to understand what is being discussed about impacts of multiple projects – EIS at 2-43.

The visual, aesthetic and recreational impacts (including negative impacts on recreation-based economies) are tremendous. DEIS at 2-50 reveals that there are 31 national parks, national monuments

and recreation areas within five miles of this Monster energy corridor. How many Wilderness areas or WSAs are similarly situated? How many Citizen-inventoried Wilderness areas in Utah or Oregon or other important places? Many of these areas were established through legislation, executive order and other important avenues?

Why should this single piece of Energy legislation – and DOE’s single-minded interpretation of what it means – be allowed to trump all of these other designations? Here, as well as in its running roughshod across public lands, the DOE EIS violates FLPMA, and agency policies developed under FLPMA – such as sensitive species policies for sage grouse and pygmy rabbit.

DOE Abjectly Shirks ESA Duties

The DOE tries to shirk its duty to consult over corridor designation in this PEIS –even though it will amend a plethora of land use plans that are based on widespread public outreach over the past several decades.

DOE claims that DOI, USDA and DOD are “action” agencies for ESA purposes, but that it has determined that it is not. It claims those action agencies have “examined the effects of designating federal land and amending land use plans in relation to listed species and critical habitat”.

This is absurd. Many of the affected Land Use Plans are very old, and/or pre-dated Listings, and critical habitat designations, and/or do not rely on best available science for examining effects of habitat loss or fragmentation on rare species.

DOE claims that the designation would not have any “direct” impact on the environment, and that “designation of an energy corridor is an administrative task that occurs when an agency amends its LUPs, and the action has no impacts.

It claims the action does not impact the environment. It claims that an application for a ROW is subject to full policy review at some future time, and that any ground-disturbing effects would undergo EA consultation. The full range of direct, indirect and cumulative impacts of this mega-corridor will never be examined in smaller individual project level EIS. This DOE EIS is the programmatic document that must do so.

These excuses are, of course, hogwash. There MUST be programmatic consultation over the DOE EIS by somebody -either DOE or each of the agencies whose LUPS are amended - potentially for each separate LUP, because all provisions and consultations are different. Yet if each individual Field office conducted consultation, the full array of adverse direct, indirect and cumulative effects of the action and its massive Footprint and development spawned would never be adequately examined.

DEIS at ES-6 acknowledges many Listed species are present, including critical habitat– yet then blows shirks analysis. We also stress that just last week, a federal judge ruled that FWS must designate critical habitat for the spotted owl in the Southwest. This is new information.

A series of industry-biased Bush admin officials have long thwarted and interfered with ESA listings and critical habitat designations (such as the disgraced Julie MacDonald in FWS) – so many more species are very likely to soon become listed in the Footprint and Impact Zone of the West-wide Corridors.

The DEIS at 7 states that the “action agencies” also decided not to conduct consultation – thus shirking their duties as well. DOE claims the agencies said that they could not consult because consultation would be “speculative”. This whole thing is an absurd shell game designed to purposefully ignore the large-scale environmental destruction this Corridor would cause across much of the American west for the benefit of large energy corporations – while ignoring the effects on the public, public lands and private lands and land owners as well.

The DEIS claims "no effect" on listed fish, but NMFS did not agree. So how can DOE arrogantly ignore this? DOE found "no causal connection, whether direct or indirect, between the mere designation of energy corridors (by land use plan amendment) and any effect on a listed species or critical habitat”.

This EIS seeks to amend all LUPs in its path to designate these mega multi-purpose corridors. The corridors contain oil and gas pipelines, electricity transmission lines, compressor stations, hydrogen pipelines, and other energy infrastructure. This all seems like an accident waiting to happen.

According to the TWS Website: “DOE told members of Congress it would avoid Wilderness Areas, wildlife refuges, and other “sensitive environmental or cultural areas”. WWP believes that DOE did not adequately respond to many of the congressional concerns, and sited this corridor in areas that will adversely affect an array of important biological, scenic, recreational, cultural and other values. For example, this goes right by Craters of the Moon and Minidoka, and core sage grouse and pygmy rabbit habitats.

TWS also described Congressional concern and actions as: “In addition to the Section 368 West-wide Energy Corridor effort, Section 1221 of the Energy Policy Act required the Department of Energy (DOE) to identify areas of electricity congestion and permitted the DOE to designate National Interest Electricity Transmission Corridors (NIETCs). Authority for approval of projects within the NIETCs can be issued by the Federal Energy Regulatory Commission (FERC), bypassing and even overriding state and local authorities, and companies can be permitted to use the government's eminent domain authority to condemn private land to ensure new transmission lines are built or existing lines are expanded. Two members of Congress (Representative Frank Wolf R-VA and Representative Maurice Hinchey D-NY) have introduced separate pieces of legislation which would either remove Section 1221 from the Energy Policy Act, limit the federal government’s ability to condemn private land, require public comment, and/or require consideration of ecological values. This shows the DEIS single action alternative blinders are highly controversial, and must be examined in much greater detail in the EIS- including in developing a range of alternatives that would be in keeping with Congressional concerns – and that would minimize the Footprint of the project in many areas.

Below is also a summary of some other info from TWS Website that further supports our concerns about the effects of Corridors that would promote massive industrialization and exploitation of western landscapes – including potential oil tar sands or other deposits in Canada as well as the US.

Geothermal Energy

BLM and the US Forest Service have begun the process of developing a Programmatic Environmental Impact Statement for the leasing and development of federal geothermal energy resources in Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

Geothermal energy production runs naturally occurring super-heated steam found in the earth's crust through generators, thereby producing electricity. Although geothermal energy is a type of renewable energy, the ways that the resource is accessed and the development of this resource can harm other natural resources in a similar manner to oil and gas development. Similar to the way oil and gas is accessed, the steam needed to produce electricity is accessed through drilling.

Federally administered geothermal resources are leased to companies, who then drill to access the steam, collect the steam in pipelines, and move the steam to a generating plant where it is used to produce electricity. Pipelines, drilling pads, and access roads are all needed to develop it. The result of this development, if not done properly, can be habitat fragmentation, loss of open space, and damage to natural and cultural resources. The scope of this PEIS specifically excludes National Parks, U.S. Fish and Wildlife Refuges, Wilderness Areas, and BLM National Monuments, geothermal energy development has the potential to negatively impact wildlife habitat, cultural resources, and proposed wilderness, and aquifers that underlie these areas.

Oil Shale and Tar Sands Leasing and Development

Section 369(d)(1) of the 2005 Energy Policy Act required the BLM to prepare a Programmatic Environmental Impact Statement (PEIS) for research and development leases to facilitate the development of oil shale and tar sands in Colorado, Utah and Wyoming. Energy development from oil shale and tar sands is really scraping the bottom of the barrel. Molecules of petroleum are trapped in shale and sand. They cannot be recovered by traditional drilling techniques. Thus far, tar sands have proven more economically viable than oil shale; however, development of tar sand takes a grave toll on the environment. Oil shale development has the potential to be equally as destructive as tar sands development. Many of the processes being actively studied as part of the research and development leases will require inordinate amounts of electricity and water. Retorts are used to "cook" oil shale, and thus release oil. Retorts will pollute air. Reports abound outlining the potential of oil shale to meet our nation's energy needs. Oil shale has yet to be proven economically viable and the impact to our air, water, wildlife and Wild Western Lands from large scale oil shale development could prove catastrophic. Coupled with furthering our reliance on greenhouse gas causing fossil fuels, investment in oil shale technology seems ill-advised at best. There is no reason to needlessly sacrifice our Western Wildlands on an energy source that at best will continue our reliance on fossil fuels and at worst destroy our Western landscape.

Fundamentally, to understand the Need for this project, it is essential to examine adequate current baseline information, and develop a wide ranging of alternative visions for America's energy future. The EIS has not done this. DOE must start over, and develop a range of alternatives that provide much better environmental protection, minimize new habitat loss and harms, and provide real energy security.

Sincerely,

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ATTACHMENTS

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Disaster Capitalism: State of Extortion

lookout

by NAOMI KLEIN

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Once oil passed \$140 a barrel, even the most rabidly right-wing media hosts had to prove their populist cred by devoting a portion of every show to bashing Big Oil. Some have gone so far as to invite me on for a friendly chat about an insidious new phenomenon: "disaster capitalism." It usually goes well--until it doesn't.

For instance, "independent conservative" radio host Jerry Doyle and I were having a perfectly amiable conversation about sleazy insurance companies and inept politicians when this happened: "I think I have a quick way to bring the prices down," Doyle announced. "We've invested \$650 billion to liberate

a nation of 25 million people. Shouldn't we just demand that they give us oil? There should be tankers after tankers backed up like a traffic jam getting into the Lincoln Tunnel, the Stinkin' Lincoln, at rush hour with thank-you notes from the Iraqi government.... Why don't we just take the oil? We've invested it liberating a country. I can have the problem solved of gas prices coming down in ten days, not ten years."

There were a couple of problems with Doyle's plan, of course. The first was that he was describing the biggest stickup in world history. The second, that he was too late: "We" are already heisting Iraq's oil, or at least are on the cusp of doing so.

It's been ten months since the publication of my book *The Shock Doctrine: The Rise of Disaster Capitalism*, in which I argue that today's preferred method of reshaping the world in the interest of multinational corporations is to systematically exploit the state of fear and disorientation that accompanies moments of great shock and crisis. With the globe being rocked by multiple shocks, this seems like a good time to see how and where the strategy is being applied.

And the disaster capitalists have been busy--from private firefighters already on the scene in Northern California's wildfires, to land grabs in cyclone-hit Burma, to the housing bill making its way through Congress. The bill contains little in the way of affordable housing, shifts the burden of mortgage default to taxpayers and makes sure that the banks that made bad loans get some payouts. No wonder it is known in the hallways of Congress as "The Credit Suisse Plan," after one of the banks that generously proposed it.

Iraq Disaster: We Broke It, We (Just) Bought It

But these cases of disaster capitalism are amateurish compared with what is unfolding at Iraq's oil ministry. It started with no-bid service contracts announced for ExxonMobil, Chevron, Shell, BP and Total (they have yet to be signed but are still on course). Paying multinationals for their technical expertise is not unusual. What is odd is that such contracts almost invariably go to oil service companies--not to the oil majors, whose work is exploring, producing and owning carbon wealth. As London-based oil expert Greg Muttitt points out, the contracts make sense only in the context of reports that the oil majors have insisted on the right of first refusal on subsequent contracts handed out to manage and produce Iraq's oil fields. In other words, other companies will be free to bid on those future contracts, but these companies will win.

One week after the no-bid service deals were announced, the world caught its first glimpse of the real prize. After years of back-room arm-twisting, Iraq is officially flinging open six of its major oil fields, accounting for around half of its known reserves, to foreign investors. According to Iraq's oil minister, the long-term contracts will be signed within a year. While ostensibly under control of the Iraq National Oil Company, foreign firms

will keep 75 percent of the value of the contracts, leaving just 25 percent for their Iraqi partners.

That kind of ratio is unheard of in oil-rich Arab and Persian states, where achieving majority national control over oil was the defining victory of anticolonial struggles. According to Muttitt, the assumption until now was that foreign multinationals would be brought in to develop brand-new fields in Iraq--not to take over ones that are already in production and therefore require minimal technical support. "The policy was always to allocate these fields to the Iraq National Oil Company," he told me. This is a total reversal of that policy, giving INOC a mere 25 percent instead of the planned 100 percent.

So what makes such lousy deals possible in Iraq, which has already suffered so much? Ironically, it is Iraq's suffering--its never-ending crisis--that is the rationale for an arrangement that threatens to drain its treasury of its main source of revenue. The logic goes like this: Iraq's oil industry needs foreign expertise because years of punishing sanctions starved it of new technology and the invasion and continuing violence degraded it further. And Iraq urgently needs to start producing more oil. Why? Again because of the war. The country is shattered, and the billions handed out in no-bid contracts to Western firms have failed to rebuild the country. And that's where the new no-bid contracts come in: they will raise more money, but Iraq has become such a treacherous place that the oil majors must be induced to take the risk of investing. Thus the invasion of Iraq neatly creates the argument for its subsequent pillage.

Several of the architects of the Iraq War no longer even bother to deny that oil was a major motivator. On National Public Radio's *To the Point*, Fadhil Chalabi, one of the primary Iraqi advisers to the Bush Administration in the lead-up to the invasion, recently described the war as "a strategic move on the part of the United States of America and the UK to have a military presence in the Gulf in order to secure [oil] supplies in the future." Chalabi, who served as Iraq's oil under secretary and met with the oil majors before the invasion, described this as "a primary objective."

Invading countries to seize their natural resources is illegal under the Geneva Conventions. That means that the huge task of rebuilding Iraq's infrastructure--including its oil infrastructure--is the financial responsibility of Iraq's invaders. They should be forced to pay reparations. (Recall that Saddam Hussein's regime paid \$9 billion to Kuwait in reparations for its 1990 invasion.) Instead, Iraq is being forced to sell 75 percent of its national patrimony to pay the bills for its own illegal invasion and occupation.

Oil Price Shock: Give Us the Arctic or Never Drive Again

Iraq isn't the only country in the midst of an oil-related stickup. The Bush Administration is busily using a related crisis--the soaring price of

fuel--to revive its dream of drilling in the Arctic National Wildlife Refuge (ANWR). And of drilling offshore. And in the rock-solid shale of the Green River Basin. "Congress must face a hard reality," said George W. Bush on June 18. "Unless members are willing to accept gas prices at today's painful levels--or even higher--our nation must produce more oil."

This is the President as Extortionist in Chief, with gas nozzle pointed to the head of his hostage--which happens to be the entire country. Give me ANWR, or everyone has to spend their summer vacations in the backyard. A final stickup from the cowboy President.

Despite the Drill Here. Drill Now. Pay Less bumper stickers, drilling in ANWR would have little discernible impact on actual global oil supplies, as its advocates well know. The argument that it could nonetheless bring down oil prices is based not on hard economics but on market psychoanalysis: drilling would "send a message" to the oil traders that more oil is on the way, which would cause them to start betting down the price.

Two points follow from this approach. First, trying to psych out hyperactive commodity traders is what passes for governing in the Bush era, even in the midst of a national emergency. Second, it will never work. If there is one thing we can predict from the oil market's recent behavior, it is that the price is going to keep going up regardless of what new supplies are announced.

Take the massive oil boom under way in Alberta's notorious tar sands. The tar sands (sometimes called the oil sands) have the same things going for them as Bush's proposed drill sites: they are nearby and perfectly secure, since the North American Free Trade Agreement contains a provision barring Canada from cutting off supply to the United States. And with little fanfare, oil from this largely untapped source has been pouring into the market, so much so that Canada is now the largest supplier of oil to the United States, surpassing Saudi Arabia. Between 2005 and 2007, Canada increased its exports to the States by almost 100 million barrels. Yet despite this significant increase in secure supplies, oil prices have been going up the entire time.

What is driving the ANWR push is not facts but pure shock doctrine strategy--the oil crisis has created the conditions in which it is possible to sell a previously unsellable (but highly profitable) policy.

Food Price Shock: Genetic Modification or Starvation

Intimately connected to the price of oil is the global food crisis. Not only do high gas prices drive up food costs but the boom in agrofuels has blurred the line between food and fuel, pushing food growers off their land and encouraging rampant speculation. Several Latin American countries have been pushing to re-examine the push for agrofuels and to have food recognized as a human right, not a mere commodity. United States Deputy Secretary of State

John Negroponte has other ideas. In the same speech touting the US commitment to emergency food aid, he called on countries to lower their "export restrictions and high tariffs" and eliminate "barriers to use of innovative plant and animal production technologies, including biotechnology." This was an admittedly more subtle stickup, but the message was clear: impoverished countries had better crack open their agricultural markets to American products and genetically modified seeds, or they could risk having their aid cut off.

Genetically modified crops have emerged as the cureall for the food crisis, at least according to the World Bank, the European Commission president (time to "bite the bullet") and Prime Minister of Britain Gordon Brown. And, of course, the agribusiness companies. "You cannot today feed the world without genetically modified organisms," Peter Brabeck, chairman of Nestlé, told the Financial Times recently. The problem with this argument, at least for now, is that there is no evidence that GMOs increase crop yields, and they often decrease them.

But even if there was a simple key to solving the global food crisis, would we really want it in the hands of the Nestlés and Monsanto? What would it cost us to use it? In recent months Monsanto, Syngenta and BASF have been frenetically buying up patents on so-called "climate ready" seeds--plants that can grow in earth parched from drought and salinated from flooding.

In other words, plants built to survive a future of climate chaos. We already know the lengths Monsanto will go to protect its intellectual property, spying on and suing farmers who dare to save their seeds from one year to the next. We have seen patented AIDS medications fail to treat millions in sub-Saharan Africa. Why would patented "climate ready" crops be any different?

Meanwhile, amid all the talk of exciting new genetic and drilling technologies, the Bush Administration announced a moratorium of up to two years on new solar energy projects on federal lands--due, apparently, to environmental concerns. This is the final frontier for disaster capitalism. Our leaders are failing to invest in technology that will actually prevent a future of climate chaos, choosing instead to work hand in hand with those plotting innovative schemes to profit from the mayhem.

Privatizing Iraq's oil, ensuring global dominance for genetically modified crops, lowering the last of the trade barriers and opening the last of the wildlife refuges... Not so long ago, those goals were pursued through polite trade agreements, under the benign pseudonym "globalization." Now this discredited agenda is forced to ride on the backs of serial crises, selling itself as lifesaving medicine for a world in pain.

About Naomi Klein

Naomi Klein is an award-winning journalist and syndicated columnist and the author of the international and New York Times bestseller *The Shock*

Doctrine: The Rise of Disaster Capitalism (September 2007); an earlier international best-seller, No Logo: Taking Aim at the Brand Bullies; and the collection Fences and Windows: Dispatches from the Front Lines of the Globalization Debate (2002). more...

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Office of the Governor

July 14, 2008

Mr. Walt George
Bureau of Land Management
5353 Yellowstone Road
P.O. Box 1828
Cheyenne, Wyoming 82003

Gateway West Segment 4 NEPA Alternatives

Dear Walt:

Thank you for hosting the meeting Thursday in Kemmerer to discuss alternative alignments for Gateway West Segment 4. I found the meeting very informative and believe the group made significant headway. As we discussed during the meeting, and consistent with our role as a cooperating NEPA agency, the State of Wyoming requests that the Gateway EIS include a fully-considered alternative aligned directly adjacent to the existing transmission line corridor throughout Segment 4. This alternative consists of constructing the proposed Gateway West Transmission Line 1,500 feet north of the northern most transmission line in the existing corridor from the Jim Bridger Power Station to the Wyoming-Idaho border. This alternative is similar to the "purple" route included in BLM's public scoping information. We understand that this alternative will result in resource conflicts, particularly with historic trails. However, as we discussed in Kemmerer, for most other resources such an alignment is clearly preferable.

During the meeting it was suggested that an alternative along Highway 30 south of Kemmerer also be fully considered in the EIS. The State has several concerns regarding such an alignment. If the BLM intends to move forward in analyzing such a route in detail, we need to have a follow-up meeting with several of our state agencies to discuss potential conflicts.

Please be advised that the southern or "green" alternative presently under consideration crosses through an area designated by the state as a sage grouse core area. It is the state's intent to minimize future disturbance in core areas. New transmission through the core area southwest of Kemmerer is incompatible with the core area designation and should be avoided if feasible. In sage grouse core

areas we strongly suggest that routing be accomplished utilizing existing corridors to the maximum extent practicable.

Please call me if you have any questions.

A handwritten signature in black ink, appearing to read "Aaron Clark". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aaron Clark
Special Advisor to Governor Dave Freudenthal

cc: Rob Hurless - Governor's Office
Pam Anderson - Rocky Mountain Power



Northern Rockies Regional
Office
PO Box 824
Helena, MT 59624
406.495.1560
406.495.1559 (fax)

July 15, 2008

Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

To Whom It May Concern:

On behalf of The Northern Rockies Regional Office of the National Parks Conservation Association (NPCA) and our more than 335,000 members, please accept the following comments regarding the Gateway West Transmission Line Project.

We are specifically concerned about the effects that the project would have on the National Park units that lie in its path including Fossil Butte National Monument, Hagerman Fossil Beds National Monument, Minidoka Internment National Monument, and Craters of the Moon National Monument. The Organic Act prescribes a management standard that each national park site is to be “left unimpaired for future generations.” Some of the recommended corridors for the transmission lines will most certainly compromise this standard.

Our interest in this project is in fully protecting and preserving the resources of these monuments including: viewshed values, natural resources, cultural resources, and wildlife habitat.

1. **Viewshed Values.** Transmission lines sited too close to these monuments may have adverse visual impacts. Viewsheds are important and integral to park values. We suggest that viewshed analysis be conducted in each area that may be affected and that placement alternatives be utilized in all areas where visual resources have the potential to be compromised.
2. **Natural Resources.** Natural resources such as paleontological and geological resources associated with the various affected parks must be considered. We suggest a full inventory of these resources be conducted and seriously considered in the process. These resources are irreplaceable and have significant historical, scientific, and economic value.
3. **Cultural Resources.** In addition to natural resources, many of the parks within our National Park System include respected and acclaimed cultural resources. Impacts to cultural resources must also be inventoried and avoided.



National Parks Conservation Association®
Protecting Our National Parks for Future Generations®

4. **Wildlife Habitat.** Any decision regarding transmission lines must take into consideration wildlife habitat and migration routes. A full inventory of species and their migration routes should be considered, and sufficient tracts of contiguous habitat for the species that reside in and adjacent to these monuments should be provided for. Loss of habitat and habitat fragmentation should be a primary factor when designating routes, as transmission corridors can result in habitat degradation and fragmentation.

Thank you for the opportunity to comment on this project. We appreciate the BLM's efforts to protect park values. We would kindly request that you keep NPCA involved and informed in this process. Please feel free to contact me with any questions or if you need any further clarification on the above. Thanks in advance for your consideration.

Sincerely,

Stephanie Hester, Senior Program Coordinator
NPCA, Northern Rockies Regional Office



Department of Energy
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

10022

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

2008 AUG 19 AM 10:00

RECEIVED
CHEYENNE, WYOMING

AUG 13 2008

Mr. Walt George
Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

RE: Gateway West 230/500 kV Transmission Line Project in Idaho and Wyoming

Dear Mr. George:

Western Area Power Administration (Western) has reviewed the May 16, 2008, *Federal Register* Notice of Intent and other materials posted on the web site for the proposed project. It appears there are Western owned and operated transmission lines and associated access routes that could be impacted by the proposed utility corridor. Therefore, we are pleased to provide the following comments.

Western is a Federal power marketing administration within the Department of Energy and has responsibility for the reliable and safe delivery of electricity from Federal hydropower dams located in several western states, including Wyoming. The map provided at the web site for this project is at such a large scale that Western is unable to determine the exact location where the proposed 230 and 500 kV transmission lines will intersect and cross over at least one or more of Western's transmission lines. It appears the crossings may occur in Townships 21 or 22 North, Ranges 82 or 83 West and Ranges 85 or 86 West, between the towns of Hanna and Rawlins, Carbon County, Wyoming.

Based on the likelihood that the proposed transmission lines will intersect and cross Western facilities, we offer the following in relation to safety and reliability. The new transmission line construction contractor will need to ensure that all electrical safety clearances are maintained during construction. Guidance for these clearances can be found in the Code of Federal Regulations (CFR) for the Occupational Safety and Health Administration at 29 CFR 1910.333 (c)(3). In addition, all vehicles, equipment, machinery, cables, metallic pipe, fencing or other materials near Western's existing transmission line rights-of-way must be properly grounded. The contractor should not store materials in the rights-of-way to avoid static and induced electrical hazards. The use of a full time spotter is also recommended for all work near Western's powerlines.

The project proponent will be required to have a structural review and acceptance by Western if any excavation comes within 100 feet of any Western transmission line tower foundation or the structure itself. Once the exact locations of the new transmission line crossings are determined, Western will prepare a license agreement to address safety and other provisions related to construction, operation and maintenance activities associated with the new 230 and 500-kV

transmission lines and to ensure no activities will interfere or conflict with Western's transmission lines.

Construction work needs to be coordinated with Western's operations center located in our Rocky Mountain Region (RMR) Office in Loveland, Colorado. Clearances and/or hot line orders should be considered. Contact Bill Marsh, RMR Safety Manager, at (970) 461-7449, and David Neumayer, Wyoming/Nebraska Division Director, at (307) 232-5200, to coordinate the construction activities. Mr. Marsh will also arrange a required safety briefing with the contractor prior to any work near Western's transmission lines to ensure all workers and operators are aware of the dangers associated with construction near high voltage transmission lines. The contractor should notify Mr. Marsh at least two weeks prior to commencement of the work.

Western requires continuous, uninterrupted access to its facilities. This means that the roads used to get personnel and equipment to Western's facilities cannot be restricted or impaired such that access is denied. If a road is blocked or damaged, an alternate route must be provided. Any damage to the road resulting from activities associated with the new transmission line construction must be repaired by the proponent or its contractor

In addition to issues related to access, Western wishes to caution the proponent and/or its contractor about any site preparation that requires removal of trees. If trees are designated for removal or are harvested within or adjacent to Western's transmission line rights-of-way, there is a potential risk that Western's power line could be damaged or a fire could result if a falling tree gets close to or contacts the conductor. Please ensure that any tree cutting activity in support of the new 230 and 500-kV transmission line construction is coordinated with the Wyoming/Nebraska Maintenance Office in Casper, Wyoming. The contact in Casper is David Neumayer, (307) 232-5200.

Finally, Western may require the transmission line proponent to enter into a contractual agreement with Western to ensure the integrity of the Federal power system. More information about that can be provided after the final alignment for the 230 and 500-kV transmission lines is determined.

Western appreciates the opportunity to provide additional comments on the proposed Gateway Western Transmission Line Project. If you have any questions, please contact Ms. Susan Starceвич at (720) 962-7275 or starcevi@wapa.gov.

Sincerely,


Steven W. Webber
Lands Team Lead

Office of the Governor

August 18, 2008

Mr. Walt George
Bureau of Land Management
5353 Yellowstone Road
P.O. Box 1828
Cheyenne Wy 82003-1828

Re: Alternative Alignments Through Kemmerer Field Office – Gateway West Transmission Project

Dear Walt:

In response to your August 14, 2008 request, the State of Wyoming has reviewed current alternative alignments for the Gateway West Transmission Project through the Kemmerer Field Office. The points and line colors referenced in this letter coincide with the map attached to your August 14th email. For purposes of the Draft EIS, the following alternatives need to be analyzed in detail.

- **North Kemmerer Alternative.** The red line that begins at Point C and extends to Point F. This alignment is north of the existing transmission corridor and it is our understanding that this is currently the proponent's preferred alternative.
- **Existing Corridor Alternative.** The purple line that begins at Point C and passes through Points D, E and F. Essentially, this alignment is defined by a 1,500-foot offset from the northern most transmission line in the existing corridor. West of the cross-over between Points A and C, this alternative would be located north of and adjacent to the existing corridor to the Idaho border.

The purple line alternative from Point A through Point B and terminating at Alternative C should be eliminated. It is our understanding that this alternative is no longer the proponent's preferred alternative. There does not appear to be any distinct environmental advantages associated with this alternative alignment.

While we concur that the Draft EIS should include and analyze an alternative south of Kemmerer (the green line originating at Point M and passing through points N, R and rejoining the existing corridor at Point E), state agencies have raised serious concerns about the environmental consequences of such an alignment. Your third-party consultant will need to work closely with the Wyoming Game and Fish Department to understand and properly disclose impacts to wildlife resources associated with the South Kemmerer Alternative. Similarly, a thorough consideration of paleontological resource conflicts associated with a southern alternative is warranted.

If you have any questions, please feel free to give me a call.

A handwritten signature in blue ink, appearing to read "Aaron Clark". The signature is fluid and cursive, with the first name "Aaron" and the last name "Clark" clearly distinguishable.

Aaron Clark
Special Advisor to Wyoming Governor Dave Freudenthal

cc: Mark Zornes – WGFD
Mary Hopkins – SHPO
Rob Hurless – Gov. Office
Pam Anderson – Rocky Mountain Energy

Public Scoping Comment Form

Boise

Gateway West Transmission Line Project

20001

Public scoping period: May 16 - July 3, 2008

Date: 14 June 2008

First Name: Mark ~~W~~

Last Name: Lessor

Organization or Office Name: Idaho Division of Aeronautics

Mailing Address: P.O. Box 7129

City: Boise State: ID Zip: 83709

Daytime Phone: 208-334-8895

E-mail: Mark.Lessor@itd.idaho.gov

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

Timely notification of areas along the proposed route that would vertical clearance of lines to ground in excess of 200'. Initial preliminary examination of maps appear to protect (avoid) location near public use airports. The only exception appears to be the airport @ Murphy, ID ^{+ Doreau} near the terminus. The Division of Aero looks forward to working on this project with all parties involved . . .

M Lessor

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM



Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20002

Mu-3

BLM

Date: 6/3/08

First Name: Donna

Last Name: Dennett

Organization or Office Name: OCNRC - SGLWG Crew

Mailing Address: 5231 Dennett Rd City: Grand View State: Id Zip: 83624

Daytime Phone: (208) 834-2398 E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are: The alternate

route from Regan, across to Nemenway better is my preferred
because it impacts less land area - the proposed goes across
federal lands which are being farmed - the proposed also
impacts more sage grouse lands - which will be greatly
affected by birds of prey which will use the transmission
towers as perches. These birds do not need added stress as they
are already stressed. We live at the Birds of Prey and have seen
what they have done to the prairie populations

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continued on back

Public Scoping Comment Form

20003

MU-2

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

BLM

Date: 6/3/08

First Name: Connie

Last Name: Brandau

Organization or Office Name: _____

Mailing Address: 9907 Wilson New Ln City: Wilson State: WV Zip: 25641

Daytime Phone: 208 495-2529 E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

The new trans line should be placed in/near to the existing 500 KV line that traverses the Birds of Prey area. Personal sighting observations & scientific review show that BOP benefit from the line built back in the 1970's.



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

Public Scoping Comment Form

20004

Mu-1

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Date: 6/3/08

First Name: NICK

Last Name: IHLI

Organization or Office Name: Owyhee Pioneer Cemetery Dist.

Mailing Address: P.O. Box 24 City: Murphy State: Id Zip: 83650

Daytime Phone: 208-495-2597 E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

*Nick Ihli
Chairman
O.P.C. Dist.*

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

Our concerns are from the Owyhee Pioneer Cemetery Dist. We have ~~our~~ Pioneer Cemetery maintained within the boundaries of your Hemingway substation site. Negotiations are underway with present owner for deed and Right of way for this site. We request that the site and R/W be excluded from any purchase of land on your behalf.

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM



Public Scoping Comment Form

Gateway West Transmission Line Project
Public scoping period: May 16 - July 3, 2008

Picatus

P-2

20005

BLM

Date: _____

First Name: Doug Jansen Last Name: _____

Organization or Office Name: Idaho Chapter OCTA

Mailing Address: 1711 9th St City: Idaho Falls State: ID Zip: 83404

Daytime Phone: 208-526-2327 E-mail: jansen@id2.ida.net

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfdocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

Oregon trail cuts, very well preserved, 9 miles in length, starting at
"Parting of the Ways" on boundary of T. US R 28E & T 9N R 28E.
Probably best-preserved cuts of any length in Oregon Trail.

Big Hill - Pristine Ruts p-13

- Oregon Trail South Alternates labeled incorrectly - Lander
- Hardspecter Cutoff labeled wrong - just California

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003



continued on back

Public Scoping Comment Form

Montpelier

20006

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

M-1

Date: June 5, 2008

First Name: Carmen J

Last Name: Small

Organization or Office Name: Private Property Owner on ^{Proposed} Route

Mailing Address: 148 Old Mill Road City: Ovid State: Id Zip: 83254

Daytime Phone: 208 945-2390 E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

* Verify & Publish the need of the project before taking property for ROW
* Align the line along fences and other boundaries to minimize impact to agricultural areas.
* "No diagonal line routes through farmed fields and other agricultural areas."

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

see other side



BLM

* Locate structures on fence lines, roof lines etc to minimize impact to agricultural areas.

* Pay damages or impact fee for private property between the existing lines and the new line.

* "NO GUYED structures"

Twin Falls

20007

TF-1

BLM

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Date: 5-03-08

First Name: Jim Patrick

Last Name: PATRICK

Organization or Office Name: Representative Jim Patrick (State)

Mailing Address: 22315 3200th

City: Twin Falls State: ID Zip: 83301

Daytime Phone: _____

E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfdocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

I believe the route TF1 with the line disturbing the least farm land possible is good.

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003



continued on back

Public Scoping Comment Form

Twin Falls

2008

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Date: 6/3/08

First Name: Doug

Last Name: Neighboer

Organization or Office Name: NPS - Creators of the Many NMMP

Mailing Address: PO Box 29

City: Arco State: Id Zip: 83213

Daytime Phone: (208) 527-1310

E-mail: doug_neighboer

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

I think you are missing some Visual Resource Management Classes on the maps, particularly around the Borah substation.

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM



Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Kemmerer
20009

BLM

Date: 06/12/2008

First Name: Mark

Last Name: Zarnes

Organization or Office Name: WYOMING GAME & FISH - Green River Region

Mailing Address: 321 ASTLE AVE

City: Green River State: WY Zip: 82935

Daytime Phone: 307 575 3223

E-mail: mark.zarnes@wygameandfish.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

- Recommend ACTIVE VS. INACTIVE SAGE-GROUSE BEKs be plotted on reference maps
- Please consider additional route(s) in the area from Kemmerer to the Utah/Idaho state line. Following the existing corridor or deviating from existing to the north would be better for wildlife than the alternative south of US Highway 30.

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back



Public Scoping Comment Form

Gateway West Transmission Line Project
Public scoping period: May 16 - July 3, 2008

Kemmerer
20010

BLM

Date: 6-12-08
First Name: Robert Last Name: Peterwal
Organization or Office Name: Lincoln Conservation Dist
Mailing Address: Box 1044 City: Kemmerer State: WY Zip: 83101
Daytime Phone: 307 877 6367 E-mail: lozyyn@kdis.net

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfdocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

Cokeville Wyo AREA - Sublette
Creek Proposed Reservoir -
New Power line needs moved
Away From Reservoir. Possibly 1/2
mile north. Verify with Dept
Grady. Phone # 307 ~~877~~ 279-3256
Cokeville NRC's office

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back



CASPER

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20011

BLM

Date: June 9, 2009

First Name: Marie

Last Name: Henthorn

Organization or Office Name: OCTA Oregon-California Trails Assoc.

Mailing Address: PO Box 1236

City: Casper

State: WY Zip: 82602

Daytime Phone: (307) 234-3211

E-mail: --

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

All the historic trails that will be crossed -
Oregon-California^{all connected cut off} - Overland - Boyevan
OCTA wishes to have these historic preserved as
much as possible. Most of these trails have
been worked but there are some^{that} that have not
yet been worked. Please contact me for more
information or for names & ph. numbers of people who
are the experts on these trails. We (OCTA) do want to
thank you.

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003



continued on back

Public Scoping Comment Form

Gateway West Transmission Line Project
Public scoping period: May 16 - July 3, 2008

Page # 2
To - Rocky Mountain
Passes
CASPER

BLM

Date: June 9, 2008

First Name: Mavis Last Name: Hontkova

Organization or Office Name: OCTA Oregon-California Trails Assoc.

Mailing Address: PO Box 1236 City: Casper State: WY Zip: 82602

Daytime Phone: (307) 234-3211 E-mail: NA

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

These are the names of the members of OCTA
people who are the experts on the historic trails -
Luce Hand-subank (307) 235-1069 - Casper, WY
Dave Welch (253) 584-0332 OCTA Nat'l Preservation
Randy Brown (307) 358-5905 Douglas, WY
Edna Kennell (307) 265-8030 Casper, WY. She has an
office at the Chamber of Commerce on Center St.

All of my family & I are against the wind turbines but
would like to see a nuclear
power plant near where the
uranium is being mined.

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back



Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Rock SPRINGS

20012

BLM

Date: 6/11/08

First Name: Fern

Last Name: Linton

Organization or Office Name: OCTA - Natl Board

Mailing Address: 405 Wilkes Dr City: Green River State: WY Zip: 82935

Daytime Phone: 875 7584 E-mail: flinton@wyoming.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

The Proposed Alternative Route (Green) starting E. of Granger, Wyo. ^{Map} west to the Wyoming Border appears to provide the most avoidance to National Historic Trails through this part of Wyo. I would like to see this alternative pursued as the best option. The Red Route (Perjured) would have to deal with Moatrain with NSO - and VRM concerns. Please consider the well preserved Class 1 + 2 Trails

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

Through ~~the~~ the whole State of Wyo.
Societies in the West... Don't let it start.

continued on back



Public Scoping Comment Form

Rock SPRINGS

RS-1

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20013

Date: 6/11/08

First Name: RICH

Last Name: HODGSON

Organization or Office Name: SOLWAY CHEMICALS INC.

Mailing Address: PO Box 27328

City: HOUSTON

State: TX

Zip: 77027

Daytime Phone: 713-525-6826

E-mail: rich.hodgson@

7328

solvay.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfdocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

SAGE GROUSE HABITAT DEVELOPED IN South West
CORNER OF T18N, R109 West is too large
This is near the Solway soda ash operation,
but the disturbed boundary doesn't
seem to be correct.



To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

~~2008~~
20014

Date: 6-26-08

First Name: Joyceanne

Last Name: Fick

Organization or Office Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: jvfinid@msn.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

See attached letter.

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL -2 AM 10:00
RECEIVED
CHEYENNE, WYOMING



BLM

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

June 26, 2002

U.S. Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003

RE: GATEWAY WEST TRANSMISSION LINE PROJECT

My comments regarding this project are related to the last 25 miles of new alignment for Segment 8 in Ada and Canyon Counties. Idaho Power needs to increase the amount of power available in the Treasure Valley and this 500 KV transmission line, with a >200 ft. ROW, is the answer. At the same time, the Ada County Highway District (ACHD) and Nampa Highway District No. 1 (NHD) are in the process of scoping an alignment for a >225 Ft. ROW for the Kuna Mora Rd. Corridor Study Project. The BLM desires both of these projects have as little detrimental effect on the Birds of Prey National Conservation Area as possible.

Just this once could there please be some cooperation and coordination in such major long-range planning efforts in the Treasure Valley. While there is no way to avoid making some residents unhappy with either one of these alignments, there is no reason why these two projects can't use the same ROW thus placing an incredible burden on as few residents as possible. It will certainly involve "give" on the part of all parties, but the public perception of each entity would improve exponentially were it to occur.

When Idaho Power, BLM, ACHD and NHD sit down at the table they may find that none of the alignments any of them are proposing are viable for all, but with a little tweaking a new and different alternative will work. That is the alignment I want to see chosen, even if it means my husband and I will be included in the group of residents immediately affected by the ROW. These are two huge projects; let's utilize the very best planning efforts for the betterment of our community.

All of you have only one chance to get this right. Please make it happen.

Sincerely,



Joyceanne Fick
3232 W. Kuna Mora. Rd.
Kuna, ID 83634
208-922-9090
208-284-9090

cc: Doug Dockter, Project Manager, Idaho Power
Kristi Pardue, Facility Siting Coordinator, Idaho Power
Layne Dotson, Community Relations, Idaho Power
Carol A. McKee, President, Ada County Highway District
Craig Herndon, Project Manager, Ada County Highway District
Ralph E. Gant, Chairman, Nampa Highway District No. 1



20015

FAX COVER SHEET



Bureau of Land Management
Kemmerer Field Office
312 Highway 189 North
Kemmerer, WY 83101



TO: WALT GEORGE, GATEWAY WEST PROJECT MANAGER

FROM: LYNN HARRELL, KFO CULTURAL RESOURCE SPECIALIST

DATE: 7 1 3 1 08

Number of Pages Including This Cover Sheet: 3
FAXed to: 307-775-6203

MESSAGE: Attached are comments from Mary Lynn CORBETT of the Wyoming State Historical Society, in response to our tour on June 25, 2008, of the Gateway West Transmission Line Project in the vicinity of the Sublette National Historic Trail. Ms. Corbett delivered her comments to KFO at 2:30 p.m. on July 3, 2008, before the deadline for commenting during the scoping period. KFO FAXed these comments to you at 2:45 p.m. on July 3, 2008, so that they arrived at your office by the deadline.

Lynn Harrell

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Date: 3 July 2008

First Name: MARY LYNN Last Name: CORBETT

Organization or Office Name: WYOMING STATE HISTORICAL SOCIETY

Mailing Address: P.O. Box 334 City: KEAMERER State: WY Zip: 83101

Daytime Phone: (307) 877-4340 E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back



My concerns with the proposed route which was examined on the field trip out of the BLM Kemmerer Field Office on June 25 are with the impact of that route on the several parts of the California-Oregon Trail that are located in the area. The viewshed shown on the map given to participants in the field trip certainly indicates that portions of the line, if built on the line proposed by the companies (Rocky Mountain Power & Utah Power), would be visible and noticeable to people following the route of the Sublette Cutoff, visiting the Nancy Hill and Alfred Corum grave sites, and Emigrant Springs, the three sites visited on the field trip. To avoid these impacts it appears that a route farther south, indicated by the green line on the map that was included in the packet given to those attending the public scoping meeting held in Kemmerer on June 12, would be preferable. At the very least, that route should be included in the work done in preparation of the Environmental Impact Statement. The possibility that whatever route is chosen may eventually carry more transmission lines and pipelines also needs to be taken into consideration when choosing this route. With U.S. highway 30 as well as the Union Pacific Railroad already constituting a major transportation corridor, a new route needs to be located in as close proximity as possible to that corridor.

The fact that there are several stretches of pristine trail in the area needs to be weighed heavily when the pros and cons of transmission line routing are being considered. I am aware of measures being planned by the companies to lessen the visual impact of the transmission line, but still am of the opinion that moving the line completely away from the trails is the better alternative. This concludes my statement as a board member of the Wyoming State Historical Society.

As a private citizen with concerns about birds, sage grouse in particular (I am a member of the Southwest Wyoming Sage-grouse Local Working Group, but am not representing that group in these comments) I was bothered by the answer I received when I asked about anti-perching devices on the towers carrying the transmission line - that the company does not know of anything that works. This is a question that definitely needs further study.

Public Scoping Comment Form

Gateway West Transmission Line Project

20016

Public scoping period: May 16 - July 3, 2008

R-1

R-2

BLM

Date: 6-10-08

First Name: Brian Last Name: Smith

Organization or Office Name: BLM

Mailing Address: Po Box 2407 City: Rawlins State: WY Zip: 82301

Daytime Phone: 307 328 4206 E-mail: Brian-R-Smith@bla.gov

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfdocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

R1 New layer is needed for Continental Divide Trail

The route is to the ^{West} ~~east~~ of what is shown on map.

R2 Legend does not ^{match} map. Some areas do not show proper VRM. WSA's are always VRM1 VRM4 not shown at all.

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

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Public Scoping Comment Form

20017

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

R-4

R-3

Date: _____

First Name: _____

Last Name: _____

Organization or Office Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

R3 What are the brown checkerboard areas?

R4 Crucial winter range (elk parturition not on map) maps need to be compared to BLM maps.

Rawlins Field Office



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM

Rep. Sharon Block

20018

1093 Lakewood Dr

Twin Falls, ID 8-3301

208-734-6360

sblock@house.idaho.gov

LAND STATUS MAP TO BE ABLE TO
SHOW LEGISLATOR COMMITTEES ABOUT THE PROS
OF BEING ABLE TO USE STATE ENDOWMENT LANDS
FOR RENEWABLE ENERGY.

HAVE RICH SICHAN TALK TO DAVE FREEDBERG
SCHEDULE FO TALK ABOUT VISUAL RESOURCES. WHEN
HE BEGINS THE VISUAL SIMULATIONS

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20019

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL - 8 AM 10: 00
RECEIVED
CHEYENNE, WYOMING

BLM

Date: 7-2-08

First Name: Tom

Last Name: McGee

Organization or Office Name: OCTA

Mailing Address: 1315 LIBERTY DR City: Rock SPRINGS State: WY Zip: 82901

Daytime Phone: 307-382-3939 E-mail: TMCGE@WYOMING.COM

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

Very Good. Tom P.L.M. Kenner is on his way to my way of thinking - the south of the ridges sites I think would be O.K. also the east side of 30 Hi. Way (Thompson Ranch area) south of Cokeville. (then the need to go that short distance into Utah!) I suppose there would be some private land integration? thanks for involving a 30 year Member of OCTA T.M.G.



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

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Public Scoping Comment Form

Gateway West Transmission Line Project
Public scoping period: May 16 - July 3, 2008

20020

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL -8 AM 10:00
RECEIVED
CHEYENNE, WYOMING

BLM

Date: JUNE 26 08
First Name: Norris Last Name: TRAFNIK
Organization or Office Name: _____
Mailing Address: Box 165 City: KEMMERER State: WY Zip: 83101
Daytime Phone: 307-877-3579 E-mail: _____

Please check here if you wish for your personal information to remain confidential*
*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:
 Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west
 Please E-mail me with project updates.
 Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

SEGMENT 4
I THINK THE TRANSMISSION LINE SHOULD
FOLLOW THE EXISTING TRANSMISSION LINE.
THE BLM ALTERNATIVE 4.1 IS A VERY
POOR LOCATION IT GOES THROUGH PRIME
SAGE GROUSE HABITAT INCLUDING THE
LARGEST SAGE GROUSE LEKS AND HABITAT

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003



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IN THE KEMMERER BLM RESOURCE AREA

IT ALSO OPENS UP ANOTHER TRANSMISSION
CORRIDOR

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20021

BLM

Date: 6-29-08

First Name: Bill

Last Name: Robinson

Organization or Office Name: O.C.T.A.

Mailing Address: 624 Evers

City: Green River State: WY Zip: 82935

Daytime Phone: (307) 875-3855

E-mail: qbrob@wyooning.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
2008 JUL -8 AM 10:00
RECEIVED
CHEYENNE, WYOMING

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

after viewing the Alfred Corum and Nancy Hill
grave site and listening to the diary quotes, we
realize this area has such historical significance.
I agree with the Remorse BLM's preferred
alternative route seems to be the best route.
Before everything is finalized, I would like to see
a study of the feasibility of a route on the east side



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

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of H. S. 30 to the lines south of Cokesville. This would avoid going into Utah and also avoid the Cokesville meadow.

Bill Robinson

Public Scoping Comment Form

Gateway West Transmission Line Project

20021

Public scoping period: May 16 - July 3, 2008

Date: 6/29/08

First Name: GAIL

Last Name: ROBINSON

Organization or Office Name: O.C.T.A

Mailing Address: 624 EVERS City: GREEN RIVER State: WY Zip: 82935

Daytime Phone: (307) 875-3855 E-mail: gbr@blm.wyoming.com

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

RECEIVED
CHEYENNE, WYOMING
2008 JUL -8 AM 10:00
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

After missing the Alfred Cream and Nancy Hill gravesites and looking to the dead quater, we realize even more the historical significance of this area

I agree with the Hammer B.L.M.'s proposed alternative route second to the east route. Before everything is finalized, however, I would

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM



like to see a study of the feasibility of a route
on the E side of U.S. 30 to the line south of
Cokeville. This would avoid going into Utah and
also avoid the Cokeville Meadows.

Thanks For your Time,

Paul Robinson

20082



"David Welch"
<welchdj@comcast.net>
07/03/2008 12:51 PM

To <Gateway_West_WYMail@blm.gov>
cc "Lynn Harrell" <lynn_harrell@blm.gov>
bcc
Subject Gateway West Project Comments

Attached are the comment form, comments on the proposed routes and a map highlighting an area with a high probability of adverse impact for one of the routes being discussed.

Would appreciate acknowledgement of receipt of this email and the attachments.

Dave Welch
National Trails Preservation Officer
Oregon-California Trails Association
welchdj@comcast.net



Gateway West comment form.pdf Gateway West comments.doc Gateway West map 2.pdf

Public Scoping Comment Form

2002a

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

Date: July 2, 2008

First Name: David

Last Name: Welch

Organization or Office Name: Oregon-California Trails Association

Mailing Address: 4374 Washouk Dr NE City: Lacey State: WA Zip: 98516

Daytime Phone: 360-923-0438 E-mail: welchdj@comcast.net

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

See attachment

To mail comment form please send to:

Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

BLM



July 3, 2008

To: BLM – Gateway West Project

From: David J. Welch,
National Preservation Officer, Oregon-California Trails Association

Subject: Comments on the Gateway West Transmission Line, Kemmerer Field Office

Reference: Map provided by BLM Kemmerer Field Office Staff for Tour, June 25, 2008

These comments are provided on behalf of the Oregon-California Trails Association (OCTA).

As I understand the proposal, there are three potential routes for the Gateway West transmission line through the Kemmerer Field Office area. They are:

1. Along or near the existing transmission lines.
2. Along a route about two to three miles south of the existing line near the Sublette Cutoff. This is the blue line on the referenced map.
3. South of US Highway 30 and then north near the Cokeville Meadows to Cokeville. This is shown a green line on a BLM display panel but it is not shown on the referenced map.

Discussion during the field trip focused on the existing transmission lines and the "proposed route" (aka the blue line) in the area of the Hill and Corum graves on the Sublette Cutoff. There was little discussion of the alternative represented by the green line.

In this context it did appear that the proposed route was better than the existing line's route and that the tower design might be better than the highly visible towers of existing line. However, field studies in the days following the public tour revealed the likelihood of a very significant adverse impact where the blue line crosses the Sublette Cutoff as the Sublette descends Dempsey Ridge (Section 22 in T23N, R118W).

At this point the Sublette is on a ridgeline that is crossed by the proposed route. It would seem very likely that a tower would be located on the same ridgeline on or very near the trail since the ridgeline is narrow in that area. Both the trail setting and the trail itself are presently in excellent shape in the area. The towers would represent a major intrusion.

As a result, it appears that both of the other alternatives (1 and 3 above) would be preferable to the proposed route with the green route (alternative 3) being best although additional detailed analyses in the Cokeville Meadows area are needed. If the route of the existing transmission lines is selected, the route of the most northerly line, which diverges from two other lines in Section 18, T23N, R117W is preferred.

It seems apparent that the green line is a longer route than the other two, but this alone is not a justification for adversely affecting the trail. While the cost may be significant (\$17 million?), the amount can only be evaluated in the context of the total project cost. Also, the cost of mitigating the adverse effect in Section 22 should be considered. It is also possible that the

green route while longer may offer some cost reductions due to the avoidance of Dempsey Ridge and other ridge crossings. These questions can only be answered by additional studies.

Over the past few years there have been proposals for wind energy development along Dempsey Ridge and adjacent ridgelines. OCTA has vigorously opposed these proposals due to their high impact on the trail setting. It is my understanding that the proposed lines are to service wind energy developments in eastern Wyoming. Final approval of this transmission line should include a prohibition of wind energy development along in the Hams Fork, Commissary Ridge and Dempsey Ridge areas.

Please note that we are not opposing the transmission line per se, but are only seeking a route with the least new impact to the historic trails. OCTA would be glad to work with the state, the BLM and the power companies to define the best possible route with all factors considered.

Thank you for the opportunity to comment.

David J. Welch
National Trails Preservation Officer

Public Scoping Comment Form

Gateway West Transmission Line Project

Public scoping period: May 16 - July 3, 2008

20024

BLM

Date: 7-10-08

First Name: Aaron Last Name: Clarb

Organization or Office Name: Representing the Governor of Wyoming

Mailing Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ E-mail: _____

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

In Segment #4, an alternative that follows the existing 345 kV lines in Wyoming should be analyzed in detail in the Draft EIS.

(This comment was verbally given to Walt George, Project Manager, at the Focused Scoping Meeting in Kemmerer, WY)



To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back

Public Scoping Comment Form

Gateway West Transmission Line Project

20025

Public scoping period: May 16 - July 3, 2008

Date: 7-03-08

First Name: David Last Name: McGinnis

Organization or Office Name: Fossil Butte N.M.

Mailing Address: P.O. Box 592 City: Kemmerer State: WY Zip: 83101

Daytime Phone: 307-877-4455 E-mail: david-mcginnis@nps.gov

Please check here if you wish for your personal information to remain confidential*

*If you wish for your contact information to remain confidential, BLM will protect the personal information that you submit to the extent allowed by law. However, the information may be subject to the Freedom of Information Act (U.S.C. etc.)

How would you like to receive future information:

Via the BLM Web site at: www.wy.blm.gov/nepa/cfodocs/gateway_west

Please E-mail me with project updates.

Please mail project updates to me via the U.S. Postal Service.

Please E-mail your comments by July 3, 2008. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

My concerns or comments related to the Gateway West Transmission Line Project are:

See attached

To mail comment form please send to:
Bureau of Land Management | Gateway West Project | P.O. Box 20879 | Cheyenne, WY 82003

continued on back



Concerns Fossil Butte National Monument have with the placement of the Gateway West transmission line are fourfold.

1. We have concern about possible visual impacts if sighted too close to the established and currently unobstructed viewsheds from public use zones in the park. Some of the placement alternatives are not of concern but other placement scenarios will impair the historic and cultural viewshed now documented as park values. Certainly, placement of the corridor within the monument boundaries would be unacceptable, as was proposed in one of the first maps for the proposed Gateway West transmission line. One LCS historic structure, the Hadenham cabin within Fossil Butte, is not mentioned in the Gateway West documents as existing within view of the zones considered by current plans.

2. There is no mention in the scoping documents of scientifically significant paleontological and geological resources associated with ancient Fossil Lake within the areas now considered for placement of the transmission line. Approximately 2 per cent of these remaining significant paleontological and geological resources are within Fossil Butte National Monument, most of the remaining percentage of these outstanding resources are within BLM lands, and are within the two mile wide zones considered for the Gateway West transmission corridor alternative routes. In some places these geologic resources, fossil beds and geologic phenomena such as sandstone delta features, are close to the surface and should be inventoried, and avoided. Scientific as well as economic value of these resources is exceptionally high. Given the placement interval, size and depth of foundations, resource degradation or loss are likely without proper paleontologic inventories, and avoidance of fossiliferous beds when placing towers.

3. No mention is made of the Angelo Ranch historic area that is noted for being the primary locality and namesake of the Angelo Member of the Green River geologic formation. This area is noted for extensive paleobotany specimens close to the surface, found in abundance like nowhere else in Fossil Basin. Current proposals for the transmission line will likely impact these significant and outstanding paleontological and geologic resources if not inventoried and avoided by placement of towers and roadways into and from these proposed towers.

4. Fragmentation of large wildlife species' migration routes such as mule deer, elk, and pronghorn antelope, as well as disturbance of areas used by smaller wildlife species such as sage grouse and pygmy rabbits, to name a few, may be affected by tower placements. Although perhaps mitigated in respect to the expansive area of habitat range managed by BLM, this may impact movement and needs of certain species and thereby place greater impacts on nearby lands managed by Fossil Butte National Monument.

7/03/08



Lee_Kreutzer@nps.gov
07/03/2008 10:55 AM

To Gateway_West_WYMail@blm.gov
cc Aaron_Mahr@nps.gov, John_Keck@nps.gov
bcc

Subject NPS scoping comments

July 3, 2008

Subject: Scoping comments, Gateway West proposal

Dear Sirs:

The proposed route of the Gateway West Transmission Line project has considerable potential to impact the setting of significant national historic trail resources in the vicinity of Emigrant Springs, White Hill, the Alfred Corum grave site, and the Nancy Hill grave site. These properties are located on the Hams Fork and Sublette Cutoffs of the Oregon National Historic Trail, and are managed by the Kemmerer Field Office. The more southerly alternate route identified in green on the map posted on the project website would avoid these impacts, as well as impacts to Fossil Butte National Monument. Trail setting in the area of concern is good, despite the proximity of the existing Jim Bridger power lines, and original trail remnants are in excellent condition. Introducing this Gateway transmission line to the setting would help establish a major utilities corridor through this sensitive area -- a corridor that has been avoided successfully during development of the West-wide Energy Corridor programmatic EIS.

We understand, however, that our preferred southern route as it is now defined could impact wildlife migration routes and possibly cross a national wildlife refuge. We share the concerns of federal and state resource managers about those impacts, as well. We ask that the BLM and project proponents continue working with the National Park Service, the Fish & Wildlife Service, and any other affected parties to identify a route that avoids or minimizes impacts to both historic and natural resources.

Sincerely,

Lee Kreutzer
National Trails System
National Park Service
324 S. State, Suite 200
Salt Lake City, UT 84111

(801) 741-1012 ext. 118
fax (801) 741-1102



ARoberts
<aroberts@powderriverbasin.org>

07/01/2008 07:59 PM

To Gateway_West_WYMail@blm.gov

cc

bcc

Subject Coments on Gateway West Transmission Line

July 1, 2008

Bureau of Land Management
Gateway West Project
5353 Yellowstone Highway
Cheyenne, WY 82009

Dear BLM,

Thank you for the opportunity to comment on the Gateway West power line transmission project.

While I am intensely excited for Wyoming to explore its various energy opportunities including wind power, I think that producing to meet local energy needs first should be a top priority. There is no need to build thousands of miles of transmission lines to export before we consider our domestic energy needs. With such fantastic energy resources at our disposal, we should think of our own demands first as we must face the consequence of the impacts of such energy development on a chronic basis.

Creating giant interstate power line corridors is not the best solution. It wastes energy, consumes land, and fragments contiguous land tracts unnecessarily. Each area and state should be encouraged to generate energy to meet its own energy needs first, then seek to export to nearby areas. Excitingly, we are trending toward more sustainable forms of energy such as wind. Let's make the effort to go the full way and really work on local and state energy independence, protect private property from unneeded condemnation from power line corridors, minimize habitat impact and fragmentation, and reshape the way Wyomingites and American's both consume and develop energy resources. This massive-scale project should be considered very carefully and as a last resort. Wyoming should think about its long-term energy goals. We must not rush into development that wastes the very precious energy we harvest from our state in the process of transmitting it far its source.

Sincerely,

Ashley Roberts

Ashley Roberts
Organizer
Powder River Basin Resource Council
Yale '07, MEM '08

Work 307 672 5809
Work Cell 307 752 4329
aroberts@powderriverbasin.org

WYMail Gateway West Trans
Line
Sent by: Walt George

07/07/2008 09:50 AM

To "Amy Pocewicz" <apocewicz@tnc.org>
cc gateway.west@tetrattech.com, penny.eckert@tteci.com
bcc

Subject Re: GIS data for proposed lines

I am sorry, shape files are not currently available for public release. The proposed route (we are currently using a 2-mile wide corridor) will be finalized after evaluation and analysis of scoping comments. Once that is completed (we plan for early September 2008), shape files of the proposed route will be available.

"Amy Pocewicz" <apocewicz@tnc.org>



"Amy Pocewicz"
<apocewicz@tnc.org>
07/01/2008 04:36 PM

To <Gateway_West_WYMail@blm.gov>
cc

Subject GIS data for proposed lines

Hello Walt,

Is the GIS dataset for the proposed transmission lines available? I'd like to obtain a shapefile of the proposed lines to better understand what areas they may affect. I was not able to find it on the gateway west website.

Thank you,
Amy

Amy Pocewicz Ph.D.
Landscape Ecologist

apocewicz@tnc.org
(307) 335-2131 (Phone)
(307) 332-2974 (Fax)

The Nature Conservancy
Wyoming Field Office

258 Main St., Suite 200
Lander, WY 82520

nature.org



Dennis & Pat
<dlandpz@earthlink.net>
07/01/2008 03:56 AM

To Gateway_West_WYMail@blm.gov
cc
bcc

Subject Scoping_Comments

I am trying to send scoping comments via your web page and keep receiving a message that the URL on the server cannot be found. So I will send the comments this way.

Patricia Ziobron
P Box 8910
Lacey, Washington 98509
OCTA
Send future updates via e-mail

I attended the meeting and field trip on June 25 sponsored by the Kemmerer office of BLM for all interested parties to this project. I spent the next two days on the ground west of the visited gravesites, documenting first hand the remnants of trail ruts that crossed the ridge that the transmission lines would follow if the proposed route were approved.

It's important to remember that the trail is not simply an accumulation of "sacred" sites such as the Cowen and Hill graves and the grove of trees at Emigrant Springs. It's a long, linear progression of road from the Missouri River to the west coast, of which little remains today but rare traces. Wyoming has the most and best preserved of these traces - so far.

While the proposed route honors the "sacred" sites by running far off on a distant ridge, that ridge in fact intersects the trail further west and would quite literally wipe it out. We're not talking viewshed here. We're talking destruction.

The BLM alternate route on the east side of Highway 30 avoids the "sacred" sites and does the best job of avoiding the trail traces through the entire area. The trail remnants would remain intact, and the huge, unsightly transmission poles and lines required for this project would not be visible. Such a SIMPLE solution. The Gateway Project does not need to destroy trail to meet its energy mandate.

The cost of the somewhat longer BLM route is a very small percentage of the budget for the entire project. Also note that the \$17 million figure for the BLM alternate is supplied by the power consortium. I have not heard that it's been verified by an independent source. If the Gateway route paralleled the already developed corridor along Highway 30, I suspect accessibility might actually lower construction costs.

Power poles can be relocated. The Oregon Trail and our history cannot. This country is crazy for energy right now, and that is leading to very shortsighted decision-making. This project should not come down to a choice between energy vs. heritage. We have a workable alternative here, an opportunity to preserve our past as well as provide for the future.

Please support the BLM alternate route.



Dennis & Pat
<dlandpz@earthlink.net>
07/01/2008 03:58 AM

To Gateway_West_WYMail@blm.gov
cc
bcc

Subject Scoping comments

I am trying to send scoping comments via your web page and keep receiving a message that the URL on the server cannot be found. So I will send the comments this way.

Dennis Larsen
P Box 8910
Lacey, Washington 98509
OCTA
Send future updates via e-mail

On June 25th I attended the meeting and field trip sponsored by the Kemmerer BLM office for all parties interested in this project. I, along with nine others, spent the next two days on the ground west of the field trip area, searching for segments of the Oregon Trail that had so far only been seen in aerial photographs. We found a wonderful, pristine section of the trail that the BLM archeologists mapped with their GPS units. I had hoped until we found this section of the Trail that the proposed transmission lines could possibly be hidden behind ridges out of sight. Unfortunately this wonderful section of the Trail goes down that very ridge I hoped the transmission lines could hide behind.

After walking the ground I have concluded that the best route for the proposed transmission line is the alternate route south of Kemmerer and up the east side of U.S. Highway 30, developed by the Kemmerer BLM office.

We were told by the power companies that the extra distance the BLM alternate route traveled would be 15 miles at an extra cost of \$17 million. I strongly suspect that construction costs on the BLM alternate route will be lower, rather than higher. By following Highway 30, there will be no need to move equipment and supplies into remote, hard to reach areas. There will be a paved U.S. highway to supply most of the access needed. This surely will reduce construction costs.

Once the Trail is damaged physically or visually, in terms of a human lifespan, it will be gone forever, and along with it a portion of our national heritage. The original champion of the Oregon Trail, Ezra Meeker, who came over this section of the Trail in 1852 said, "If we forget the deeds of our forebears, we discard the lessons of history and take a step backward in the march of civilization." We owe it to future generations not to take that step backwards. We can both meet our nation's energy needs and protect our national heritage. I would suggest the BLM alternate route allows us to do both.



"fred & fern"
<flinton@wyoming.com>
07/01/2008 02:30 PM

To <Gateway_West_WYMail@blm.gov>
cc
bcc

Subject Gateway West Project

I would like to make my comments on the above pertaining to the 3 transmission line routes being considered through the Kemmerer Field Office :

Along or near the existing transmission lines.

Along a route about two to three miles south of the existing line near the Sublette Cutoff. This is the blue line on the referenced map.

South of US Highway 30 and then north near the Cokeville Meadows to Cokeville. This is shown a green line on a BLM display panel but it is not shown on the referenced map.

I am representing myself and I am a member of OCTA (Oregon/California Trails Association) on Thursday June 25 and Friday June 26 I was one of the group looking for where the Historical Sublett Trail crossed the Dempsey Ridge ,we found what OCTA & BLM classify as the 1 class trail where there has been probably no one on it since the wagons stopped using it in the mid 1850's other than a few walkers . This segment of class 1 runs down visibly for over a 1/2 mile . This segment must not be disturbed for future generation including view shed we must preserve this segment so that future generation can realize what the pioneers went through to their designation . This is why I think the Green Route is the best with a modification ,when it reaches US Route 30 over by Kemmerer it goes on the East side of 30 toward Cokeville thus not going into Utah or go into Cokeville Meadows .Even though the other two routes appear to be less cost we can not allow this segment of Trail be destroyed or view shed be altered for costs that in today's world is questionable .Besides going along Route 30 would save money just because there is a major highway there with easy access and less construction costs . Thanks for considering my comments . Frederick W. Linton



Edwina Allen
<edwinaallen@cableone.net>

07/03/2008 03:56 PM

To <Gateway_West_WYMail@blm.gov>

cc

bcc

Subject Gateway West scoping comments - NRC Sierra Club

July 3, 2008

Bureau of Land Management
Gateway West Project
P.O. Box 20879
Cheyenne, WY 82003
Gateway_West_WYMail@blm.gov

Gateway West Transmission Line Project Scoping Comments

The comments of the Northern Rockies Chapter of the Sierra Club presented below are general questions that the Environmental Impact Statement and possibly economic analysis should consider during the next phase of study for the Gateway West Project.

1. During the construction phase the disturbance of native soils by either earth moving equipment or rubber tired vehicles traversing the area presents an opportunity for invasive weed species to establish a presence. What steps will the project do to mitigate this issue?
1. The use of the right of way after construction will continue to make it easier for invasive weed species to establish or maintain a presence. What steps will the project do to mitigate this issue?
1. The right of way will alter the native vegetation, possibly eliminating critical plant species needed by animals in the area for adequate cover while moving through the area. The towers could also create perches for birds of prey that would further aggravate this situation, in essence the right of way would create a barrier that the animals could not cross and thereby reduce the size of their habitat. What will be done to minimize this situation?
1. The Project is proposed to pass through sensitive habitat for threatened or endangered species, namely sage grouse at this point. Have scientific studies been performed, and will recommendations be followed, to locate the lines far enough from these areas such that the species in question will not be disturbed?
1. Will the project be located so close to sensitive areas that it contributes to a decrease in population of threatened or endangered species? An example would be if birds of prey used the towers as perches to prey upon the sage grouse.
1. What view sheds are affected?
1. What is the proximity to other power lines? Would the existing and proposed project create an even wider barrier to prevent species from crossing?
1. There are 7 proposed lines across Southern Idaho. What existing or proposed lines could be upgraded to eliminate the construction of parts or the entire Project?
1. The State of Idaho has the 13th greatest potential for wind energy. Wind farms can be built and online more quickly than constructing a power line that is not scheduled for completion until 2014. Has investing in local wind projects been considered rather than the transmission line?
1. Is this transmission line necessary? Has the possibility of using non-transmission energy resources to fulfill future energy needs been thoroughly investigated? It is essential that we take steps to reduce the effects of global warming, including reducing our dependence on using fossil fuels for energy generation. Will this transmission line project be used to transmit energy from not-yet constructed fossil fuel facilities or from renewable energy sources such as wind?

We would like to see a discussion of these alternatives. What would be the environmental effects of developing additional fossil fuel facilities?

The Sierra Club understands the need for electrical power, now and in the future, but wants to ensure that that power is delivered in an environmentally responsible manner. We are very interested in learning more during the scoping process about proposed transmission line locations, the capacity of the transmission lines, the configuration of the transmission line towers, the location of the substations, the amount of fencing and other construction on the site, the effect on sensitive, threatened or endangered species, and the overall amount of land disturbance required for a project of this size. We are interested in seeing alternative plans to meet future energy needs.

The Sierra Club is eager to participate in the public process for this project. We look forward to hearing these and other issues addressed during development of the EIS. Thank you for the opportunity to submit these brief preliminary issues. Please include us on the public notification list for further announcements relating to the Gateway West Project.

Thank you for this opportunity to comment.

Edwina Allen, chair
Northern Rockies Chapter
Sierra Club
P. O. Box 552
Boise, Idaho 83701



"Karen" <steenhof@att.net>

To <Walt_George@blm.gov>

07/03/2008 09:15 AM

cc

Please respond to "Karen" <steenhof@att.net>

bcc

Subject Gateway comments

History: This message has been forwarded.

Dear Mr. George-

I tried to submit my comments on the Gateway Transmission Line, and I got a 404 error. Here are my comments:

Dear Sirs:

Thank you for the opportunity to comment on the proposed Gateway West Transmission Line Project. I am concerned about routing this transmission line through important Sage Grouse habitat in southwest Idaho. The route south of the Snake River goes through important undisturbed shrub habitats, is within 15 km of known Sage Grouse leks, and has important visual resource values. By attracting raptors and ravens to nesting, roosting, and perching sites, construction of this transmission line could result in increasing predation pressure on declining Sage Grouse populations.

Studies (which I helped to conduct—see references below) have clearly shown that transmission lines enhance raptor and raven nesting populations. Not only are raptors and ravens attracted to nesting, perching, and roosting sites on transmission lines, but productivity of hawks and eagles nesting on transmission lines is as good as and sometimes better than that of those nesting on natural nesting substrates. Transmission lines (unlike distribution lines) do not constitute an electrocution threat to raptors due to adequate wire spacing.

Golden Eagles are known predators of adult Sage Grouse, and, more importantly, ravens are known predators of Sage Grouse eggs. I am concerned that higher densities of raptors and ravens in Sage Grouse habitat might lead to increased predation on Sage Grouse. I also worry that even the perception of increased predation could lead to persecution of raptor and ravens.

I would like to see the Gateway Transmission line routed away from Sage Grouse habitat. It would be far better to attract raptors and ravens to cheatgrass- infested areas north of the Snake River where they can feed on ground squirrels than to attract them to more pristine shrubsteppe areas of Owyhee County where Sage Grouse populations are in trouble. It would make more sense to route the stretch of line between Hammett and the Hemmingway substation north of the Snake River, through the Snake River Birds of Prey National Conservation Area (NCA). Routing the transmission line near existing 138-kV lines north of the river would cause no additional visual obstructions. More importantly, line construction would be fully compatible with the NCA's principal legislative mandate to "enhance raptor nesting populations."

In areas where the line must be constructed in Sage Grouse habitat, the utilities should be required to design towers and install perch deterrents to make the structures less attractive to ravens and raptors.

Karen Steenhof
Murphy, Idaho

References
Steenhof, K., M.N. Kochert and J.A. Roppe. 1993. Nesting by raptors and common ravens on electrical transmission line towers. Journal of Wildlife Management 57: 271-281.

Engel, K.A., L.S. Young, K. Steenhof, J.A. Roppe and M.N. Kochert. 1992.
Communal roosting of common ravens in southwestern Idaho. *Wilson Bulletin*
104: 105-121. <http://elibrary.unm.edu/sora/Wilson/v104n01/p0105-p0121.pdf>

30010

To

Reid Farmer/Denver/URSCorp@URSCorp

cc

Subject

Pocatello Scoping-OCTA Rep

Doug Jenson (President of the Idaho Chapter of OCTA) came to the scoping meeting in Pocatello last night. We had a very good conversation. He is concerned primarily with a 9 mile long section of the Oregon trail that starts at the Parting of the Ways in which emigrants would either stay on the Oregon Trail or head south on the California Trail. He said this area of trail is pristine with very good visual integrity and is the best segment of trail in the state. I had him place a dot on the map and complete a comment form for record. We also talked about any additional mapping data he may be able to share and he was going to check his records

and send me all that he could find. Unfortunately, much of the mapping is recorded simply by marking the trail in the field and is not digitally recorded but some will map what they find on quad maps. He said sometimes they get copies of those maps from people and sometimes they don't but that he thought he had some information he could send along. He also gave me contact information for an OCTA representative named Jim McGill. Doug thought Jim might be a better source for information particularly on the trails on the western half of Idaho. Doug also said that the book I received from Jeff Ross, "Emigrant Trails of Southern Idaho," was their main source for finding and mapping trails. Doug has already been in contact with me by email to send files. He is having some difficulty with his internet service and so I have not received anything yet. I will let you know when I receive anything from him so that we can pass it along.

Kimberly Henderson
Senior Archaeologist
URS Denver Office
8181 E. Tufts Ave
Denver, CO 80237
Wk. 303-740-3898

This e-mail and any attachments are confidential. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.

McLain, Joy

From: Walt_George@blm.gov
Sent: Monday, July 14, 2008 9:28 AM
To: Eckert, Penny; McLain, Joy; Porter, Elaine; cmorse@enviroissues.com; Flood, Cameo
Subject: Gateway West - - Additional Scoping Comments/Project In-box Issue

In addition to the Western Watersheds scoping comment, we received this one from WESTERN.

I think the inability of some senders to access the in-box is because they are not typing in the correct address (maybe omitting the underlines).

I'll check into it with the responsible BLM folks in the Wyoming State Office.

----- Forwarded by Walt George/WYSO/WY/BLM/DOI on 07/14/2008 09:22 AM -----

"Susan Starcevich" <Starcevi@wapa.gov v>	<Gateway_West_WYMail@blm.gov>	To
		cc
07/11/2008 09:19 AM		Subject
	Gateway Western Transmission Line Project	

To the Project Coordinator: Good morning! Western Area Power Administration (Western), a power marketing agency within the Department of Energy, may be impacted by the proposed transmission line project. Because the length of the proposed project is so long and the corridor map reviewed for the project is at such a gross scale, Western is unable to determine whether the proposed transmission line(s) will be crossing Western owned and operated facilities located near Sinclair, Carbon County, WY. There are possibly two Western transmission lines that may be in the path of one or more segments of the proposed line. Western's facilities lie in Townships 21 and 22 North, Ranges 80-86 West, 6th Principal Meridian.

Please confirm whether these facilities are impacted by the proposal. If not, Western will offer no further comments. If so, we will provide specific comments related to crossing agreements/licenses and possible use of our access roads. We may also have vegetation management concerns as well, but will have to confirm whether trees and/or if noxious weeds are a problem in this area.

Susan Starcevich, Realty/Land Management Western Area Power Administration Corporate Services Office
 12155 W. Alameda Parkway
 Lakewood, CO 80228
 (720) 962-7275
 starcevi@wapa.gov

Flood, Cameo

From: Vering, Walt
Sent: Wednesday, July 23, 2008 7:28 AM
To: Flood, Cameo
Cc: McLain, Joy; Eckert, Penny; walt_george@blm.gov
Subject: FW: Emailing: Ruffie hunt 10-07 001.jpg

NEPA Team,

The two paragraphs below provide additional scoping comments from WY Game and Fish personnel.

Thanks

Walt

-----Original Message-----

From: Mark Zornes [mailto:Mark.Zornes@wgf.state.wy.us]
 Sent: Wednesday, July 16, 2008 2:54 PM
 To: Vering, Walt
 Subject: RE: Emailing: Ruffie hunt 10-07 001.jpg

Walt:

These appear to be the same lines we were working with last week.

If they are the same, the three options I presented at the meeting are better for wildlife. If they have been modified, the red line (prelim proposed) is better than the green line (although we would still prefer following the existing powerline all the way). Lara Oles has digitized versions of the "WGF/BLM wildlife alternatives" (the map we had at the meeting last week). The route we proposed that deviates from the red line corridor and follows Demsey Ridge up to Sublette Canyon then NW to Quealy Reservoir would have fewer impacts to wildlife than any of the green lines south of 30. Deviations along the northern route that meet VR and constructions needs are certainly acceptable in our view.

If we are forced to accept the green line, which we will do with extreme reluctance, the branch that enters Utah and then follows the Idaho state line will likely have the fewest wildlife impacts. We continue to have significant sage-grouse, migratory gamebird, and wintering mule deer concerns with the green line (or any line south of US 30). I understand no one is going to be totally happy with this routing.

Hope this is sufficient. If not, let me know and I will send more info. Thanks

Mark

>>> "Vering, Walt" <Walt.Vering@tetrattech.com> 7/16/2008 1:51 PM >>>
 Mark,

Here is the map, please draw some lines on it as they would best represent the Department's position. Please fax or email it back to me at your earliest convenience. To follow-up, we will make sure we get you a map that results from the meeting next week.

Other important business--

I hunted Gambels in Wikieup two years ago. Likely the best bird hunt I ever did, tequila might have been a factor as well. We set up a couple of wall tents in the desert for a week. I grew up on a very large farm in Iowa and have literally 1000s of acres of hunting access. All my friends and colleagues always have a standing offer to go, as I really enjoy chasing the roosters too. Too many upland game birds, not enough time (or money).

Thanks

Walt

From: Mark Zornes [mailto:Mark.Zornes@wgf.state.wy.us]
Sent: Wednesday, July 16, 2008 11:51 AM
To: Vering, Walt
Subject: Emailing: Ruffie hunt 10-07 001.jpg

I'd gladly do the bird hunt swap. I missed out on a chukar hunt a couple of years ago with the Idaho upland bio. I'd really like to go after spruce grouse at some point (I'm kind of a grouse fanatic). Have pointing dog, will travel.

A couple of us are heading to Mearn's quail country in Dec. I was the AZ Quail bio for three years, so I have some great spots and some really good spies. If you're interested, let me know....three species (Gambel's/Scaled/Mearn's). Horses and bird dogs, it doesn't get any better than that.

Awaiting the map.

Thanks.

The message is ready to be sent with the following file or link attachments:

Ruffie hunt 10-07 001.jpg

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

30013

From: Walt_George@blm.gov
Sent: Friday, August 15, 2008 12:19 PM
To: penny.eckert%tttecimcom@blm.gov; Flood, Cameo
Subject: Fw: OCI Comment Regarding Gateway West Transmission Project

From: "Kallas, Angelo" [akallas@OCIChemical.com]
Sent: 08/15/2008 10:52 AM CST
To: Walt George
Cc: "Johnson, Terrell" <TJohnson@OCIChemical.com>; "Rudoff, Mike" <MRudoff@OCIChemical.com>; "Leigh, Terry" <TLeigh@OCIChemical.com>; "Hohn, Mike" <mhohn@OCIChemical.com>
Subject: OCI Comment Regarding Gateway West Transmission Project

Dear Mr. George,

Realizing that these comments are past the official comment period, OCI Wyoming would like to still provide the following information for consideration in this project design.

OCI Wyoming recommends to avoid OCI leases because of potential conflicts with future trona extraction and possible subsidence concerns. Any routes that avoid these leases would be the best long-term option for this transmission project.

Please contact me if you have any questions.

Sincerely,

Angelo Kallas

307-872-7110