



ADA COUNTY

COMMISSIONERS
OFFICE
200 W. Front Street
Boise, Idaho 83702
(208) 287-7000
Fax: 287-7009

Jim Tibbs
Commissioner, First District

Rick Yzaguirre
Commissioner, Second District

David L. Case
Commissioner, Third District

May 6, 2013



John Chatburn, Administrator
Office of Energy Resources
304 North 8th Street, STE 250
P.O. Box 83720
Boise, ID 83720-0199

RE: GATEWAY WEST TRANSMISSION LINE - GOVERNOR'S CONSISTENCY REVIEW

Dear Mr. Chatburn:

We respectfully request that the Governor and those reviewing the consistency of the Final Environmental Impact Statement (FEIS) for the Gateway West Transmission Line Project consider and incorporate the information contained in this letter in their response to the BLM State Director.

Retaining the originally agreed upon alignment of Segment 8 is in the best interest of our community. The alignment of BLM Preferred Alternative 8B (PA-8B) identified in Appendix A of the FEIS imposes a significant economic impact on the City of Kuna and the Region. The City of Kuna has reported that it stands to lose \$76,310,584 should BLM PA-8B be used¹. The alignment of BLM PA-8B also does not comply with Policy 7.3-3 of the Ada County Comprehensive Plan which calls for multiple-use of utility corridors by utility providers². BLM PA-8B would require the establishment of an entirely new corridor while the original alignment would follow an existing 500 kV transmission line through the Birds of Prey National Conservation Area. The additional expense of creating a new corridor instead of utilizing an existing alignment is fiscally irresponsible. For these reasons the Board of Ada County Commissioners opposes the alignment of BLM PA-8B.

Thank you for the opportunity to provide information for consideration during the consistency review. If you have any questions, or need additional detail please contact the Ada County Commissioners at 287-7000.

Sincerely yours,

David L. Case, Commissioner

Jim Tibbs, Commissioner

Rick Yzaguirre, Commissioner

2013 MAY 13 AM 10:00
RECEIVED
FOI-BLM
CHEYENNE WYOMING

cc: Governor Butch Otter, State Capitol, P.O. Box 83720, Boise, ID 83720
Megan M. Leatherman, Director, Ada County Development Services

¹ City of Kuna letter to Walt George dated October 29, 2012 ² Resolution 1518, Adopted November 27, 2007

1/1



CANYON COUNTY COMMISSIONERS

Steve Rule
District I

Kathryn Alder
District II

Craig L. Hanson
District III



1115 Albany ❖ Caldwell, Idaho 83605 ❖ Telephone: (208) 454-7507 ❖ Fax: (208) 454-7336

May 6, 2013

The Honorable Governor C.L. "Butch" Otter
P.O. Box 83720
Boise, Idaho 83720

Re: Governor's Consistency Review for the Gateway West Transmission Line Project

Dear Governor Otter:

The BLM's preferred alternative route would disrupt farming and other agricultural land uses which are the heart of Canyon County's economy. In addition, the route would negatively impact the Snake River Canyon Scenic Byway. The BLM preferred route is inconsistent with the following policies in the adopted Canyon County Comprehensive Plan:

Preserve agricultural lands and zoning classifications.

Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.

The BLM preferred alternative route will cut a swath through agricultural land north of the City of Melba and along State Route 45. A 2009 study from the University of Idaho estimated that as land is transformed from agriculture to other uses, the Canyon County economy may decline at approximately \$16,000 per converted acre.

Encourage beautification along transportation corridors and scenic byways entering Canyon County.

The BLM preferred alternative route will cross the southern terminus of the Snake River Canyon Scenic Byway, seriously damaging the scenic values for which it was designated and reducing tourist interest in Canyon County. In October 2007, the Idaho Transportation Department granted official state byway designation, and it is the only Idaho byway with a focus on agriculture. A corridor management plan was subsequently developed by a committee of interested citizens, agencies and municipal representatives, and was approved by the Canyon County Commissioners in March 2010.



National Interest Electric Transmission Corridors:

Promote the coordination of providers to develop plans for energy services and public utility facilities for the long-term energy and utility needs of Canyon County.

Minimize negative impacts.

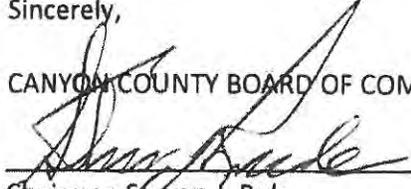
Site utility facilities in conformance with the Land Use element of this Plan.

As the BLM preferred route will negatively impact areas designated as Agriculture in the Canyon County Comprehensive Plan, the route is not considered in conformance with the Land Use element of the Plan.

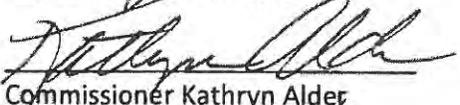
The BLM cannot ignore the input of property owners, citizens and other stakeholders who previously dedicated over two years to collaborating on an alternative route. On behalf of the people of Canyon County we request that the BLM reconsider its preferred alternative route for the Gateway West Transmission Line and work with your office and other state and local officials to rectify the problems posed by the current route. We hope that we can return their support to a collaborative route that better serves the interest of Idaho citizens.

Sincerely,

CANYON COUNTY BOARD OF COMMISSIONERS



Chairman Steven J. Rule



Commissioner Kathryn Alder



Commissioner Craig L. Hanson

cc: John Chatburn, Administrator
Office of Energy Resources



CANYON COUNTY COMMISSIONERS

Steve Rule
District I

Kathryn Alder
District II

Craig L. Hanson
District III

1115 Albany ❖ Caldwell, Idaho 83605 ❖ Telephone: (208) 454-7507 ❖ Fax: (208) 454-7336

May 6, 2013

The Honorable Governor C.L. "Butch" Otter
P.O. Box 83720
Boise, Idaho 83720

Re: Governor's Consistency Review for the Gateway West Transmission Line Project

Dear Governor Otter:

The BLM's preferred alternative route would disrupt farming and other agricultural land uses which are the heart of Canyon County's economy. In addition, the route would negatively impact the Snake River Canyon Scenic Byway. The BLM preferred route is inconsistent with the following policies in the adopted Canyon County Comprehensive Plan:

Preserve agricultural lands and zoning classifications.

Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.

The BLM preferred alternative route will cut a swath through agricultural land north of the City of Melba and along State Route 45. A 2009 study from the University of Idaho estimated that as land is transformed from agriculture to other uses, the Canyon County economy may decline at approximately \$16,000 per converted acre.

Encourage beautification along transportation corridors and scenic byways entering Canyon County.

The BLM preferred alternative route will cross the southern terminus of the Snake River Canyon Scenic Byway, seriously damaging the scenic values for which it was designated and reducing tourist interest in Canyon County. In October 2007, the Idaho Transportation Department granted official state byway designation, and it is the only Idaho byway with a focus on agriculture. A corridor management plan was subsequently developed by a committee of interested citizens, agencies and municipal representatives, and was approved by the Canyon County Commissioners in March 2010.

National Interest Electric Transmission Corridors:

Promote the coordination of providers to develop plans for energy services and public utility facilities for the long-term energy and utility needs of Canyon County.

Minimize negative impacts.

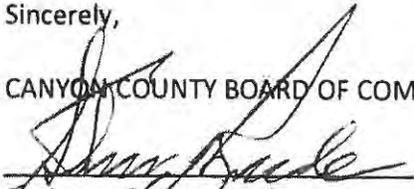
Site utility facilities in conformance with the Land Use element of this Plan.

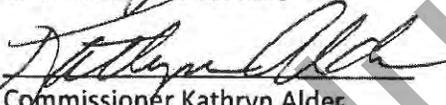
As the BLM preferred route will negatively impact areas designated as Agriculture in the Canyon County Comprehensive Plan, the route is not considered in conformance with the Land Use element of the Plan.

The BLM cannot ignore the input of property owners, citizens and other stakeholders who previously dedicated over two years to collaborating on an alternative route. On behalf of the people of Canyon County we request that the BLM reconsider its preferred alternative route for the Gateway West Transmission Line and work with your office and other state and local officials to rectify the problems posed by the current route. We hope that we can return their support to a collaborative route that better serves the interest of Idaho citizens.

Sincerely,

CANYON COUNTY BOARD OF COMMISSIONERS


Chairman Steven J. Rule


Commissioner Kathryn Alder


Commissioner Craig L. Hanson

cc: John Chatburn, Administrator
Office of Energy Resources

From: jmclain@blm.gov on behalf of [Gateway West Trans Line, BLM WY](#)
To: blm@gwcomment.com
Subject: 17127 Fwd: FW: Letter regarding Gateway West Transmission Line Project to the Honorable Ken Salazar, Secretary of the Interior
Date: Thursday, February 14, 2013 12:48:42 PM
Attachments: [Scanned Image.pdf](#)

----- Forwarded message -----

From: **Claudia Amaral** <CAmaral@canyonco.org>
Date: Fri, Nov 16, 2012 at 8:34 AM
Subject: FW: Letter regarding Gateway West Transmission Line Project to the Honorable Ken Salazar, Secretary of the Interior
To: BLM_WY_Gateway_West_Trans_Line
 <BLM_WY_Gateway_West_Trans_Line@blm.gov>

Claudia Amaral
 Canyon County Commissioners Office
 Phone: (208) 454-7505
 E-mail: camaral@canyonco.org

-----Original Message-----

From: Claudia Amaral
Sent: Friday, November 16, 2012 8:33 AM
To: 'Gateway_Wes_WYMail@blm.gov'; 'david_hayes@ios.doi.gov'; 'steve_black@ios.doi.gov'
Subject: FW: Letter regarding Gateway West Transmission Line Project to the Honorable Ken Salazar, Secretary of the Interior

Claudia Amaral
 Canyon County Commissioners Office
 Phone: (208) 454-7505
 E-mail: camaral@canyonco.org

-----Original Message-----

From: Claudia Amaral
Sent: Thursday, November 15, 2012 5:05 PM
To: 'feedback@ios.doi.gov'; 'mpool@blm.gov'; 'croundtre@blm.gov'; 'kgeorgeson@idahopower.com'; 'boccl@adaweb.net'; 'jfincher@blm.gov'; 'governor@gov.id.gov'
Cc: 'eanderson@house.idaho.gov'; 'geskridge@house.idaho.gov'; 'धारवुड@house.idaho.gov'; 'mshpherd@house.idaho.gov'; 'jclark@house.idaho.gov'; 'phart@house.idaho.gov'; 'mchadderdon@house.idaho.gov'; 'gsayler@house.idaho.gov'; 'fhenderson@house.idaho.gov'; 'bnonini@house.idaho.gov';

'sringo@house.idaho.gov'; 'ttrail@house.idaho.gov';
 'lchavez@house.idaho.gov'; 'jrusche@house.idaho.gov';
 'kroberts@house.idaho.gov'; 'pshepherd@house.idaho.gov';
 'jboyle@house.idaho.gov'; 'ldenney@house.idaho.gov';
 'dbolz@house.idaho.gov'; 'gbatt@house.idaho.gov';
 cityclerk@cityofmelba.org; 'sthayn@house.idaho.gov';
 'gcollins@house.idaho.gov'; 'rschaefer@house.idaho.gov';
 'bcrane@house.idaho.gov'; 'cperry@house.idaho.gov';
 'rlabrador@house.idaho.gov'; 'mmoyle@house.idaho.gov';
 'mblack@house.idaho.gov'; 'lluker@house.idaho.gov';
 'gburgoyne@house.idaho.gov'; 'ehiggins@house.idaho.gov';
 'schew@house.idaho.gov'; 'bkillen@house.idaho.gov';
 'bdurst@house.idaho.gov'; 'pking@house.idaho.gov';
 'bcronin@house.idaho.gov'; 'aps@house.idaho.gov';
 'mhagedorn@house.idaho.gov'; 'jpalmer@house.idaho.gov';
 'cbayer@house.idaho.gov'; 'rjarvis@house.idaho.gov';
 'pnielsen@house.idaho.gov'; 'rwills@house.idaho.gov';
 'shartgen@house.idaho.gov'; 'jpatrick@house.idaho.gov';
 'sblock@house.idaho.gov'; 'lsmith@house.idaho.gov';
 'wjaquet@house.idaho.gov'; 'dpence@house.idaho.gov';
 'mbell@house.idaho.gov'; 'jstevens@house.idaho.gov';
 'sbedke@house.idaho.gov'; 'fwood@house.idaho.gov';
 'dlake@house.idaho.gov'; 'jmarriott@house.idaho.gov';
 'kandrus@house.idaho.gov'; 'jruchti@house.idaho.gov';
 'dboe@house.idaho.gov'; 'esmith@house.idaho.gov';
 'mgibbs@house.idaho.gov'; 'tloertscher@house.idaho.gov';
 'jmcgeachin@house.idaho.gov'; 'esimpson@house.idaho.gov';
 'rmathews@house.idaho.gov'; 'jthompson@house.idaho.gov';
 'draybould@house.idaho.gov'; 'mshirley@house.idaho.gov';
 'lbarrett@house.idaho.gov'; 'jawood@house.idaho.gov';
 'moore@speedyquick.net'; cityclerk@cityofmelba.org;
 'MayorNelson@cityofkuna.com'

Subject: Letter regarding Gateway West Transmission Line Project to the
 Honorable Ken Salazar, Secretary of the Interior

Claudia Amaral
 Canyon County Commissioners Office
 Phone: (208) 454-7505
 E-mail: camaral@canyonco.org



CANYON COUNTY COMMISSIONERS

Steve Rule
District I

Kathryn Alder
District II

David J. Ferdinand, II
District III

1115 Albany ❖ Caldwell, Idaho 83605 ❖ Telephone: (208) 454-7507 ❖ Fax: (208) 454-7336

November 15, 2012

Secretary Ken Salazar
U.S. Department of the Interior
1849 C Street N. W.
Washington DC, 20240

Dear Mr. Salazar:

This letter is in support of Idaho Governor C.L. "Butch" Otter's October 10, 2012 request that the Bureau of Land Management (BLM) adopt the Gateway West Transmission Line Project route proposed through the collaborative effort of Idaho state agencies, local governments, and citizens (the letter is attached hereto). The current BLM proposed route would disrupt farming and other agricultural land uses which are the heart of Canyon County. Moreover, the current BLM proposed route will cut through a primary growth area in Canyon County -- potentially adversely impacting property values and quality of life in that area.

The BLM cannot ignore the input of property owners, citizens and other stake holders who previously dedicated over two years to collaborating on an alternative route. On behalf of the people of Canyon County we request that the BLM immediately reconsider its current preferred route for the Gateway West Transmission Line and work with Gov. Otter and other state and local officials to rectify the problems posed by the BLM's current route. We hope that we can return their support to a collaborative route that better serves the interests of Idaho citizens.

Sincerely,

Canyon County Board of Commissioners

Chairman David J. Ferdinand, II

Commissioner Steven J. Rule

Commissioner Kathryn Alder



C.L. "BUTCH" OTTER
GOVERNOR

October 10, 2012

The Honorable Ken Salazar
Secretary of Interior
Department of Interior
1849 C St. NW
Washington, DC 20240

Re: Gateway West Transmission Line

Dear Secretary Salazar,

I am requesting that you direct Acting Bureau of Land Management (BLM) Director Mike Pool, BLM's National Landscape Conservation System (NLCS) Director Carl Rountree, and other relevant decision makers from the BLM headquarters to travel to Idaho to review the BLM's preferred alternative for the Gateway West Transmission Line Project with state and local officials as soon as possible, but no later than mid-November.

Mr. Secretary, I understand the need to move expeditiously for the sake of a necessary transmission project. However, the state, local officials and citizens of Idaho have a substantial interest in the placement of this transmission line and it is imperative that BLM decision makers receive additional input as soon as possible. In particular, it is important to discuss the preferred alternative routes for segments 8 and 9, which significantly infringe on private property in Idaho.

The BLM did not include a designated preferred alternative in the draft Gateway West Environmental Impact Statement (EIS). Instead, it directed interested stakeholders to work together in determining the "correct" route. Despite the state's objection to the absence of a preferred alternative in the draft EIS, state agencies, local governments, citizens of Idaho, state and local BLM staff, and staff from the Morley Nelson Birds of Prey National Conservation Area participated in a successful, collaborative effort to identify and propose a consensus route. Ultimately, BLM headquarters chose to disregard these collaborative efforts and selected preferred alternative routes that do not have the support of the state, local communities, or state and local BLM staff. In so doing, BLM headquarters ignored two years of collaborative effort and its own justification for not including a designated preferred alternative in the draft EIS.

Honorable Ken Salazar
October 10, 2012
Page 2

Thank you for your immediate attention and consideration of this matter. Please direct the relevant parties at BLM headquarters to contact my office at their earliest convenience. I look forward to meeting with Acting Director Pool, Director Rountree and other relevant decision makers before mid-November.

As Always - Idaho, "Esto Perpetua"

C.L. "Butch" Otter
C.L. "Butch" Otter
Governor of Idaho

Cc: Idaho Congressional Delegation
Ada County
Canyon County
Owyhee County
City of Kuna
City of Melba
Acting Director Mike Pool
Director Carl Rountree
Deputy Secretary David Hayes
Counselor to the Secretary, Steve Black
BLM State Director Steve Ellis
Walt George, Gateway West Project Manager

Ken - I've enclosed a Birds of Prey ticket for you. Hope you get a chance to use it.

Butch

Encounter five birds of prey
Explore the world of raptors
through interactive displays
and multi-media shows
Browse the gift shop
Visit one of "Bajers Best
Attractions"

ON THE
PEREGRINE
FUND

WORLD CENTER
FOR BIRDS OF PREY

ADMIT ONE FREE

From: Gateway BLM
Sent: Thursday, January 17, 2013 1:07 PM
To: Gateway BLM
Subject: FW: Gateway West Transmission Line Project
Attachments: Cassia and Power Counties3 130114.pdf

On Mon, Jan 14, 2013 at 2:31 PM, Secretary <ricky@qwestoffice.net> wrote:

Dear Walt,

Attached are three (3) letters that I have been requested to send you concerning recent developments in the Gateway West matter.

Very truly yours,

DOUGLAS J. BALFOUR _____

DJB/jay

cc: Blaine Newman

John Chatburn

Vicki Meadows

Brent Stoker

Governor Butch Otter

Mike Webster

Dennis Crane

Wade Povey

Kent Rudeen

Denton Darrington

Scott Bedke

Steve Brown

Don Dixon

Matt Ellsworth

Jeremy Field

Farhana Hilbert

Fred Wood

Dan Moore

Enclosures

PLEASE SEE ATTACHED.....

Julie Yeates
Secretary to Douglas J. Balfour
(208) 233-0680
(208) 233-0319 (fax)

This communication, including any attachment, contains information that may be confidential and/or privileged, and is intended solely for the entity or individual to whom it is addressed. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message is strictly prohibited. If you receive this email in error, please contact the sender immediately either by return email or at #(208) 233-0680.

Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com

January 14, 2013

Walt George
Project Manager
US Department of Interior
Wyoming State Office
PO Box 1828
Cheyenne, WY 82003-1828

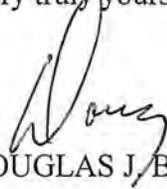
VIA EMAIL: wgeorge@blm.gov

RE: Gateway West Transmission Line Project

Dear Walt,

Attached are three letters that I have been requested to send you concerning recent developments in the Gateway West matter.

Very truly yours,



DOUGLAS J. BALFOUR

DJB/jay
cc: Blaine Newman
John Chatburn
Vicki Meadows
Brent Stoker
Governor Butch Otter
Mike Webster
Dennis Crane
Wade Povey
Kent Rudeen
Denton Darrington
Scott Bedke
Steve Brown
Don Dixon
Matt Ellsworth
Jeremy Field
Farhana Hilbert
Fred Wood
Dan Moore

Enclosures

Douglas J. Balfour, Chartered***230 W. Lewis******P.O. Box 490******Pocatello, ID 83204-0490******Phone: 208-233-0680******Fax: 208-233-0319******E-mail: dbal0680@gmail.com***

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.govRE: Gateway West Transmission Line Project
WECC SEPARATION CRITERIA

Dear Walt,

Power and Cassia Counties, as Cooperating Agencies, submitted substantial comments to the BLM draft EIS questioning the need or basis for an artificial and inflexible separation criteria that the proponents have used in this process. See FEIS L-1

When the Cooperating Agencies have contested proposed routes as being nonsensical or harmful, the Proponents have merely relied upon this "all powerful WECC" to say that is the way it must be.

The Cooperating Agencies had hoped that with these comments, and raising these issues, that Tetra Tech would conduct the appropriate research and give an independent view of this separation criteria. We noted that the Wyoming Governor had conducted an analysis, and ICF had issued a substantial report also questioning WECC separation criteria.

The response from Tetra Tech in the FEIS is very disappointing. Tetra Tech and the BLM have given short shrift to our comments about WECC separation criteria. For example, we commented that the drafting team for WECC had recently proposed revising their separation criteria. We noted that the drafting team believes that the possibility of an airplane dragging a conductor from one circuit to another circuit on a separate tower "is an extremely low probability event and practically impossible. Designing a system for this very low probability event by treating the two circuits as if they are on the same tower is not appropriate." FEIS Appendix L-1.

In response to our comments, Tetra Tech stated "additional information about separation criteria has been included in the FEIS." However, we cannot find that additional information.

Going to that section of the FEIS, that document states generally the Proponents are obligated to avoid common mode failure such as "a snagged shield wire from one line being dragged into the adjacent line, an aircraft flying into more than one line." FEIS 1-10.

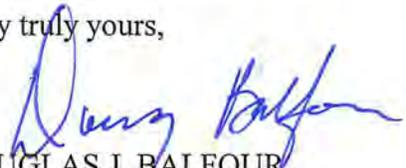
Walt George
January 14, 2013
Page 2

One of our Task Force members at a recent meeting with the BLM, complained that talking to Tetra Tech and the BLM is like “talking to a blank wall.”

It does not appear that Tetra Tech did any sort of research at all into the background or basis for WECC’s separation criteria or the possible amendments or changes. The issues we raised, and the issues raised by the Wyoming Governor’s report apparently were not investigated at all. If the best Tetra Tech can do in response to our complaints, suggestions and questions about separation criteria is to ignore them and continue on quoting only the Proponents, FEIS 1-10 through 1-13, then something is wrong with this process.

A review of the history of power line failures show that by far the vast majority of those failures are equipment failures, often in the substations themselves. These alleged common mode failures appear to the Cooperating Agencies to simply be an excuse to put the lines where the Proponents want, regardless of the consequences to the landowners.

Very truly yours,



DOUGLAS J. BALFOUR

DJB/jay
cc: Power County Commissioners
Cassia County Commissioners
Gateway Task Force
Move It
MSTI Task Force

Douglas J. Balfour, Chartered***230 W. Lewis******P.O. Box 490******Pocatello, ID 83204-0490******Phone: 208-233-0680******Fax: 208-233-0319******E-mail: dbal0680@gmail.com***

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West; Cooperating Agencies

Dear Walt,

This letter is the official comment from Cooperating Agencies Cassia County, Idaho, Power County, Idaho, and their citizens task forces concerning the Administrative Final EIS.

As history, Cassia County and Power County formed citizens task forces and began studying the proposed Gateway West Project, almost as soon as it was proposed, and as soon as those counties were notified by the BLM of the Application.

Through the years, their citizens task forces and the County Commissioners have attended numerous meetings with the BLM as well as held numerous citizens meetings and informational meetings about the proposal. Cassia and Power Counties became Cooperating Agencies on the project, and have regularly attended BLM meetings and participated in conference calls. Cassia and Power County worked with their citizens task forces to develop acceptable alternative routes to the proposed Gateway West routes.

As we have quoted to the BLM many times, under the Idaho Land Use Planning Act, the counties are the siting authority for electric transmission corridors within their counties.

As you have noted, you consider the counties to be on an equal standing with the BLM for purposes of those siting considerations.

After over 5 years of study, the BLM has announced its designated, preferred alternative routes. The counties officially adopted routes that were not selected by the BLM. In general, it appears that the BLM has chosen to protect public lands, visual resources and threatened species, such as sage grouse, by avoiding allowing the transmission lines on public land. That has resulted in, as far as Power and Cassia Counties are concerned, BLM preferred routes ranging from 70-80% on private land. The BLM land that would be allowed for the transmission lines was carefully selected by BLM to avoid any potentially detrimental impact to that public land. However, it does not appear that the same consideration was given to private land.

The BLM readily acknowledges that it has no authority or jurisdiction to authorize or allow the electric transmission systems on private land, its authority is generally limited to the public land.

Walt George
January 14, 2013
Page 2

However, designating a preferred alternative route that contains a vast majority of private land is not consistent with the BLM's authority. Moving a 185 foot transmission tower a few yards from public land to private land does not decrease the potential for raptor perches or effect the visual to an observer. It just changes jurisdictions. Obviously, as has often been stated, the connections between public land and private land must link. That is why the task forces from Power and Cassia Counties worked very hard to make a continuous link that was acceptable to the Counties, and, we thought, to the BLM and other federal land managers.

The Counties' recommendation, particularly for Segment 7, was rejected. Apparently it was rejected because the route was longer, which would impact the Proponent's costs, as well as potential impact to sage grouse. This decision has disappointed and frustrated the Cooperating Agencies. The cost to the Proponents must be measured against the cost to the impacted private landowner. The EIS spends a great deal of analysis showing the extremely high economic cost to a private landowner, particularly compared to the economic cost to public land by the presence of the transmission corridor.

Similarly it would be the burden of the proponents to mitigate against any deleterious impact to sage grouse because of the location of their transmission towers. The Cooperating Agencies note that the governmental agencies dealing with sage grouse have far different proposals, even involving sage grouse habitat. Governor Otter's Task Force management zones do not correspond with those of the BLM for core habitat for sage grouse, whether it is designated as core or priority. This also frustrates the counties, as the counties are not the agency responsible for analyzing sage grouse habitat, but apparently will feel the effects of those conflicting analyses.

Since the release of the BLM preferred alternatives, the Task Forces have met with local BLM representatives to discuss their concerns. At this point, there does not seem to be any resolution. The BLM is going to hold firm in its preferred alternatives, and let the private landowners fend for themselves. Our task force simply rejects the idea that the only way this project can be permitted is to place it 70 - 80% on private land and have those private land owners bear the burden and the cost of this project. Thus there is no reason for these meetings to continue, the preferred routes are impossible to reconcile and the reasons for such conflicts are not being addressed.

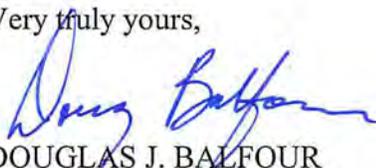
The Counties and Cooperating Agencies intend to stand firm in their designation of routes as being the result of a collaborative process with all of the entities. There will be no more need for future meetings with the BLM in anticipation of any further steps. The Counties firmly believe it is the BLM's responsibility to, at this point, come up with preferred alternatives that the counties can accept.

In a separate submission, the counties are requesting the BLM re-analyze buried line technologies as that could provide a great solution which would address the concerns of the task forces as well as the BLM. However, until that process is undertaken, there may be no possible resolution.

Walt George
January 14, 2013
Page 3

The counties will continue to participate in the process as Cooperating Agencies, but without a great deal of hope that the conflicts will be resolved.

Very truly yours,



DOUGLAS J. BALFOUR

DJB/jay
cc: Vicki Meadows
Brent Stoker
Power and Cassia County Task Forces
Enclosures

Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West Transmission Line Project
BURIED LINE TECHNOLOGY

Dear Walt,

This letter is sent on behalf of Power County, Idaho and Cassia County, Idaho and their citizens' task forces, Cooperating Agencies on the Gateway West project.

PROJECT BACKGROUND

Gateway West was a joint project of Rocky Mountain Power and Idaho Power to build and operate approximately 1,150 miles of new high voltage transmission lines from Glenrock, Wyoming to Melba, Idaho. The initial purpose of the project was stated to meet customer needs and to provide strength and reliability to the regional grid. The source of the power will be a combination of wind, solar and fossil fuel generated electricity.

Since the time of the initial Application May 7, 2007, Idaho Power has taken a noticeably decreasing role. Idaho Power's Integrated Resource Plan does not anticipate the need for new supplies of electricity and does not anticipate that Gateway West will be a source for new power in their 10 year forecast. Rocky Mountain Power, who serves customers in Utah and Wyoming, as well as the West coast, has taken the lead role because of the change in Idaho Power's forecast.

RELIABILITY

Before reaching the Populus substation near Downey, Idaho, as it runs through Wyoming, Gateway West is proposed as a single line. After Populus, the line splits into a Northern and Southern route. "The Proponents have proposed this split because of the need to serve loads along the way and also to increase reliability." ES-5

That same page notes that "the WWE corridor is too narrow to allow for the required separation from existing transmission lines already in the corridor." Id.

Throughout the history of this action, the Proponents have insisted that reliability and separation were major motivating factors in route design.

Developments have shown that the split is not necessary to "serve loads" as Idaho Power does not intend to serve loads out of Segments 5, 6, 7, 8 or 9. Rocky Mountain Power generally

Walt George
 January 14, 2013
 Page 2

does not serve any customers in those segments. The real goal is to get electricity from Wyoming to the West coast and Southwest markets.

The reliability constraints that are a strong generating factor behind Gateway West are outlined in the Final EIS under 1.3.3. That section talks about common mode failures such as aircraft snagging one line and dragging it into another, smoke from wildfires shorting out more than one line, lightning strikes, high winds, dust storms, ice storms, blizzards, landslides, earthquakes, vandalism and equipment failure. That section goes on to discuss WECC reliability performance standards and separation of transmission lines. This is the justification ostensibly given to splitting Idaho into Northern and Southern routes, and thus doubling the impact upon private property. Discussion of these common mode failures resulted in the EIS declaring "the Proponents state that forcing the Gateway West Project into close proximity to other lines undermines the overall purpose and need of the project." EIS 1-13.

Obviously the vast majority of the fears the Proponents have used to promote this project are because the proposed transmission lines would be overhead, outdoor structures.

BURIED LINES

Due to those concerns many Commentors, including these Cooperating Agencies have suggested that underground alternatives be fully analyzed as part of the EIS. Section 2.6.3 addresses that request, discusses AC underground transmission lines and their history, and concludes that considering AC underground lines to not be "feasible for the project" because of concerns about costs, reliability, and unproven technology.

These Cooperating Agencies strongly believe that this rejection of underground alternatives by the Proponents through the BLM to be inaccurate and mistaken. The recent example of the Interstate Natural Gas Pipelines show that underground technology is absolutely feasible for this type of application. This is particularly true given the land proposed to be included in this transmission line project.

There have been huge, recent scientific breakthroughs in high voltage DC lines that would resolve many of the issues discussed in Section 2.6.3 of the EIS. HVDC is touted as the transmission method of the future for many reasons. It is far more reliable than above-ground lines, it is able to transmit a current over long distances with fewer megawatt losses and is much more compatible with the sources of energy envisioned for Gateway West. As National Geographic noted in the *Great Energy Challenge* "For wind farms and solar installations in the Midwest and Rocky Mountain regions, HVDC cables could be run underground in environmentally sensitive areas, avoiding cluttering the landscape with transmission towers and overhead lines."

HVDC lines equipped with hybrid breakers, a recent scientific breakthrough, are much cheaper to bury than AC, the type of lines studied in the EIS. They require less insulation and provide the other stability and low electric current losses that are part of a DC system. In a number of applications HVDC is more effective than AC transmission. DC can stabilize a predominantly AC power grid, eliminate problems with prospective short circuits, reduce line costs since HVDC requires fewer conductors and reduce the profile of wiring. HVDC can carry

Walt George
January 14, 2013
Page 3

more power per conductor and because HVDC allows power transmission between unsynchronized AC distribution systems, it can actually help stop failures. The directional power flow through a DC link can be directly commanded and thus, this has caused many power system operators to contemplate much wider use of HVDC transmission lines in the future.

HVDC lines frequently use submarine or underground cables as they are completely compatible with this technology. HVDC increases system stability and reliability by preventing cascading failures. HVDC allows transfer of power between grid systems running in different frequencies. Such interconnections provide stability to the grid.

There are hundreds of HVDC lines, being built throughout the world including the United States. Many of those lines are underground for long distances and are truly the technology of the future. Europe, China, South America and Australia all have numerous lines in use and more are being currently constructed.

Much of the impact that has resulted in the BLM selecting preferred alternatives largely on private land, to avoid visual restrictions and Sage Grouse impacts on public land, as in this project, could be resolved with underground technology. Underground power lines, particularly HVDC, could be constructed in areas with VRM restrictions or with potential impacts to wildlife. As *National Geographic* noted, the environmental impact of underground HVDC impacts is much less than the overhead AC transmission lines proposed for Gateway West.

One of the major proponents of HV is ABB, a global power and automation technology leader currently involved in the construction of many of the referenced HVDC projects. As ABB notes, "HVDC light technology enables underground and subsea transmission, and offers several environmental benefits, such as neutral electromagnetic fields, oil-free cables and compact converter stations. It is an ideal solution for connecting remote power sources like renewable to mainland networks overcoming distance limitations and grid constraints while ensuring robust performance and minimal electrical losses." Mridul Chadha, December 16, 2012 article.

ABB is currently laying many miles of 320 kv HVDC cable with minimal installation expense. Siemens, also a worldwide leader in HVDC, has established new technology that can carry up to 800kv and 7gw of power.

Alstom is the third leading worldwide supplier of HVDC underground cables and has similar experience.

Worldwide, there are many HVDC cables being buried for high voltage transmission lines. To name but a few locations, Italy, Namibia, China, Malaysia and other states in Europe all are in the process of utilizing HVDC cables for underground transmission. China has numerous 3,000mw cables coming from the 3 Gorges Dam. Malaysia has a 670km underground cable with 500 kv currently under construction. There are numerous examples worldwide, including some coming to the United States using this technology.

The advantages of HVDC technology fit in completely with the problems associated with Gateway West. HVDC is more efficient with less electrical losses than with the proposed AC transmission line. Higher efficiency means a lower transmission cost, helping renewable energy

Walt George
January 14, 2013
Page 4

compete against other power sources. HVDC transmission can enhance the stability, allow the operator complete control of the power flow and facilitate the integration of wind from different resource areas. HVDC transmission lines require a much smaller right of way footprint, using less land and thus have less environmental impact than the equivalent AC lines.

Because of these possibilities, and the extreme impact noted with running overhead transmission lines through private land, the Cooperating Agencies have substantially researched underground HVDC lines. Tetra Tech and the BLM should do the same, as they will come to the conclusion that to resolve many of the problems associated with Gateway West, this technology must be analyzed. This is particularly true, given the fact that construction of the Gateway West Project, and particularly the Idaho segments, is many years away. To forsake this possible solution at this point is not responsible Environmental Analysis.

As construction is not scheduled to begin on any part of the Idaho Gateway West project until 2018, at the earliest, the Cooperating Agencies strongly request that the BLM analyze the possibility of underground technology. It simply is not appropriate to proceed further without this analysis.

Very truly yours,



DOUGLAS J. BALFOUR

DJB/jay
cc: Vicki Meadows
Brent Stoker

Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com



January 14, 2013

Walt George
Project Manager
US Department of Interior
Wyoming State Office
PO Box 1828
Cheyenne, WY 82003-1828

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West Transmission Line Project

Dear Walt,

Attached are three letters that I have been requested to send you concerning recent developments in the Gateway West matter.

Very truly yours,


DOUGLAS J. BALFOUR

DJB/jay
cc: Blaine Newman
John Chatburn
Vicki Meadows
Brent Stoker
Governor Butch Otter
Mike Webster
Dennis Crane
Wade Povey
Kent Rudeen
Denton Darrington
Scott Bedke
Steve Brown
Don Dixon
Matt Ellsworth
Jeremy Field
Farhana Hilbert
Fred Wood
Dan Moore

Enclosures

2013 JAN 17 AM 10:00
RECEIVED
DOI-BLM
CHEYENNE WYOMING



Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West Transmission Line Project
WECC SEPARATION CRITERIA

Dear Walt,

Power and Cassia Counties, as Cooperating Agencies, submitted substantial comments to the BLM draft EIS questioning the need or basis for an artificial and inflexible separation criteria that the proponents have used in this process. See FEIS L-1

When the Cooperating Agencies have contested proposed routes as being nonsensical or harmful, the Proponents have merely relied upon this "all powerful WECC" to say that is the way it must be.

The Cooperating Agencies had hoped that with these comments, and raising these issues, that Tetra Tech would conduct the appropriate research and give an independent view of this separation criteria. We noted that the Wyoming Governor had conducted an analysis, and ICF had issued a substantial report also questioning WECC separation criteria.

The response from Tetra Tech in the FEIS is very disappointing. Tetra Tech and the BLM have given short shrift to our comments about WECC separation criteria. For example, we commented that the drafting team for WECC had recently proposed revising their separation criteria. We noted that the drafting team believes that the possibility of an airplane dragging a conductor from one circuit to another circuit on a separate tower "is an extremely low probability event and practically impossible. Designing a system for this very low probability event by treating the two circuits as if they are on the same tower is not appropriate." FEIS Appendix L-1.

In response to our comments, Tetra Tech stated "additional information about separation criteria has been included in the FEIS." However, we cannot find that additional information.

Going to that section of the FEIS, that document states generally the Proponents are obligated to avoid common mode failure such as "a snagged shield wire from one line being dragged into the adjacent line, an aircraft flying into more than one line." FEIS 1-10.



Walt George
January 14, 2013
Page 2

One of our Task Force members at a recent meeting with the BLM, complained that talking to Tetra Tech and the BLM is like “talking to a blank wall.”

It does not appear that Tetra Tech did any sort of research at all into the background or basis for WECC’s separation criteria or the possible amendments or changes. The issues we raised, and the issues raised by the Wyoming Governor’s report apparently were not investigated at all. If the best Tetra Tech can do in response to our complaints, suggestions and questions about separation criteria is to ignore them and continue on quoting only the Proponents, FEIS 1-10 through 1-13, then something is wrong with this process.

A review of the history of power line failures show that by far the vast majority of those failures are equipment failures, often in the substations themselves. These alleged common mode failures appear to the Cooperating Agencies to simply be an excuse to put the lines where the Proponents want, regardless of the consequences to the landowners.

Very truly yours,

DOUGLAS J. BALFOUR

DJB/jay
cc: Power County Commissioners
Cassia County Commissioners
Gateway Task Force
Move It
MSTI Task Force

duplicate



Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West; Cooperating Agencies

Dear Walt,

This letter is the official comment from Cooperating Agencies Cassia County, Idaho, Power County, Idaho, and their citizens task forces concerning the Administrative Final EIS.

As history, Cassia County and Power County formed citizens task forces and began studying the proposed Gateway West Project, almost as soon as it was proposed, and as soon as those counties were notified by the BLM of the Application.

Through the years, their citizens task forces and the County Commissioners have attended numerous meetings with the BLM as well as held numerous citizens meetings and informational meetings about the proposal. Cassia and Power Counties became Cooperating Agencies on the project, and have regularly attended BLM meetings and participated in conference calls. Cassia and Power County worked with their citizens task forces to develop acceptable alternative routes to the proposed Gateway West routes.

As we have quoted to the BLM many times, under the Idaho Land Use Planning Act, the counties are the siting authority for electric transmission corridors within their counties.

As you have noted, you consider the counties to be on an equal standing with the BLM for purposes of those siting considerations.

After over 5 years of study, the BLM has announced its designated, preferred alternative routes. The counties officially adopted routes that were not selected by the BLM. In general, it appears that the BLM has chosen to protect public lands, visual resources and threatened species, such as sage grouse, by avoiding allowing the transmission lines on public land. That has resulted in, as far as Power and Cassia Counties are concerned, BLM preferred routes ranging from 70-80% on private land. The BLM land that would be allowed for the transmission lines was carefully selected by BLM to avoid any potentially detrimental impact to that public land. However, it does not appear that the same consideration was given to private land.

The BLM readily acknowledges that it has no authority or jurisdiction to authorize or allow the electric transmission systems on private land, its authority is generally limited to the public land.



However, designating a preferred alternative route that contains a vast majority of private land is not consistent with the BLM's authority. Moving a 185 foot transmission tower a few yards from public land to private land does not decrease the potential for raptor perches or effect the visual to an observer. It just changes jurisdictions. Obviously, as has often been stated, the connections between public land and private land must link. That is why the task forces from Power and Cassia Counties worked very hard to make a continuous link that was acceptable to the Counties, and, we thought, to the BLM and other federal land managers.

The Counties' recommendation, particularly for Segment 7, was rejected. Apparently it was rejected because the route was longer, which would impact the Proponent's costs, as well as potential impact to sage grouse. This decision has disappointed and frustrated the Cooperating Agencies. The cost to the Proponents must be measured against the cost to the impacted private landowner. The EIS spends a great deal of analysis showing the extremely high economic cost to a private landowner, particularly compared to the economic cost to public land by the presence of the transmission corridor.

Similarly it would be the burden of the proponents to mitigate against any deleterious impact to sage grouse because of the location of their transmission towers. The Cooperating Agencies note that the governmental agencies dealing with sage grouse have far different proposals, even involving sage grouse habitat. Governor Otter's Task Force management zones do not correspond with those of the BLM for core habitat for sage grouse, whether it is designated as core or priority. This also frustrates the counties, as the counties are not the agency responsible for analyzing sage grouse habitat, but apparently will feel the effects of those conflicting analyses.

Since the release of the BLM preferred alternatives, the Task Forces have met with local BLM representatives to discuss their concerns. At this point, there does not seem to be any resolution. The BLM is going to hold firm in its preferred alternatives, and let the private landowners fend for themselves. Our task force simply rejects the idea that the only way this project can be permitted is to place it 70 - 80% on private land and have those private land owners bear the burden and the cost of this project. Thus there is no reason for these meetings to continue, the preferred routes are impossible to reconcile and the reasons for such conflicts are not being addressed.

The Counties and Cooperating Agencies intend to stand firm in their designation of routes as being the result of a collaborative process with all of the entities. There will be no more need for future meetings with the BLM in anticipation of any further steps. The Counties firmly believe it is the BLM's responsibility to, at this point, come up with preferred alternatives that the counties can accept.

In a separate submission, the counties are requesting the BLM re-analyze buried line technologies as that could provide a great solution which would address the concerns of the task forces as well as the BLM. However, until that process is undertaken, there may be no possible resolution.



Walt George
January 14, 2013
Page 3

The counties will continue to participate in the process as Cooperating Agencies, but without a great deal of hope that the conflicts will be resolved.

Very truly yours,

DOUGLAS J. BALFOUR

DJB/jay
cc: Vicki Meadows
Brent Stoker
Power and Cassia County Task Forces
Enclosures

duplicate



Douglas J. Balfour, Chartered

230 W. Lewis

P.O. Box 490

Pocatello, ID 83204-0490

Phone: 208-233-0680

Fax: 208-233-0319

E-mail: dbal0680@gmail.com

January 14, 2013

Walt George

VIA EMAIL: wgeorge@blm.gov

RE: Gateway West Transmission Line Project
BURIED LINE TECHNOLOGY

Dear Walt,

This letter is sent on behalf of Power County, Idaho and Cassia County, Idaho and their citizens' task forces, Cooperating Agencies on the Gateway West project.

PROJECT BACKGROUND

Gateway West was a joint project of Rocky Mountain Power and Idaho Power to build and operate approximately 1,150 miles of new high voltage transmission lines from Glenrock, Wyoming to Melba, Idaho. The initial purpose of the project was stated to meet customer needs and to provide strength and reliability to the regional grid. The source of the power will be a combination of wind, solar and fossil fuel generated electricity.

Since the time of the initial Application May 7, 2007, Idaho Power has taken a noticeably decreasing role. Idaho Power's Integrated Resource Plan does not anticipate the need for new supplies of electricity and does not anticipate that Gateway West will be a source for new power in their 10 year forecast. Rocky Mountain Power, who serves customers in Utah and Wyoming, as well as the West coast, has taken the lead role because of the change in Idaho Power's forecast.

RELIABILITY

Before reaching the Populus substation near Downey, Idaho, as it runs through Wyoming, Gateway West is proposed as a single line. After Populus, the line splits into a Northern and Southern route. "The Proponents have proposed this split because of the need to serve loads along the way and also to increase reliability." ES-5

That same page notes that "the WWE corridor is too narrow to allow for the required separation from existing transmission lines already in the corridor." Id.

Throughout the history of this action, the Proponents have insisted that reliability and separation were major motivating factors in route design.

Developments have shown that the split is not necessary to "serve loads" as Idaho Power does not intend to serve loads out of Segments 5, 6, 7, 8 or 9. Rocky Mountain Power generally



does not serve any customers in those segments. The real goal is to get electricity from Wyoming to the West coast and Southwest markets.

The reliability constraints that are a strong generating factor behind Gateway West are outlined in the Final EIS under 1.3.3. That section talks about common mode failures such as aircraft snagging one line and dragging it into another, smoke from wildfires shorting out more than one line, lightning strikes, high winds, dust storms, ice storms, blizzards, landslides, earthquakes, vandalism and equipment failure. That section goes on to discuss WECC reliability performance standards and separation of transmission lines. This is the justification ostensibly given to splitting Idaho into Northern and Southern routes, and thus doubling the impact upon private property. Discussion of these common mode failures resulted in the EIS declaring “the Proponents state that forcing the Gateway West Project into close proximity to other lines undermines the overall purpose and need of the project.” EIS 1-13.

Obviously the vast majority of the fears the Proponents have used to promote this project are because the proposed transmission lines would be overhead, outdoor structures.

BURIED LINES

Due to those concerns many Commentors, including these Cooperating Agencies have suggested that underground alternatives be fully analyzed as part of the EIS. Section 2.6.3 addresses that request, discusses AC underground transmission lines and their history, and concludes that considering AC underground lines to not be “feasible for the project” because of concerns about costs, reliability, and unproven technology.

These Cooperating Agencies strongly believe that this rejection of underground alternatives by the Proponents through the BLM to be inaccurate and mistaken. The recent example of the Interstate Natural Gas Pipelines show that underground technology is absolutely feasible for this type of application. This is particularly true given the land proposed to be included in this transmission line project.

There have been huge, recent scientific breakthroughs in high voltage DC lines that would resolve many of the issues discussed in Section 2.6.3 of the EIS. HVDC is touted as the transmission method of the future for many reasons. It is far more reliable than above-ground lines, it is able to transmit a current over long distances with fewer megawatt losses and is much more compatible with the sources of energy envisioned for Gateway West. As National Geographic noted in the *Great Energy Challenge* “For wind farms and solar installations in the Midwest and Rocky Mountain regions, HVDC cables could be run underground in environmentally sensitive areas, avoiding cluttering the landscape with transmission towers and overhead lines.”

HVDC lines equipped with hybrid breakers, a recent scientific breakthrough, are much cheaper to bury than AC, the type of lines studied in the EIS. They require less insulation and provide the other stability and low electric current losses that are part of a DC system. In a number of applications HVDC is more effective than AC transmission. DC can stabilize a predominantly AC power grid, eliminate problems with prospective short circuits, reduce line costs since HVDC requires fewer conductors and reduce the profile of wiring. HVDC can carry



more power per conductor and because HVDC allows power transmission between unsynchronized AC distribution systems, it can actually help stop failures. The directional power flow through a DC link can be directly commanded and thus, this has caused many power system operators to contemplate much wider use of HVDC transmission lines in the future.

HVDC lines frequently use submarine or underground cables as they are completely compatible with this technology. HVDC increases system stability and reliability by preventing cascading failures. HVDC allows transfer of power between grid systems running in different frequencies. Such interconnections provide stability to the grid.

There are hundreds of HVDC lines, being built throughout the world including the United States. Many of those lines are underground for long distances and are truly the technology of the future. Europe, China, South America and Australia all have numerous lines in use and more are being currently constructed.

Much of the impact that has resulted in the BLM selecting preferred alternatives largely on private land, to avoid visual restrictions and Sage Grouse impacts on public land, as in this project, could be resolved with underground technology. Underground power lines, particularly HVDC, could be constructed in areas with VRM restrictions or with potential impacts to wildlife. As *National Geographic* noted, the environmental impact of underground HVDC impacts is much less than the overhead AC transmission lines proposed for Gateway West.

One of the major proponents of HV is ABB, a global power and automation technology leader currently involved in the construction of many of the referenced HVDC projects. As ABB notes, "HVDC light technology enables underground and subsea transmission, and offers several environmental benefits, such as neutral electromagnetic fields, oil-free cables and compact converter stations. It is an ideal solution for connecting remote power sources like renewable to mainland networks overcoming distance limitations and grid constraints while ensuring robust performance and minimal electrical losses." Mridul Chadha, December 16, 2012 article.

ABB is currently laying many miles of 320 kv HVDC cable with minimal installation expense. Siemens, also a worldwide leader in HVDC, has established new technology that can carry up to 800kv and 7gw of power.

Alstom is the third leading worldwide supplier of HVDC underground cables and has similar experience.

Worldwide, there are many HVDC cables being buried for high voltage transmission lines. To name but a few locations, Italy, Namibia, China, Malaysia and other states in Europe all are in the process of utilizing HVDC cables for underground transmission. China has numerous 3,000mw cables coming from the 3 Gorges Dam. Malaysia has a 670km underground cable with 500 kv currently under construction. There are numerous examples worldwide, including some coming to the United States using this technology.

The advantages of HVDC technology fit in completely with the problems associated with Gateway West. HVDC is more efficient with less electrical losses than with the proposed AC transmission line. Higher efficiency means a lower transmission cost, helping renewable energy



Walt George
January 14, 2013
Page 4

compete against other power sources. HVDC transmission can enhance the stability, allow the operator complete control of the power flow and facilitate the integration of wind from different resource areas. HVDC transmission lines require a much smaller right of way footprint, using less land and thus have less environmental impact than the equivalent AC lines.

Because of these possibilities, and the extreme impact noted with running overhead transmission lines through private land, the Cooperating Agencies have substantially researched underground HVDC lines. Tetra Tech and the BLM should do the same, as they will come to the conclusion that to resolve many of the problems associated with Gateway West, this technology must be analyzed. This is particularly true, given the fact that construction of the Gateway West Project, and particularly the Idaho segments, is many years away. To forsake this possible solution at this point is not responsible Environmental Analysis.

As construction is not scheduled to begin on any part of the Idaho Gateway West project until 2018, at the earliest, the Cooperating Agencies strongly request that the BLM analyze the possibility of underground technology. It simply is not appropriate to proceed further without this analysis.

Very truly yours,

DOUGLAS J. BALFOUR

DJB/jay
cc: Vicki Meadows
Brent Stoker

duplicate

Douglas J. Balfour, Chartered
236 W. Lewis
P.O. Box 490
Pocatello, ID 83205

Walt George
Project Manager
US Department of Interior
Wyoming State Office
PO Box 1828
Cheyenne, WY 82003-1828

POSTAGE DUE 45



duplicate

From: [Gateway BLM](#)
 To: [Gateway BLM](#)
 Subject: FW: 17143 FW: Gateway West Transmission Line / BLM Meeting
 Date: Tuesday, August 06, 2013 9:49:14 AM
 Attachments: [doc20130227104319.pdf](#)

----- Forwarded message -----

From: **Secretary** <ricky@qwestoffice.net>
 Date: Wed, Feb 27, 2013 at 10:20 AM
 Subject: Gateway West Transmission Line / BLM Meeting
 To: Chatburn John <john.chatburn@oer.idaho.gov>
 Cc: George Walt <wgeorge@blm.gov>, Iozzi Joe <Joe.iozzi@tetrattech.com>, Bedke Scott <bedke@pmt.org>, Anderson Delane <anderson.delane@gmail.com>, Funk Ron <rjffarms@dcdi.net>, Meadows Vicki <ylmeadows@q.com>, Barrus Al <barslaw@pmt.org>, Christensen Paul <pchristensen@cassiacounty.org>, Crane Dennis <dcrane@cassiacounty.org>, Kunau Bob <nkunau@q.com>, Behrend David <behrenda@d25.k12.id.us>, Behrend Paul <paul.behrend@gmail.com>, Bethke Larry <lmbfarms@hotmail.com>, Bethke Nick <nickbethke@gmail.com>, Burgess Ken <ken@veritasadvisor.com>, Cates Rayma <raymacates@gmail.com>, Christiansen Todd <toddc@christiansenimpl.com>, Driscoll Braden <braden@driscollenterprise.com>, Driscoll Brock <brock.driscoll@driscollbros.com>, Dustin Allen <allendustin31@yahoo.com>, Evans Jake <bevans@dcdi.net>, Gehring Jordan <jordan@gehringag.com>, Gohl Clarence <Gohlfarm@aol.com>, Hansen Eddy <ehansen@kellerassociates.com>, Isaaq Lamar <lamarisaak@hotmail.com>, Jensen Kristen <kristenj@sd381.k12.id.us>, Jensen Reve <revej@wadafarms.com>, Koompin Claren <idahofry59@yahoo.com>, Kopp Richard <moonlight2781@hotmail.com>, Kress Cory <ckress@dcdi.net>, "Kruckeberg J.P." <kruckeberg@digis.net>, Leshon Brett <brettleyshon@gmail.com>, Lish Scott <lish@dcdi.net>, Matthews Kyle <kylewmatthews@gmail.com>, McHargue Dan <lornainemchargue@gmail.com>, Munk Kindra <library@rbulldogs.org>, Pahl Greg <gpahl@afwireless.com>, Permann Ivan <ipermann@gmail.com>, Permann Joan <joan@rgpotato.com>, Petersen Ryan <rpetersen@co.power.id.us>, Povey Wade <wade@poveyfarm.com>, Rudeen Kent <rudeenk@dcwb.net>, Schmidt Stan <sschmidt@dcdi.net>, Schritter Mike <michael8481@frontiernet.net>, Stoker Brent <bstoker6@gmail.com>, Ternus Tom <tternus@gmail.com>, Tilley Shane <tilleyfarms@dcdi.net>, Ward Dallas <dallasw@wadafarms.com>, Wegner John <johnwegner4383@gmail.com>, Beck David <susiekay@hotmail.com>, Beck Judi <bbeck@dcdi.net>, Beck Mike <mtbeck@hughes.net>, Beuker John <beukersj@yahoo.com>, Gibby Von <gibbyvalleyview@safelink.net>, Jones Gary <juanita_jones@partner.nps.gov>, McMurray Kerry <kerrym@cassiacounty.org>, Ottley Tom <tosalott@atcnet.net>, Patterson Lisa <aces@cableone.net>, Pickett Doug <dtpickett@pmt.org>, Searle Kent <ksearle@pmt.org>, Smyer Gaylen <smygalen@cassiaschools.org>, Steadman Lynn <sodguys@gmail.com>, Wells Kay <gkwwells@pmt.org>, Whiteley Robert <whiteley@pmt.org>, Wood Fred <fredwood27h@hotmail.com>, Gehring Gary <gary@gehringag.com>, "Larsen Joseph W." <cassiaclerk@cassiacounty.org>, Murdock Robert <ramfam@ida.net>, Patten Justin <jpatten@idahofb.org>, Steinlicht Bob <rsteinlicht@co.power.id.us>, Turnus Tom <shant@wadafarms.com>, Wahlen Kim <kimwahlenfarms@gmail.com>

Douglas J. Balfour, Chartered
 230 W. Lewis
 P.O. Box 490
 Pocatello, ID 83204-0490
 Phone: 208-233-0680
 Fax: 208-233-0319
 Email: dbal0680@gmail.com

February 27, 2013

John Chatburn john.chatburn@oer.idaho.gov
 Office of Energy Resources Administrator

RE: Gateway West Transmission Line/BLM Meeting

Dear John:

Thank you for the opportunity to meet with you and discuss the need for a detailed and fair analysis of other transmission possibilities. As we discussed in the meeting and is clear from the literature, underground HVDC is certainly a viable technology that would resolve many of the substantial objections to the Gateway West project.

Underground HVDC has numerous advantages over overhead AC high voltage transmission lines. Obviously burying a cable could be done in the right of way following the interstate highway, which would also alleviate costs of compensating land owners for a right of way. That location has been successfully used for the location of buried cable throughout Europe and in the Eastern United States. Thus problems with disturbance of agriculture and public roadless areas, interference with sage grouse, wildfire issues and access would all be resolved. This seems like a very obvious fit for Gateway West as the existing interstate highway system would be a natural site.

Even if following I-15, I-86 and I-84 would not work, the fact that HVDC could be placed underground in other areas would accrue the same benefits. Sage grouse, visual resources and interference with irrigation systems would not be an issue.

The objection from the Proponents of Gateway West had been to the cost of buried AC lines, however those costs were never documented or studied and were just used as a reason to dismiss that possibility. We do not have any personal knowledge that Idaho Power has ever studied the cost of underground lines, let alone HVDC. But as we have learned through our limited research, cost is quickly becoming a non-issue. We previously provided you with information that was 4-5 years old, showing that costs had been greatly reduced on underground HVDC.

We have continued our research. Cigre is the International Council on Large Electrical Systems. <http://www.cigre.org/> They list their title as "The forum for electrical innovation" and their aim is to allow engineers and specialists from all around the world to exchange information and enhance their knowledge related to power systems. Reviewing their website and purchasing some of their papers shows information that is very interesting for the Gateway West Project.

HVDC technology is now, cheaper than overhead AC wiring. The hardware costs for the wires, etc. are less and going down. Further, underground applications have the obvious reliability advantages of not being subject to storms, wildfires and the like.

Underground HVDC is widely used in Europe and is almost the only system used for high voltage transmission lines. 500 kv lines are fully compatible with underground HVDC.

The technology is evolving very rapidly, as a review of the Cigre website shows. Currently the HVDC converters are at a lower megawatt level than proposed for Gateway West, however, that is merely a matter of time, as the demand has only been for 1k megawatt converters and those are the ones being produced. Certainly by the time Gateway West is built, HVDC underground technology will have evolved to the point that it is completely compatible, and that 3K megawatt converters can be built.

We have previously reported that HVDC is preferred for wind generated resources and has much lesser line losses than overhead AC. Stray voltage is not a problem.

Hopefully the BLM and Tetra Tech will be encouraged to make a thorough evaluation of underground HVDC. The technology is evolving rapidly in Europe and is projected to be perfect for Gateway West. With increased converter capacity and improved efficiency, HVDC is "green" and a perfect fit for delivery of renewable energy. With advancements in converter technology, that soon should become true for the entire system.

The Counties believe that failure to thoroughly analyze this technology leaves the Environmental Impact Statement inadequate under NEPA and very vulnerable to challenge.

Very truly yours,

Douglas J. Balfour

DJB/jay
Enclosure
cc: Walt George
Joe Iozzi
Scott Bedke
Power County Commissioners
Cassia County Commissioners
Power County Gateway West Task Force
Cassia County Gateway West Task Force
MSTI Task Force

PLEASE SEE ATTACHED.....

Julie Yeates
Secretary to Douglas J. Balfour
(208) 233-0680
(208) 233-0319 (fax)

This communication, including any attachment, contains information that may be confidential and/or privileged, and is intended solely for the entity or individual to whom it is addressed. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message is strictly prohibited. If you receive this email in error, please contact the sender immediately either by return email or at #(208) 233-0680.

Douglas J. Balfour, Chartered***230 W. Lewis******P.O. Box 490******Pocatello, ID 83204-0490******Phone: 208-233-0680******Fax: 208-233-0319******Email: dbal0680@gmail.com***

February 27, 2013

John Chatburn john.chatburn@oer.idaho.gov
Office of Energy Resources Administrator

RE: Gateway West Transmission Line/BLM Meeting

Dear John:

Thank you for the opportunity to meet with you and discuss the need for a detailed and fair analysis of other transmission possibilities. As we discussed in the meeting and is clear from the literature, underground HVDC is certainly a viable technology that would resolve many of the substantial objections to the Gateway West project.

Underground HVDC has numerous advantages over overhead AC high voltage transmission lines. Obviously burying a cable could be done in the right of way following the interstate highway, which would also alleviate costs of compensating land owners for a right of way. That location has been successfully used for the location of buried cable throughout Europe and in the Eastern United States. Thus problems with disturbance of agriculture and public roadless areas, interference with sage grouse, wildfire issues and access would all be resolved. This seems like a very obvious fit for Gateway West as the existing interstate highway system would be a natural site.

Even if following I-15, I-86 and I-84 would not work, the fact that HVDC could be placed underground in other areas would accrue the same benefits. Sage grouse, visual resources and interference with irrigation systems would not be an issue.

The objection from the Proponents of Gateway West had been to the cost of buried AC lines, however those costs were never documented or studied and were just used as a reason to dismiss that possibility. We do not have any personal knowledge that Idaho Power has ever studied the cost of underground lines, let alone HVDC. But as we have learned through our limited research, cost is quickly becoming a non-issue. We previously provided you with information that was 4-5 years old, showing that costs had been greatly reduced on underground HVDC.

We have continued our research. Cigre is the International Council on Large Electrical Systems. <http://www.cigre.org/> They list their title as "The forum for electrical innovation" and their aim is to allow engineers and specialists from all around the world to exchange information and enhance their knowledge related to power systems. Reviewing their website and purchasing some

John Chatburn
February 27, 2013
Page 2

of their papers shows information that is very interesting for the Gateway West Project.

HVDC technology is now, cheaper than overhead AC wiring. The hardware costs for the wires, etc. are less and going down. Further, underground applications have the obvious reliability advantages of not being subject to storms, wildfires and the like.

Underground HVDC is widely used in Europe and is almost the only system used for high voltage transmission lines. 500 kv lines are fully compatible with underground HVDC.

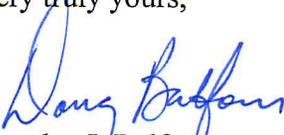
The technology is evolving very rapidly, as a review of the Cigre website shows. Currently the HVDC converters are at a lower megawatt level than proposed for Gateway West, however, that is merely a matter of time, as the demand has only been for 1k megawatt converters and those are the ones being produced. Certainly by the time Gateway West is built, HVDC underground technology will have evolved to the point that it is completely compatible, and that 3K megawatt converters can be built.

We have previously reported that HVDC is preferred for wind generated resources and has much lesser line losses than overhead AC. Stray voltage is not a problem.

Hopefully the BLM and Tetra Tech will be encouraged to make a thorough evaluation of underground HVDC. The technology is evolving rapidly in Europe and is projected to be perfect for Gateway West. With increased converter capacity and improved efficiency, HVDC is "green" and a perfect fit for delivery of renewable energy. With advancements in converter technology, that soon should become true for the entire system.

The Counties believe that failure to thoroughly analyze this technology leaves the Environmental Impact Statement inadequate under NEPA and very vulnerable to challenge.

Very truly yours,



Douglas J. Balfour

DJB/jay
Enclosure
cc: Walt George
Joe Iozzi
Scott Bedke
Power County Commissioners
Cassia County Commissioners
Power County Gateway West Task Force
Cassia County Gateway West Task Force
MSTI Task Force



CITY OF GRAND VIEW
PO BOX 69
425 BOISE AVE
GRAND VIEW, ID 83624
(208) 834-2700 PHONE / FAX OR 834-2480

2013 JUN -3 AM 10: 00

RECEIVED
DOI-BLM
CHEYENNE WYOMING



May 28, 2013

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

RE: Gateway West Transmission Line Public Comments

Dear Sir and/or Madam,

Thank you for this opportunity to comment on the proposed Gateway West Transmission Line Project route. As mayor of the City of Grand View, I am both privileged and compelled to represent the interests and opinions of the citizen of our 455 member town and those property owners who live in our area of impact.

At this time, I endorse Segment 9D, also supported by the Owyhee County Commissioners. This route parallels the existing line and a new road funded with stimulus money. As the project moves forward I would also request a phased decision process to allow for continued citizen input.

It is my and the Grand View community's belief that the Segment 9D option which parallels the existing transmission line route is, and will be, the least invasive to property owners and to the environment. I believe this route and current land use adequately respects wildlife habitat while protecting private property owners.

Sincerely,

Tammy M. Payne
Mayor

Final EIS Comment Form

Gateway West Transmission Line Project

Final EIS comment period: April 26, 2013 - June 28, 2013



2013 JUN 17 AM 10:00

Date: 6-12-13

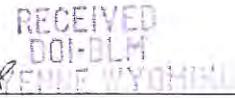
First Name: Opal

Last Name: Ward

Organization or Office Name: Grand View City Council

Mailing Address: P.O. Box 129 City: Grand View State: WY Zip: 83624

Daytime Phone: (308) 834-2314 Email: _____



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.). See privacy note on reverse.

Please submit your comments by **June 28, 2013**. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

Comment:

As a representative of the city of Grand View, I would endorse Segment 9D as the proposed Gateway West Transmission Line Project route - This route parallels the existing 138KV Idaho Power line in the Snake River Birds of Prey area - This is the Boise District office of the BLM preferred Alternative in February, 2012 - This is the proposal accepted by the Owyhee County Commissioners, the citizens of Owyhee County and the citizens of the town of Grand View. All other lines will

To mail this comment form please send to:

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

Comments may also be submitted via email to: Gateway_West_WYMail@blm.gov or online at www.wy.blm.gov/nepa/cfodocs/gateway_west

continued on back



BLM

Name: Opal Ward - G.V. City Council



be a hindrance on farming & ranching operations -
when the BDO BLM identified 9D as their
preferred route Feb. 27, 2012; there was a 100%
consensus from groups all over the state - including
Idaho State Representatives, Gov. Butch Otter,
the 1st Congressional District, Idaho power and others -
Segment 8 proposed route is back onto
private property - Alternative 9E has been
altered at the edge of Oreana and now crosses
private property - Segment 9E would have a
high level of impact on the Sage-Grouse -

Our town depends on the surrounding
farms & ranches - We support the route that
has the least impact on private property and
the environment - This route is Segment 9D!

please use a phased decision process
and allow us to have input on this
process.

Thank you -



CITY OF KUNA

P.O. BOX 13 • KUNA, IDAHO 83634
PHONE (208) 922-5546

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

2012 NOV -6 AM 10:00
RECEIVED
DOI-BLM
CHEYENNE WYOMING
October 16, 2012

Dear Mr. George:

I am writing to further protest the BLM's re-alignment of the Gateway West project from the far northern portion of the Morley Nelson Snake River Birds of Prey National Conservation Area (Route 8) to the southern portion of the City of Kuna (Route 8B). The negotiated, accepted and preferred (Route 8) was chosen after extensive hearings, meetings and considerable expense by all parties involved, and it is extremely unsettling for a non-involved group to summarily override the decision based upon speculation and assumptions. In my last letter I included the reasons Route 8 was chosen and this included compatibility with the 482,000 acre NCA. Because definitive maps had yet to be released I incorrectly identified Route 8 as Route 8C.

In 2009, the City of Kuna was requested to put together an economic impact white paper on alternate Route 8B and this impact paper was, and still is, a pretty close estimate as to the costs such placement would have on Kuna. The assumptions were based upon eliminating all housing, businesses and other uses within 660 feet of the centerline as well as adversely affecting property values by 10% between the 660 ft. and 1,000 ft. Further assumptions were that the route would severely affect the 15-year build out time-frame for the impact area. Even though a 15 year time frame was chosen for build out of the impact area, the slowdown of the economy doesn't lessen the impact; it only pushes the time frame out past the 15 year timetable. The losses would be approximately the same to the taxing districts involved in the 8B alternative location of the transmission line. Inflation and increases or decreases in tax rates were not a part of the analysis.

The following is a breakdown of the white paper analysis:

	Annual /Year	Total
1. Loss of property tax or property tax valuation	\$ 2,327,980.53	\$34,919,707.00
2. Residential Building permits losses	\$ 1,361,268.00	\$20,419,020.00
3. Commercial Building permit losses	\$ 111,100.00	\$1,666,500.00
4. Residential Utility billing losses	\$ 610,488.00	\$9,157,320.00
5. Commercial Utility billing losses	\$ 211,200.00	\$3,168,000.00
6. School Building permit losses	\$ 13,333.00	\$ 199,995.00
7. Church Building permit losses	\$ 13,255.00	\$ 198,825.00
Annual adjusted estimated losses (2009)	\$ 4,648,624.53	\$ 69,729,367.00

If the 2009 figures are approximately correct, then the 2012 figure would be the 2009 figures plus the 3,830 city limits acreage with an assessment of three Equivalent Dwelling Units (EDUs) per acre to fund the new city wastewater treatment plant. 3 EDUs per acre = \$6,581,217.00

The total cost to the city for moving the 500KV Gateway West Transmission Line into the Kuna City Limits and Kuna City impact zone would be approximately **\$76,310,584.00**

It would appear that the National Landscape Conservation System made their determination without much review and any discussions with those that have invested 3 ½ years studying and recommending the preferred Route 8. I am sure there was no consideration given by this group on the impacts to ~~private property or to the effects to the City of Kuna or the City of Melba. We in this area recognized~~ the importance of the electrical grid and the role this transmission line will play in our Nation's future, but we also recognize that summarily moving the line to satisfy a bureaucratic whim makes the BLM's NEPA and EIS responsibilities seem pointless.

We would again invite those in the Washington D.C. area who made the 8B decision to a tour and briefing of our area to acquaint them with the NCA and its overall compatibility with power lines and we would expect, armed with the correct information, the Preferred Route 8 would be re-established.

Sincerely,



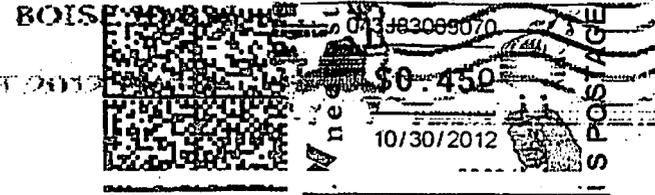
W. Greg Nelson, Mayor
City of Kuna

cc: Governor Butch Otter
John Chatburn, Idaho office of Energy Resources
City of Melba
Craig Moore
Sen. Mike Crapo
Sen. Jim Risch
Idaho Power
Rep. Raul Labrador
Rep. Mike Simpson
Idaho BLM
Mike Pool Bureau of Land Management
David Hays, Dept of Interior

2012 NOV -6 AM 10: 00
RECEIVED
DOI-BLM
CHEYENNE WYOMING

CITY OF KUNA

763 W. Avalon • P.O. Box 13
Kuna, ID 83634



100652

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

82003\$7018 B047





2012 SEP 18 AM 10:00

CITY OF KUNA

P.O. BOX 13 • KUNA, IDAHO 83634
PHONE (208) 922-5546

RECEIVED
DOI-BLM
CHEYENNE WYOMING

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

Dear Mr. George;

I am writing to protest BLM's re-alignment of the Gateway West Project through the City of Kuna (Alternative 8B) rather than the Idaho negotiated and accepted preferred route (8C) through the northern portion of the Morley Nelson Birds of Prey National Conservation Area (NCA). Since BLM at this point has not provided specific detailed maps of the area, we believe we are correct in our judgment that the 8B alternative route will include private lands within the city limits of Kuna. Such a large electrical line passing through neighborhoods within our city will definitely adversely impact our community.

We were informed that the National Landscape Conservation System is the agency that insisted the route be altered based upon a misguided belief that a power line in the NCA would somehow be deleterious to raptors or perhaps would take away from the visitors NCA experience. This belief of raptor problems is certainly not supported by science or BLM's own biologists, and any review of the interaction of raptors and power lines within the NCA would find that the birds are using the power lines and poles to their advantage in both nesting and hunting. Morley Nelson's research in the NCA and his guidance regarding power lines ended problems between raptors and electric lines. Certainly his research and attention to details involving this national treasure is what triggered the naming of the NCA in his honor. I am not familiar with any expertise on the subject being resident in the National Landscape Conservation group so perhaps they could acquaint themselves with the issue.

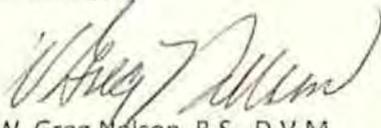
In addition, the withdrawal of lands into the NCA had as its only mission to promote "conservation, protection and enhancement of raptor populations and habitat". Language also stated that the management of the NCA should allow for diverse appropriate uses of land in the area to the extent consistent with maintenance and enhancement of raptor populations and habitat. I do not recall the area being set aside for the benefit of human visitors, although the Gateway West line crossing the far northern portion of the NCA would barely be noticed by visitors as they traverse 15 miles south on Swan Falls Road to visit Dedication Point and the nesting areas in the cliffs overlooking the Snake River Canyon or other parts of the 482,000 acre NCA.

I find it ludicrous that after countless hearings, negotiations, expenditures, travel and time invested in determining the preferred 8C route, the National Landscape group should summarily shove aside the settlement as if they have a better grasp of the science and aesthetics involved than those hundreds of participants that hammered out the best route for the Gateway West Transmission line.

As the gateway city to the Morley Nelson Birds of Prey National Conservation Area, Kuna is host to many visitors on their way to the NCA. We encourage birding and photography, for there are no better places in the United States to actually observe raptors and experience the beauty, loneliness and fulfillment of a high desert plateau with soaring eagles, hawks, falcons and other birds of prey. Should a visitor encounter an eagle sitting on a power pole, rather than shrink in horror at the site, I would guess cameras would quickly record the event and the thrill of that photograph would become an integral part of that families experience on their wonderful visit to Idaho.

In closing, we would ask that BLM reconsider its decision to back the Landscape Conservation group's use of Alternate 8B for the alignment of the Gateway West Transmission Line and return to the negotiated and agreed upon alignment that passes through the far north portion of the Morley Nelson Birds of Prey National Conservation Area, (8C.)

Sincerely,



W. Greg Nelson, B.S., D.V.M.
Mayor
City of Kuna

Cc: Governor Butch Otter
John Chatburn
City of Melba
Idaho Power
National Landscape Conservation System
Idaho Congressional delegation
Craig Moore



City of Kuna
763 W. Avalon • P.O. Box 13
Kuna, Idaho 83634

BOISE ID 83724

14 SEP 2012 PM 11:11



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



CITY OF KUNA
P.O. BOX 13 • KUNA, IDAHO 83634
PHONE (208) 922-5546

2013 MAY 21 AM 10: 00

RECEIVED
001-811
CHEYENNE WYOMING

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

Dear Mr. George:

The City of Kuna appreciates the opportunity to review and comment on the Final Environmental Impact Statement (FEIS) of the Gateway West Transmission Line Project (transmission line). For the record, the City strongly objects to the current FEIS proposed alignment of the transmission line through the city limits. As an alternative, the City requests that the transmission line be aligned consistent with the collaborative efforts of the power companies, various agencies and the public. This transmission line would run near the original preferred alignment 8 route and then drop south to cross the Snake River at Sinker Butte (8E) and then up to Hemingway. It is significant to note that most of this route follows existing transmission lines and access roads to the Snake River, and the Snake River Birds of Prey National Conservation Area (SRBOP or NCA) can be enhanced with a collaborative effort on the part of various governmental entities and the Proponents.

Unilaterally (and at the 11th hour), the National Landscape Conservation System, which has management oversight of the Snake River Birds of Prey NCA, in an apparent abandonment of transparency, disregarded the collaborative process that recommended a route that avoids the Cities of Kuna and Melba, and recommended 8B as the BLM's preferred route. This recommendation was made arbitrarily and without an actual assessment as to the financial impacts to the Cities of Kuna and Melba or to the rights of the private property owners. Rather, in justifying its decision, the NCA staff states that an additional 500-kV

1/9



transmission line in the SRBOP would not meet the intent of the law. Upon inquiry at the open house held on May 7, 2013 in the City of Kuna, the City was informed that the staffs' analysis to support its conclusion is not available in writing. This immediately raises several questions- shouldn't staffs' analysis be vetted publically and in writing where all concerned entities and the public are allowed to comment and address any claimed deficiencies? Was BLM's decision to place the transmission lines into the City of Kuna, on private property, an arbitrary decision and contrary to the evidence provided, in conflict with section 368 of the Energy Act of 2005, and in conflict of the enabling legislation and an abandonment of the collaborative process?

The City of Kuna is now the 14th largest city in Idaho, and it is the most affected municipal area along the entire proposed 1,149-mile route. As provided during the Draft Environmental Impact Statement (DEIS) comment period, in 2009, the City of Kuna and other entities, commissioned a report performed by Environmental Conservation Services, Inc. to assess the impacts of the Gateway West project. In addition, the City of Kuna staff provided a very detailed analysis of the financial damages that the City will incur if the transmission line is constructed within the City.

Upon review of the FEIS, it is very disconcerting to the City that many of the concerns related to the extent of the financial damages associated with the social and economic impacts that the proposed corridor will cause to the City are not adequately addressed. Instead, the FEIS spends approximately two (2) pages (pages 3.4-82,83) discussing the annexed lands called Osprey Ridge with its projected development, and concludes that "however, other outcomes also seem possible at this time, given the current downturn in real estate markets". The City of Kuna would point out that it has experienced growth in the late 1990's and early 2000s of 183%; the City projects that its growth will pick up following the recession. In 2013, Kuna's projection for growth is more accurate than the other outcomes envisioned by the FEIS doomsday projection. For example, in 2013, there are currently nine (9) developments in the works, last year there were two (2) active developments. In addition, businesses are being constructed, industry is expanding and Kuna is growing. We feel this factor must be considered in the FEIS. In addition, the FEIS fails to rebut the City of Kuna's projected loss of tax revenue with any hard data to the contrary. Factually, the 660 feet from centerline of the transmission line right-of-way (ROW) is controlled by City

RECEIVED
106825
2013 MAY 21 AM 10:00

2/9



Ordinance. Building is prohibited in this ROW. The City guaranteed Osprey Ridge three (3) dwelling units per acre. The possible net loss of land if the transmission lines run through Osprey Ridge is up to 647 acres. This equates to approximately 1,000 homes, and is approximately twenty (20) percent of the Osprey Ridge development, and yet these important facts are ignored by the FEIS.

The Osprey Ridge development was responsible for the city expanding the City of Kuna wastewater treatment facility by 30% to accommodate the projected population increase from Osprey Ridge. The City has already incurred the costs for this expansion, which exceeds a million dollars for construction and annual expenses for maintenance. If Osprey Ridge is not fully developed, the citizens of Kuna ultimately bear the burden for this expenditure.

Further, the FEIS seems to indicate that the City's concerns with having 150 to 180 foot towers and electric lines running for six (6) miles inside the city limits and for three (3) miles within the city's impact zone is of no consequence, and our estimates that no one would want to live under a 500 kV line is incorrect. Sorry, but having a transmission line with 150 to 180 ft. towers and electric cables that buzz on occasion, or maybe more than on occasion, would definitely impact the area from being fully developed, and based upon Idaho Power's presentation, no structures, including residences and other farm structures, could be erected under the transmission lines. The weak admonition in this FEIS that others elsewhere live under 500kV transmission lines is small consolation for those that are pushed under such a scenario.

It is obvious to the City of Kuna that many sections in the FEIS should have provided an in depth evaluation as to the impacts on the city, but the FEIS simply dismissed the impacts with summary conclusions, unsupported by facts. Perhaps it is because the decision to change came at the 11th hour, and there was no time to go back and analyze the impacts to the City of Kuna.

The City of Kuna is also concerned that the FEIS includes the Idaho Army National Guard (IDANG) as a supporter of the 8B Alternative. Frankly, when the National Landscape Conservation Service dropped Proposed Route 8 in favor of Alternative 8B, again, it appears that there was not time to readdress the change with anyone including the IDANG. The thrust of the IDANG was to protect the military range where maneuvering and weapons testing would have to be curtailed. Since route

RECEIVED
DOH-BLW
MAY 13 2013
2013 MAY 21 AM 10:00



8 had already moved the line out of the IDANG training range, they supported route 8. When the preferred route in the FEIS (8B) it appears that the IDANG was automatically in support of change, when in fact it appears that it also would support route 8.

The City of Kuna also believes that the Gateway West Transmission line may not actually be needed. It appears that Idaho Power is in an entirely different posture than they were in 2008-09 when the project was proposed. For example, credits allowing farmers to reduce peaking power by irrigating at night were cancelled recently because Idaho Power does not need the power protection after bringing online Natural Gas plants and some green energy. On page 1-1 of the EIS it appears that the operating limitations have been solved, increased capacity has occurred and reliability has already been achieved. Granted an update of the Grid might be necessary, but the purpose and need section of the FEIS doesn't seem to reflect the Grid. The City would hate to think that it is being traumatized only to appease PacifiCorp, which has little or nothing to do with this City.

In addition to the general comments, above, the City of Kuna specifically notes the following:

On page 1-35 if approved in the current preferred location (8A), the Gateway West opens a new Energy Corridor that would go through the City of Kuna. The City of Kuna opposed any decision that would create more corridors going through the City.

On page 2-47 the City of Kuna is concerned that the FEIS "enhancement" requirement in the legislation is being used to justify the end result- denial of route 8 without proper vetting or consideration. The Act contains wording that protects uses, allows private land ownership and creates a rather fragmented SRBOP in its northern sector. There is plenty of room for Gateway West to cross this fragmented northern part of the SRBOP and its presence would not fragment raptor prey base habitat, rather the towers and lines would become nesting and hunting enhancements for the raptor population. See, 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. As the Gateway City to the Birds of Prey, the City of Kuna would not want to sacrifice raptors, but putting the transmission line in our city limits would seem to sacrifice

RECEIVED
DO-100
2013 MAY 21 AM 10:00

4/9



our citizens over birds. Both can be helped by moving the transmission line south within the fragmented parcels of land or in existing corridors. The City points out that the BLM's Natural Landscape Conservation group overruled the involved BLM, local citizenry, cities, counties and states and two (2) plus years of negotiations to pick 8B as the preferred route. The FEIS should reflect the actual process used to determine how the preferred route was selected.

On page 2-197 in describing the 8B alternative, it states the location within the Kuna city boundary MAY affect future development patterns, should be changed to WILL affect future development patterns. Apart from the loss of up to 647 acres of developable land, who would want to live near or under a massive 500kV line?

On page 3.2.12 the first paragraph outlines the route for 8B as crossing the Western Heritage Historic Byway Corridor south of the city of Kuna directly east of Kuna Butte. The line does not cross south of the city of Kuna, it crosses inside of the city limits for six (6) miles within the city and three (3) miles within the impact zone. This paragraph needs to be re-worded to be correct.

On page 3.2-57 again the statement that 8B and 8C were dropped from the proposed route is not correct, but this statement seems to preclude the analysis of Visual Resources for 8B that is now the preferred route. In changing the route, the BLM did not properly consider the view of the Owyhee Mountains to the residents of Kuna. Again, this would indicate BLM didn't have time to re-analyze 8B after the National Conservation Landscape group overruled everyone and chose 8B as the preferred route.

On page 3.2-156 in discussing KOP 329 (3 miles from transmission line) on one of Kuna's athletic fields it was determined impacts on viewers would be low to moderate. Why wasn't a site picked closer to the transmission line within the city and analyzed. The closer you get the higher the level of project visibility and the less desirable the transmission line becomes.

On page 3.3-64 regarding Cultural Resources, the description of the Silver Trail is woefully inadequate. The BLM prefers to call the wagon and stage route the Boise City – Silver City Road. The Silver trail was an important link between Idaho City, Boise and Silver City, and a vital part of the history of Kuna. In 1864 the

RECEIVED
DOI-BLM
CHEYENNE WYOMING
2013 MAY 21 AM 10:00

5/9



Fifteen Mile House/Station was built in Kuna and established the start of the city of Kuna. A pioneer cemetery dating to that time is a recognized landmark within the city. The Silver Trail, in its established and recognized route to Melba and Walters Ferry, will be crossed by the Gateway West Transmission line within the city limits of Kuna. Why is this left out of the EIS? As we celebrate Kuna's 150th Anniversary in 2014 we will be dedicating the location of the Silver Trail Crossing, the location of the 15 mile House/Station and celebrate its vital part of our Cultural Resource and history. The BLM needs to re-address this important cultural resource and re-write this section.

On page 3.3-253 the FEIS indicates again that the preferred route is inconsistent with the Kuna Management Framework Plan (MFP). The City of Kuna does not support an amendment to the MFP that would allow additional transmission line corridors to be constructed.

On page 3.4-7 table 3.4-5 gives Kuna's population as 15,548, it is now 15,930 and this figure should be noted.

On page 3.4-83 the Idaho legislature provided for a small exemption for operating property tax from the tax rolls, and more importantly, the report indicates that it seems to be the City's responsibility in calculating the tax revenue generated by the transmission lines- at no time has the City been provided with the value of this operating property to make this calculation. Again, instead of providing hard data, the FEIS skirts the issue by summarily shifting its responsibility to perform the studies to the City.

On page 3.6-44 Discussion on Section 8 still includes the statement that 8B and 8C were dropped from the proposed route, so the impact on vegetative communities was not included in the discussion.

On page 3.10-85 the statement that 8B and 8C were dropped from proposed route to avoid planned developments in Kuna and Mayfield is again not true after the National Landscape Conservation group chose 8B as the preferred route. This leaves Wildlife and Fish analysis incomplete at best.

In section 3.11 discussions on Sage Grouse impacts, this year the Idaho Statesman published an article indicating the Sage Grouse react negatively to structures like

RECEIVED
DOI-BLM
MAY 21 2013
2013 MAY 21 AM 10:00

6/9



towers. It is not so much the Sage Grouse dislike of activity and construction, but the towers are not preferred causing leks to finally decrease until there are no nesting sites close to a man made elevated structure. This would indicate the transmission towers themselves would have a dramatic effect on Sage Grouse populations in areas where towers would be built in Sage Grouse Habitat. In 2009 when the research for this EIS was completed, the effect of towers was not fully researched. Now, in 2013, the science seems much more definitive on negative effects of structures on Sage Grouse habitat. The information included in this EIS must be accurate and up to date.

On page 3.17-105 regarding the amendment of the MFP, the construction of the Gateway West Transmission line in the proposed location outside of existing corridors would automatically open this area for new lines to be routed in the future. The City of Kuna objects to any amendment to the MFP which allows for the creation of additional transmission line corridors.

On page 3.17-106 Kuna believes that more than 74 residences would be impacted by the transmission line going through the city limits and private properties in the impact zone. The City recently sent out 132 notices to people living within the shadow of the transmission line to attend the hearing and the City believes that is a more accurate figure in 2013 than the 74 in 2009.

On page 3.17-109, the city is again proposing to change the city's comprehensive plan and the result will be that the Gateway West Transmission line will go through the middle of Kuna's proposed heavy industrial zone. The FEIS attempts to cast doubt on Osprey Ridge being built, but the Gateway West project will soon have to deal with our new industrial zone which we have had at least one general meeting to gauge public interest in the site which is contiguous to the city limits and well liked by participants in the meeting. We expect to change the comprehensive plan this summer.

In Section 3.21 the City doubts the validity of the studies referenced, the FEIS provides one (1) or two (2) studies to support its position where noise, electromagnetic interference, vibrations, nuisance shocks, and livestock reactions are minimized to the point they hardly exist. The buzz from 500 kV lines can be heard in Kuna from an existing line, shocks routinely occur from certain fences close to that line and dairy impacts occur throughout the nation. For this EIS to

RECEIVED
DOI-BLM
2013 MAY 21 AM 10:00

7/9



simply gloss over impacts or imply they do not exist casts doubt on the validity of the FEIS to this city. Why not provide a complete analysis or commission its own studies versus cherry picking studies to support its position.

The City agrees with the comments on page 4-54 in the Cumulative Effects section when it states "The cumulative visual impact of Alternative 8B when considered together with likely continued development in that area would be substantial. We believe other impacts within the city will also be substantial, but many of the Sections have been generalized to the point they do not address impacts in the city or on the city citizens. Nor are the effects on private land in 8B analyzed sufficiently to draw conclusions on effects in the 8B corridor. If 8B cannot be moved we suggest the BLM re-do the 8B segment to include full impacts on city lands and private lands.

In conclusion, the City of Kuna believes that a route that moves the line south, out of the city is necessary; the City's analysis certainly demonstrates that the transmission line does not belong in a rapidly growing city. The City of Kuna would like the BLM to consider reinstating the proposed route 8 and instead of it crossing the Halvorson Bar in the Snake River Canyon, take the line down the 257kV line to the Sinker Butte crossing of the Snake River (9D) and bring it back up the south side of the river to the Hemingway Station. This would end the dispute with both Kuna and Melba. After the line is built paralleling the 500 kV line and upgrading the 257 kV line the construction roads could be eliminated and existing roads utilized for maintenance. The key word on BLM's mind is the term enhancements. What enhancements would the Gateway West proponents offer for putting the transmission line into the SRBOP Natural Resource Area. The City of Kuna would partner with Melba and other entities, where volunteer labor could be used to plant sagebrush, educate the cities 5,000 plus students and support improvements of habitat within the SRBOP. It may even be necessary to breed jackrabbits to enhance the population and perhaps plant grasses that are native to the area. The City of Kuna has not been asked to help with enhancements, however the City's pride and willingness of our people and students to help with habitat improvements could be accomplished, thus satisfying the goals of the NCA. For example, the City of Kuna is currently working with the BLM and Kuna's 5th grades on researching and planting native plants on the extension of the City's greenbelt along Indian Creek to duplicate the look of the area in 1864 when the Silver Trail crossed this portion of Kuna. It would not

RECEIVED
DOI-BLM
MAY 13 2013

2013 MAY 21 AM 10:00

8/9



be hard to continue this effort in planting sagebrush, grasses, common native flowers and bushes and repairing some of the massive fire losses that have occurred in the SRBOP. With decreasing budgets it seems volunteer labor and Gateway West funding, a lot could be accomplished resulting in enhancements to the SRBOP and a legacy of pride and involvement by the Gateway City to the Birds of Prey.

Thank you for allowing us to comment on this Gateway West Transmission Line EIS.

Sincerely,

A handwritten signature in cursive script that reads "W. Greg Nelson".

W. Greg Nelson, Mayor
City of Kuna

2013 MAY 21 AM 10:00
RECEIVED
DOI-BLM
CHEYENNE DISTRICT



2012 DEC 18 AM 10:00

City of Melba

Melba City Hall

401 Carrie Rex Ave P.O. Box 209 Melba, ID 83641

Phone: 208-495-2722 Fax: 208-495-0952 e-mail: cityofmelba@aol.com

RECEIVED
DOI-BLM
CHEYENNE WYOMING

December 4, 2012

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

RE: Idaho Power Gateway West Transmission Line Project

Dear Mr. George:

The City of Melba would like to express our deep concerns about the recently published preference of the Bureau of Land Management to build the Gateway West Transmission Line through the northern boundary of the Melba Area of City Impact. It would be difficult to overstate the negative impact this preference would have on the current and future growth and development of our City, shown as Route 8B on the maps. It is likewise very disappointing to see the blatant disregard for the hundreds of hours and much effort spent in formulating the alternative proposal submitted by Idaho Power and supported by our local citizens and officials.

As proposed, the 500K volt line would traverse the south side of Melba Road, which is located just one quarter mile from the current City limits. Because of the geographical layout of the city, the natural growth area for the town will predominately be to the north and west, directly in the path of the proposed transmission line.

Not only would this greatly limit the town's future growth, but it will almost certainly have a negative impact on the property values of land and home owners in the area without compensation for any such loss. The aesthetics and quality of life that draw people to live in the Melba community will be lost.

After countless meetings, discussions and studies over the past several years, Idaho Power proposed a corridor for the new transmission line that would parallel an existing 500K transmission line across the northern area of the Morely Nelson Birds of Prey National Conservation Area. Given the nature of the project, this would be an appropriate use of public lands, and as shown in various studies would not unfavorably impact the mission of the conservation area.

The most insensitive part of BLM's decision is that it seems to ignore the concerns and impact on the people that live along their preferred corridor.

The City of Melba will continue to stand against this intrusion of the people of the Melba community and work with the City of Kuna, Ada County, Canyon County, the State of Idaho as well as our Federal Representatives in Congress, to return the Gateway West Transmission Line to the previously negotiated route through the northern portion of the Morely Nelson Birds of Prey Nation Conservation Area.

Thank you for your immediate attention and consideration of this matter.

Sincerely,



Doug Sturges, Mayor
City of Melba

cc Mike Pool, Acting Director of Bureau of Land Management
Carl Roundtree, Director, Office of National Landscape Conservation System &
Community Programs
Senator Mike Crapo
Senator James Risch
Congressman Raul Labrador
Congressman Mike Simpson
Keith Georgeson, Project Leader, Idaho Power
Kristi Pardue, Idaho Power
John Chatburn, Administrator, Idaho Energy Resources Dept.
Governor Butch Otter
Aden Seidlitz, Boise District Manager, BLM Idaho
Steve Ellis, Director BLM Idaho
Greg Nelson, Mayor - City of Kuna
Ken Salazar, Sec. US Dept. of Interior

Final EIS Comment Form

Gateway West Transmission Line Project

Final EIS comment period: April 26, 2013 - June 28, 2013



BLM

2013 MAY 31 AM 10:

Date: 5-27-13

First Name: Roger M. Morley Last Name: Morley



Organization or Office Name: Jerome County Commissioner

Mailing Address: 300 N. Lincoln City: Jerome State: ID Zip: 83338

Daytime Phone: 208-324-5900 Email: _____
208-320-6990

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.). See privacy note on reverse.

Please submit your comments by **June 28, 2013**. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

Comment:

The dumping of the electrical power occurs in Jerome County. That is where the power goes before it is split off and goes south to Los Angeles. What kind of security is Jerome allotted in protecting the Jerome Sub Station. This station would be a perfect terror operation to strike at L.A. and not even be close to the epicenter. Just a thought



To mail this comment form please send to:

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

Comments may also be submitted via email to: Gateway_West_WYMail@blm.gov or online at www.wy.blm.gov/nepa/cfodocs/gateway_west

continued on back

111

Final EIS Comment Form

Gateway West Transmission Line Project

Final EIS comment period: April 26, 2013 - June 28, 2013



2013 JUN 17 AM 10:00
RECEIVED
DO-BLM
CHEYENNE WY 82003

BLM

Date: 6/10/13

First Name: N/A

Last Name: N/A

Organization or Office Name: Lincoln Conservation District

Mailing Address: P.O. Box 98 City: Cokeville State: WY Zip: 83114

Daytime Phone: (307) 279-3256 Email: brenda.lazcanotegui@wy.nacdnet.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.). See privacy note on reverse.

Please submit your comments by **June 28, 2013**. Information submitted on this form is being voluntarily provided solely for the purpose of commenting on the Gateway West Transmission Line Project.

Comment:

The Lincoln Conservation District (LCD) board members reviewed the Final Environmental Impact Statement for the Gateway West 230/500 k V Transmission Line Project in Idaho and Wyoming and the final Land Use Plan Amendments at their monthly board meeting on May 28, 2013. Board members were mainly concerned about the proposed transmission line through the Town of Cokeville, Wyoming, vicinity. The proposed BLM Preferred Alternate, Segment 4, the red on the attached map, which goes just north of the existing transmission line, appears to be the best option, especially if the transmission line can be buried south of the Town of Cokeville. It is important that the proposed transmission line be buried for several miles so Cokeville residents will not have any more health or view shed concerns than what they experience now.

This has been brought up at several public meetings with no avail or

To mail this comment form please send to:

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

Comments may also be submitted via email to: Gateway_West_WYMail@blm.gov or online at www.wy.blm.gov/nepa/cfodocs/gateway_west

continued on back



Name: Lincoln Conservation District

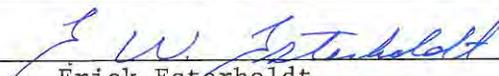


concern by project planners.

The LCD has also been contacted by the Town of Cokeville mayor and the Office of Planning and Development Lincoln County, Wyoming, about a proposed re-route of the transmission line, shown in black on the attached map, tying into Alternative 4 C transmission line. This would seem like a viable option which would eliminate the Town of Cokeville concerns totally. The board members would support this proposed re-route as a secondary option if the proposed segment 4 line could not be buried through the Town of Cokeville.

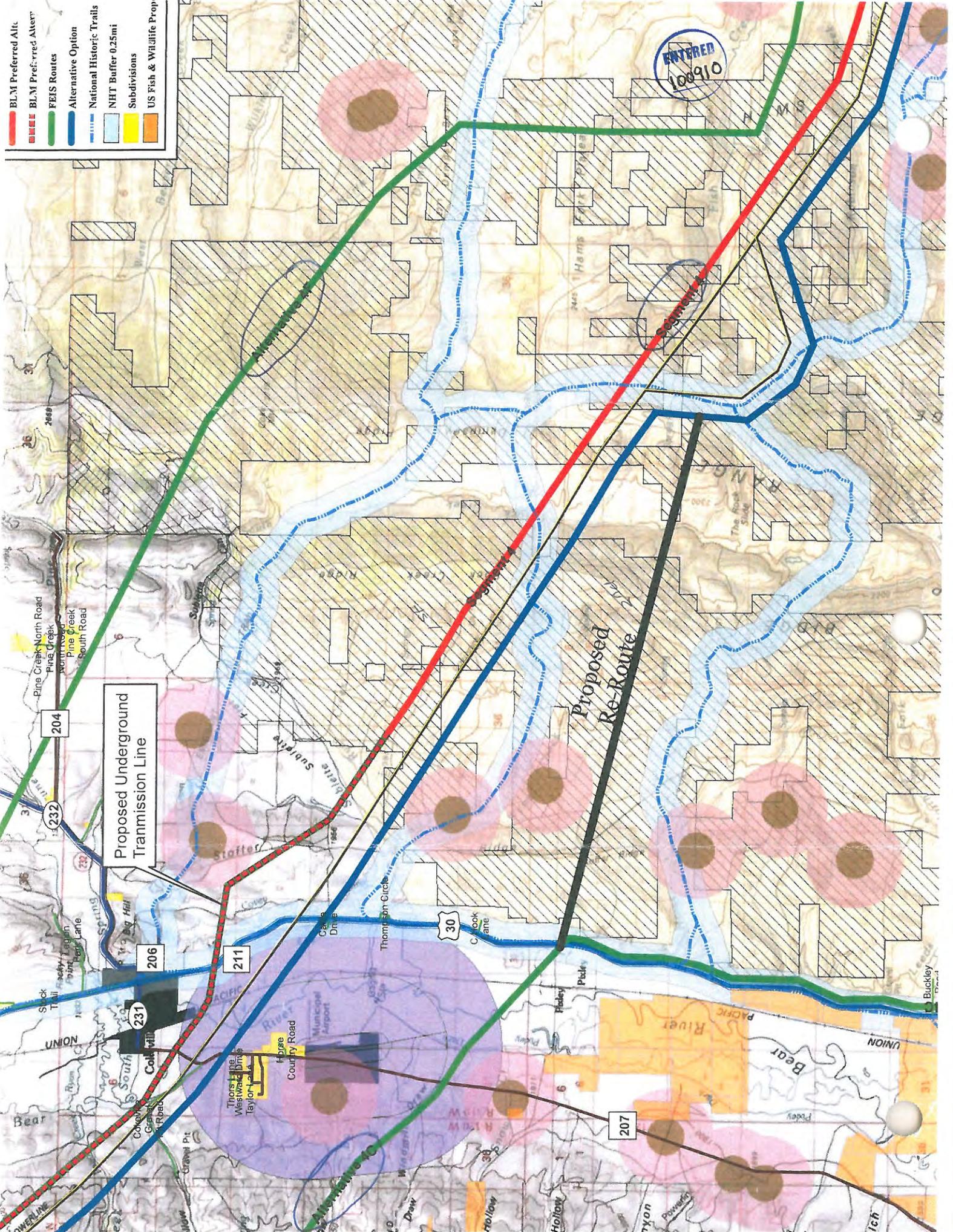
The LCD is definitely against alternative 4 F on the attached map which causes extreme concerns for agriculture operations in the Pine Creek area. The blue line alternative option, south of the existing power transmission line on the attached map causes big concerns for the proposed Sublette Creek Irrigation Water Storage Reservoir by the Wyoming Water Development Commission and local residents. The LCD supports the need for supplemental irrigation water for district cooperators, thus this alignment would not be feasible.

We thank you for the opportunity to comment. Please contact the LCD office (307) 279-3256 if you have any questions.


Erick Esterholdt
LCD Board Chairman

Privacy Note: Comments, including names and addresses of respondents, will be made available to the public after the close of the official comment period. Please be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. Although you may ask the BLM in your comment to withhold your personal identifying information from the public, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

- BLM Preferred Alt.
- BLM Preferred Alter.
- FEIS Routes
- Alternative Option
- National Historic Trails
- NHT Buffer 0.25mi
- Subdivisions
- US Fish & Wildlife Prop.



Proposed Underground Transmission Line

Proposed Re-Route

ENTERED
100910

From: jmclain@blm.gov on behalf of [Gateway West Trans Line, BLM WY](#)
To: blm@gwcomment.com
Subject: Fwd: CLG Gateway West FEIS Comments
Date: Monday, July 01, 2013 10:17:49 AM
Attachments: [CLG Protest 052813.pdf](#)
[CLG Gateway West FEIS Comments 062913.pdf](#)

----- Forwarded message -----

From: **George, Walter** <wgeorge@blm.gov>
Date: Fri, Jun 28, 2013 at 4:20 PM
Subject: Fwd: CLG Gateway West FEIS Comments
To: BLM_WY Gateway_West_Trans_Line
<blm_wy_gateway_west_trans_line@blm.gov>

Received at Project Manager's inbox.

----- Forwarded message -----

From: **Clerk** <clerk@cebrooms.com>
Date: Fri, Jun 28, 2013 at 4:08 PM
Subject: CLG Gateway West FEIS Comments
To: "wgeorge@blm.gov" <wgeorge@blm.gov>

Dear Mr. George,

Attached please find comments on the Gateway West FEIS submitted on behalf of the Wyoming Coalition of Local Governments. Thank you for accepting the comments via email as an alternative to the electronic submission. Please let me know if you have any problems with the attached documents.

Thank you,

Amelia Pergl

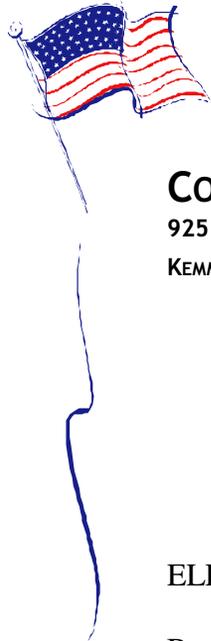
Legal Assistant

C.E. Brooks & Associates, P.C.

303 E. 17th Avenue, Suite 650

Denver, CO 80203

t 303-297-9100



COALITION OF LOCAL GOVERNMENTS

925 SAGE AVENUE, SUITE 302

KEMMERER, WY 83101

COUNTY COMMISSIONS AND CONSERVATION DISTRICTS FOR LINCOLN,
SWEETWATER, UINTA, AND SUBLETTE - WYOMING

June 28, 2013

ELECTRONIC SUBMISSION: http://www.wy.blm.gov/nepa/cfodocs/gateway_west/index.html

Bureau of Land Management
Gateway West Project
P.O. Box 20897
Cheyenne, WY 82003

Re: Comments of the Coalition of Local Governments (CLG) on the Gateway West
Final Environmental Impact Statement

Dear Sir or Madam:

The Wyoming Coalition of Local Governments (the Coalition) submits these comments on the Gateway West Transmission Line Project Final Environmental Impact Statement (FEIS). The Coalition appreciates the opportunity to comment. The Coalition members have been cooperating agencies since 2009 and submitted various comments throughout the National Environmental Policy Act (NEPA) process to write the FEIS.

These comments incorporate and adopt the comments filed by Lincoln County, Wyoming. The comments also incorporate the issues raised in the protest filed on May 28, 2013.

While BLM responded to many of the earlier comments regarding proposed routes, there remains a single but very important issue. The FEIS proposes in the preferred alternative to route the transmission line through the residential areas of Cokeville, Wyoming. [Proposed Route 4]. The Coalition filed a protest on May 28, 2013 on several grounds including the fact that BLM failed to mitigate the adverse impacts of this route and it was inconsistent with local government land use plans.

NEPA requires that BLM consider mitigation measures to reduce the direct, indirect and cumulative impacts of the proposed action. 42 U.S.C. §4332(C)(ii); 40 C.F.R. 1502.14. The FEIS fails to consider methods to mitigate the impacts to private land uses or conflicts with local government plans. CLG asked BLM to consider burying the route segment of about eight miles. This mitigation was not even discussed even though it is the only way short of revising the route to mitigate these significant conflicts. See Protest of CLG at 10-11.

Bureau of Land Management
Gateway West Project
June 28, 2013
Page 2

In addition, the FEIS fails to address the Lincoln County proposal to bury this short segment. FEIS, App. L-2. The CLG and Lincoln County comments submitted in November 2012 recommended burying the segment near the homes or revising the route. The FEIS record is bereft of the comment, request for mitigation or BLM's response. NEPA also requires BLM respond to such comments, 40 C.F.R. §§1502.9(b), 1503.1, and the failure to do so is inconsistent with NEPA and FLPMA obligations to coordinate and resolve land use conflicts.

CLG sincerely hopes that BLM will write the Record of Decision to provide that the transmission line for Alternative 4 will be buried for the eight mile segment near Cokeville, Wyoming. If the project proponent objects to burying even this short portion of the line, then the route must be modified to avoid being within sight and sound of the residential areas.

Sincerely,

/s/ Kent Connelly
Kent Connelly, Chairman
Coalition of Local Governments

Enclosures

cc: Wyoming Congressional Delegation
Wyoming Governor's Office
Wyoming Department of Agriculture

**PROTEST OF THE PROPOSED LAND USE PLAN AMENDMENTS REGARDING
THE GATEWAY WEST TRANSMISSION LINE PROJECT**

BY

COALITION OF LOCAL GOVERNMENTS

May 28, 2013

TABLE OF CONTENTS

	<u>Page</u>
I. Protestants, 43 C.F.R. §1610.5-2(a)(2)(I).	1
II. Statement of Interests, 43 C.F.R. §1610.5-2(a)(2)(I).	2
A. Lincoln County and Sweetwater County, Wyoming.	2
B. Lincoln Conservation District and Sweetwater County Conservation District.	3
III. Statement of Issues and Parts of the Proposed Land Use Plan Amendments as stated in Appendix F of the FEIS for the Gateway West Transmission Line Project Protested, 43 C.F.R. §1610.5-2(a)(2)(ii)-(iii).	4
IV. Previous Comments, 43 C.F.R. §1610.5-2(a)(2)(iv).	5
V. Statement of Reasons, 43 C.F.R. §1610.5-2(a)(2)(v).	6
A. Standard of Review for Agency Decision-Making.	6
B. Relevant Provisions of Preferred Alternative.	6
C. The Land Use Plan Revisions Contradict FLPMA by Violating Local Land Use Plans.	7
D. BLM Failed to Follow NEPA Procedures.	10
1. Mitigation Measures Excluded.	10
2. Failure to Consider Local Government Alternative.	11
F. Historic Trail Criteria Are Not Valid Grounds to Deviate Transmission Line Onto Private Residential Areas near Cokeville, Wyoming.	13
1. Decision #6054.	14
2. Decision #5010.	15
VI. Conclusion and Remedy Requested.	18

May 28, 2013

VIA EMAIL - ORIGINAL VIA OVERNIGHT

BLM Director (210)
 Attn: Brenda Hudgens-Williams
 Brenda_Hudgens-Williams@BLM.gov
 20 M Street SE, Room 2134LM
 Washington, D.C. 20003

Dear Ms. Williams,

Pursuant to 43 C.F.R. §1610.5-2, through its undersigned counsel, the Coalition of Local Governments (CLG or the Coalition), on behalf of its member counties and conservation districts for Lincoln and Sweetwater Counties, Wyoming, file this protest of the Bureau of Land Management's (BLM) Proposed Land Use Plan Amendments as stated in Appendix F of the Final Environmental Impact Statement (FEIS) for the Gateway West Transmission Line Project.

The 30-day protest period expired on May 27, 2013, a legal holiday. This protest is filed the next business day and is therefore timely. 43 C.F.R. §4.22(e).

I. Protestants, 43 C.F.R. §1610.5-2(a)(2)(I)

Coalition of Local Governments
 Attn: Kent Connelly, Chairman
 926 Sage Avenue, Ste. 302
 Kemmerer, WY 83101
 (307) 877-9056

Board of Commissioners, Lincoln County,
 WY
 Attn: Kent Connelly, Chairman
 926 Sage Avenue, Ste. 302
 Kemmerer, WY 83101
 (307) 877-9056

Board of Commissioners, Sweetwater
 County, WY
 80 West Flaming Gorge Way
 Kemmerer, WY 83101
 Green River, WY 82935
 (307) 872-3732

Sweetwater County Conservation District
 79 Winston Drive, Suite 110
 Rock Springs, WY 82901
 (307) 362-3062 ext.4

Lincoln Conservation District
 110 Pine St.
 P.O. Box 98
 Cokeville, WY 83144
 (307) 279-3256

II. Statement of Interests, 43 C.F.R. §1610.5-2(a)(2)(I)

The Coalition is a voluntary association of Wyoming local governments that was formed to guide and develop public land policy in the affected counties and conservation districts and to facilitate the roles of its members as cooperating agencies in the National Environmental Policy Act (NEPA) process for land use plan revisions and other projects.

A. Lincoln County and Sweetwater County, Wyoming

Lincoln and Sweetwater Counties, which are Coalition members, have jurisdiction over lands in Wyoming through which the proposed transmission line will be built. The proposed transmission line follows the existing line corridor in Sweetwater County. Sweetwater County commissioners, however, support Lincoln County's objections. Ex. 8, Letter of Sweetwater County to BLM, May 16, 2013.

The Counties have broad authority to protect the public health and welfare of county residents and this includes providing for transportation, land use and zoning, building codes, and assuring a supply of water for agriculture, municipal, and industrial purposes. Wyo. Stat. §§18-5-102, 18-5-105, 18-5-201(zoning commission authority under board of county commissioners). Lincoln and Sweetwater Counties have adopted land use plans and policies addressing various public land uses, including transmission lines and energy development. Ex. 1, Lincoln County, Wyoming, Comprehensive Plan, Public Lands Policy (Lincoln County Plan), Appendix 3 (Nov. 16, 2006); Ex. 2, Sweetwater County Comprehensive Plan (Sweetwater County Plan) (Fall 2002).

The location and mitigation or lack of mitigation for the preferred alternative analyzed in the Land Use Plan Amendments adversely and directly affect Lincoln County. The preferred alternative will reduce land values and county tax receipts due to the fact that it will be constructed near residential areas in Cokeville Wyoming. BLM made a choice to sacrifice land values of citizens of Lincoln County for the ostensible reason of not placing the transmission line on public lands due to alleged conflicts with now invisible segments of the Sublette Cutoff trail.

The revised location of the transmission line directly contradicts the Lincoln County land use plan and also conflicts with local zoning laws. Notwithstanding BLM's mandate

that it coordinate and resolve such conflicts, BLM has ignored this issue and proceeded to place the transmission line nearly overhead of residential homes, yards, and adjacent barns and other buildings, at a distance of less than 250 feet away, with resulting loss of value. Depending on the exact final location, the transmission line may even enter the town limits of Cokeville, Wyoming.

B. Lincoln Conservation District and Sweetwater County Conservation District

The Lincoln Conservation District (LCD) and the Sweetwater County Conservation District (SWCCD) are also members of the Coalition. Wyoming law authorizes the conservation districts to assist, promote, and protect the natural resources that include the soil, water, wildlife and other related resources, to develop water and to prevent floods, to stabilize the ranching and agriculture industry, to protect the tax base, and to provide for the public safety, health and welfare of the citizens. Wyo. Stat. §11-16-103(b). Conservation districts are charged with conserving, protecting and developing these resources on all lands, both private and public, within the conservation districts. The alternatives provided in the proposed public land Resource Management Plan Amendments impact the management of lands and resources covered by the conservation districts' land use plans.

Conservation districts accomplish these policies and mandates through research and education, implementation of erosion control, water, and range projects with landowners, development of comprehensive plans, demonstration projects, providing financial and other assistance to landowners, management of flood control projects or lands under cooperative agreements with the United States and/or State of Wyoming, and adoption of rules and ordinances. Wyo. Stat. §11-16-122(b). The LCD revised and adopted its land use plan in 2010. Ex. 3, LCD, Land Use and Natural Management Long Range Plan 2010-2015 (2010). The SWCCD revised and adopted its land use plan and policy in 2011. Ex. 4, SWCCD, Land & Resource Use Plan & Policy (Feb. 3, 2011).

The LCD is also adversely affected whereby the proposed route will affect private land rather than federal lands. By pushing the impacts onto private lands, the BLM has not mitigated the impacts it has merely displaced them.

III. Statement of Issues and Parts of the Proposed Land Use Plan Amendments as stated in Appendix F of the FEIS for the Gateway West Transmission Line Project Protested, 43 C.F.R. §1610.5-2(a)(2)(ii)-(iii)

The Coalition members protest BLM's Land Use Plan Amendments as they apply to Segment 4, which crosses land in Lincoln County south of Cokeville Wyoming and as identified in Appendix F of the FEIS for the Gateway West Transmission Line Project.

The Coalition members demonstrate that this segment location is:

- (1) inconsistent with the Lincoln County and LCD land use plans and BLM's failure to modify the transmission line route violates Section 202(c)(9) of the Federal Land Policy and Management Act (FLPMA) and effects a partial taking of private land without compensation by reducing the value of private lands;
- (2) in violation of the National Environmental Policy Act (NEPA) due to BLM's failure to consider proposed mitigation measure of burying eight miles of the line that will be closest to Cokeville or an alternative route proposed by the Coalition to mitigate the adverse impacts and conflicts with the Lincoln County and LCD land use plans;
- (3) based in improper factors, because the affected segments of the Sublette Cutoff that lack the required integrity to merit continued protection, a fact that BLM improperly dismisses, and thus, BLM's rationale to move the route next to Cokeville residences is arbitrary and capricious; and
- (4) in violation of the Kemmerer RMP by authorizing a permanent transmission line through lands classified as VRM Class II for retention of the view shed. FLPMA requires BLM to manage public lands in accordance with the RMP, 43 U.S.C. §1732(a) and, in this case, the plan amendments flatly contradict the VRM Class while not amending the VRM decisions.

IV. Previous Comments, 43 C.F.R. §1610.5-2(a)(2)(iv)

CLG members, Lincoln and Sweetwater Counties, were cooperating agencies throughout the EIS process. Gateway West FEIS at ES-2. The Coalition, on behalf of its members, raised all legal and factual arguments submitted in this protest internally as a cooperating agency and during the scoping period, on the proposed alternative routes, on the Gateway West Transmission Line Project Draft EIS (DEIS), and on the Administrative FEIS (FEIS). See Ex. 5, CLG Comments on Potential Alternative Routes (Sept. 4, 2009), CLG Supplemental Comments on Revised Siting (March 29, 2010); Ex. 6, CLG Comments on DEIS (Oct. 28, 2011); Ex. 7, CLG Comments on FEIS (Nov. 9, 2012). Further, it expressed its concerns regarding the alternative routes and land use plan amendments in submitted comments as a cooperator during the cooperator meetings and before the release of the DEIS.

As soon as it became apparent that the alternative routes selected by BLM for the Gateway West Transmission Line project could impact a significant amount of private land and residential areas, the Coalition objected to the disproportionate impacts to private lands. CLG argued that adverse impacts on private lands should only occur as a last resort compared to impacts on public lands and that BLM must fully disclose any eminent domain or condemnation issues through the EIS process. Ex. 5, CLG Comments on Alternative Routes at 4; see *also* Ex. 7, CLG Comments on FEIS at 1-6 (proposing mitigation methods and alternative routes to minimize impact to private lands and residential areas). Impacts to private land require County approval and landowner consent. *Id.* Further, the Coalition has provided comments based on actual accounts of the condition of the historic trail segments near Cokeville, Wyoming, including the Sublette Cutoff, that such segments no longer possess the physical integrity necessary to be eligible for designation as National Historic Trails. Ex. 6, CLG Comments on DEIS at 5-11; Ex. 7, CLG Comments on FEIS at 6-10. As such, associated VRM restrictions and National Historic Trail (NHT) viewsheds may not be used to restrict development near trails no longer exhibiting the physical integrity necessary to be designated National Historic Trails. *Id.* Based on these considerations, the Coalition proposed mitigating the impacts to private lands and residential areas along the proposed route by burying the transmission lines for approximately eight miles or in the alternative, connecting the proposed route with alternative route 4C south of Cokeville to avoid private residential areas. Ex. 7, CLG

Comments on FEIS at 1-6. BLM failed to consider or even respond to either of these proposals. Gateway West FEIS at App. L 189-193.

V. Statement of Reasons, 43 C.F.R. §1610.5-2(a)(2)(v)

A. Standard of Review for Agency Decision-Making

Agency action under the Administrative Procedure Act (APA) is to be set aside if it is “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C. §706. An agency action is arbitrary and capricious when it conflicts with federal law or policy. *Rademacher v. Colo. Ass’n of Soil Conservation Districts Medical Benefits Plan*, 11 F.3d 1567, 1569 (10th Cir. 1993).

The proposed Land Use Plan Amendments conflict with FLPMA, because they contradict Lincoln County and LCD plan provisions. There is no federal law that authorizes BLM to override the local land use plans and approve actions not authorized in the 2009 RMP contrary to FLPMA. In addition, BLM failed to follow NEPA procedures by not considering mitigation measures proposed by CLG members and by ignoring a proposed alternative route that would have mitigated the adverse impacts and avoided contradictions with the local land use plans. Finally, BLM justifies putting the transmission line next to homes to protect historic trail segments while failing to deal with the fact that the trail segments lack the necessary integrity.

B. Relevant Provisions of Preferred Alternative

“The preferred Alternative generally follows an established utility corridor on BLM-managed lands” and

existing 345-kV transmission lines from Jim Bridger Power Plant for approximately 75 percent of the length of the segment. The proposed alignment deviates from these existing transmission lines 1) to avoid crossing the Seedskaadee NWR; 2) to provide a better crossing of U.S. Highway (US) 30 / State Route (SR) 89 and the Bear River near Cokeville, Wyoming, and minimize wetland impacts; 3) to avoid occupied dwellings in the Bear Lake Valley, southeast of Montpelier, Idaho . . .

Gateway West FEIS at 2-43-2-44.

C. The Land Use Plan Revisions Contradict FLPMA by Violating Local Land Use Plans

Pursuant to FLPMA, BLM must ensure that “land use plans of the Secretary under this section ***shall be consistent*** with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act.” 43 U.S.C. §1712(c)(9) (emphasis added). Further, FLPMA requires BLM to coordinate with the land use planning and management programs of the States and local governments. *Id.*

Because the majority of the land in Lincoln and Sweetwater County is federally owned, management of these lands directly impacts the economies, the customs and culture, and the health and safety of the citizens of Lincoln and Sweetwater County. Ex. 1, Lincoln County Plan at 3-4; Ex. 3, LCD Land Use and Natural Management Long Range Plan at 1; Ex. 2, Sweetwater County Plan at 8.1-8.3; Ex. 4, SWCCD Land and Resource Use Plan and Policy at 27 (2011).

In order to enhance these values and provide for the general well-being of its citizens as well as respect private property rights, the Coalition and its members favored Alternative 4A, because it followed an existing transmission line corridor and minimized the adverse impacts to private land. Ex. 5, CLG Comments on Potential Alternative Routes at 4 (Sept. 4, 2009). As originally contemplated, this route would reduce surface disturbance and adverse impacts to the environment and private property. Most importantly, the proposed route reduces impacting private land values when feasible routes exist on public lands or existing utility corridors. This loss of property values primarily affects residences, which are citizens’ primary assets.

The Coalition has consistently requested that BLM minimize its impact on private lands for federal projects. Ex. 5, CLG Comments on Potential Alternative Routes at 4; Ex. 6, CLG Comments on DEIS at 1-3, 9-11; Ex. 7, CLG Comments on FEIS. This protects the health and safety of its citizens, protects property values and the tax base of the counties, and minimizes impacts to the environment and wildlife, such as sage grouse. Ex. 1, Lincoln County Plan at 3-4 (objectives of the Lincoln County Public Lands Policy)); Ex. 3, LCD Land Use and Natural Management Long Range Plan at 1; Ex. 2, Sweetwater County Plan

at 8.1-8.3; Ex. 4, SWCCD Land & Resource Use Plan & Policy at 19-20. Further, the Coalition members work with BLM to preserve private property rights and values for its citizens and minimize impacts by public land use decisions. See Ex. 1, at 3-10, 3-28; Ex. 2, at 2.5, 2.10, 8.1; Ex. 3, at 13; Ex. 4, at 19-23.

The Coalition and its members recommended that the Gateway West Transmission Line follow the existing 345-kV transmission lines from Jim Bridger Power Plant for most of Segment 4. The Coalition, however, supported a revision in Segment 4 and stated that the route must avoid privately owned lands to the extent possible, whether it be private lands within the checkerboard or residential areas near Cokeville, WY. Instead, BLM deviated from the existing transmission line route near Cokeville, WY, with a preferred route that disproportionately affects residential and private lands. The proposed route deviates to the north from the existing transmission line route near Cokeville, WY by a distance much more than Coalition members anticipated. This deviation results in the transmission line running very close to residential areas. The revised route will also have greater surface disturbance and will adversely affect property values. Construction and operation will interfere with the landowners' peace and enjoyment of their homes, which in most cases, represents their most valuable asset.

The adverse impacts on private lands are unnecessary, because the route could have been located away from residences. BLM failed to consider any effective mitigation measures proposed by the Coalition and its members, when it ignored the Coalition recommendations to bury the transmission line for a mere eight miles near Cokeville, Wyoming in order to be consistent with the county plan. Ex. 7, CLG Comments on FEIS at 2-4.

Anticipating BLM hostility to the burial option and in consideration of the project proponent potentially rejecting the burying mitigation measure, the Coalition also suggested moving the line to the south of the existing route to again avoid adversely affecting the residential areas. *Id.* This proposed route also would be located south of the Lincoln Conservation District's proposed reservoirs identified during scoping.

BLM failed to consider either the mitigation measure or the alternative route in violation of both FLPMA and NEPA. BLM only considered and rejected analyzing the

technical and economic feasibility of burying the Gateway West Transmission Lines for the entire distance of the project, approximately 990 miles. See Gateway West FEIS, Sec. 2.6.3.5, at 2-138 (admitting that burying lines is justifiable for limited distances, which is exactly what the Coalition proposed but BLM failed to analyze). The Coalition proposed burying the line for eight miles near Cokeville, Wyoming, or less than 1% of the total distance of the Gateway West Project. Ex. 7, at 1-6. The second alternative proposed by the Coalition would direct the Gateway West Transmission Line from the proposed route and connect with route alternative 4C south of Cokeville, WY. Ex. 7, CLG Comments on FEIS at 3-4. However, BLM failed to analyze or even respond to this alternative proposed by the Coalition in the FEIS comments even though the alternative was reasonable, technically and economically feasible, resulted in less impacts, and accomplished the intended purpose of the Gateway West Transmission Line Project. See Gateway West FEIS at App. L 189-93 (no response to the suggested route alternative); see also *S. Utah Wilderness Alliance (SUWA)*, 182 IBLA 377, 391 (2012) (stating the standard for considering a proposed alternative). These mitigation measures and alternatives should have been considered and analyzed pursuant to FLPMA and NEPA.

BLM justifies the deviation north of the existing transmission lines, which unnecessarily impacts private lands and residential areas, by stating that it provides a better crossing of U.S. Highway 30 and the Bear River and lessens impacts on wetlands. Gateway West FEIS at 2-43. However, BLM does not explain why these issues support contradicting the local government land use plans or diminishing land values so as to effect a partial taking. Nor does BLM address whether or how the project proponent will secure rights-of-way across the private lands. The omission of these issues renders the analysis of the FEIS deficient and also demonstrates that the proposed decision violates FLPMA's mandate that land use plans (and amendments) be consistent with those of local governments to the extent practical and consistent with federal law. 43 U.S.C. §1712(c)(9). No federal law directs that rights-of-way be granted on private lands rather than federal nor are the mitigation measures proposed by CLG impractical. Indeed they are quite practical.

The Coalition provided BLM with a reasonable mitigation measure for the preferred alternative and a reasonable alternative in its comments on the FEIS in order to be consistent with the county land use plan and to avoid harming residences and land values. See Ex. 7, CLG Comments on FEIS at 1-6. CLG's proposal would have reduced the

environmental, social and economic impacts of the project on affected private lands and residences near Cokeville, WY and was feasible under the Coalition's proposed land use plan amendments. *Id.*

D. BLM Failed to Follow NEPA Procedures

Pursuant to the Council on Environmental Quality regulations, BLM must "rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." 40 C.F.R. §1502.14. Further, BLM must "include appropriate mitigation measures not already included in the proposed action or alternatives." *Id.* Finally, BLM has a duty to respond to all substantive comments as provided in 40 C.F.R. §1503.4, such as developing and evaluating alternatives not previously given serious consideration by the agency and at the very least explaining why certain comments do not warrant further agency response. See *also* 40 C.F.R. §1503.1 (includes responding to comments on the DEIS and comments sought by the agency on an FEIS prior to the actual decision being made).

"A 'rule of reason' applies to both the range of alternatives that must be considered and the extent to which each alternative must be addressed." *SUWA*, 182 IBLA at 390-91 (*citing* 40 C.F.R. §§1500.2(e), 1508.9(b); 516 DV 3.4(A); *Headwaters, Inc. v. BLM*, 914 F.2d 1174, 1180-81 (9th Cir. 1990); *Mo. Coalition for the Environment*, 172 IBLA 226, 241 (2007)). "Appropriate alternatives are those that are reasonable alternatives to the proposed action, will accomplish its intended purpose, are technically and economically feasible, and yet have a lesser or no impact." *Id.* (*citing* 40 C.F.R. §1500.2(e); *WildEarth Guardians*, 182 IBLA 100, 107 (2012); *Or. Chapter Sierra Club*, 176 IBLA 336, 351 (2009); *Wilderness Workshop*, 175 IBLA 124, 135 (2008); *Biodiversity Conservation Alliance*, 174 IBLA 1, 24-25 (2008)).

1. Mitigation Measures Excluded

NEPA requires that BLM mitigate the consequences of its actions. 40 C.F.R. §§1502.1, 1502.14(f), 1502.16(h), 1508.20. BLM must consider and analyze mitigation measures. 40 C.F.R. §§1502.1 (the EIS "shall inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the

quality of the human environment.”), 1502.14(f) (the alternatives section of the EIS “shall include appropriate mitigation measures not already included in the proposed action or alternatives.”), 1502.16(h), 1508.20. BLM’s failure to consider the local governments’ reasonable mitigation measure violates NEPA.

In response to BLM’s proposed alternative route and consistent with County and Conservation District land use objectives, the Coalition proposed that Rocky Mountain Power bury the transmission line where it passes near the residential areas in Cokeville Wyoming in order to mitigate the impacts to private lands and residential areas. Ex. 7, Coalition Comments on FEIS at 2-4. BLM ignored this mitigation measure and undertook no mitigation measures that would make the project conform to the county zoning. Similarly, BLM also failed to consider or analyze the alternative route that would be south of the existing transmission line rather than north of it. FLPMA and NEPA require that BLM address these material issues and failure to do so violates FLPMA and NEPA.

As mitigation, the Coalition proposed to bury the lines for eight miles near the residential areas of Cokeville, WY. Ex. 7, CLG Comments on FEIS at 1-4. BLM dismissed this route after only considering the economic and technical feasibility of burying the Gateway West Transmission Line along the entire route, which is not what the Coalition proposed at all. Gateway West FEIS, Sec. 2.6.3, at 2-169-2-138. Even the FEIS admits that burying transmission lines is economically and technically feasible for limited distances. Gateway West FEIS at 2-138. However, BLM never acknowledged either the short segment burial proposal.

2. Failure to Consider Local Government Alternative

BLM was equally dismissive of the Coalition’s proposed alternative route to deviate the Gateway Transmission Line south of the existing transmission lines and connect with alternative route 4C. Gateway West FEIS at App. L 189-193. This route would only add a few miles of transmission line, would not impact private residential areas near Cokeville, WY, and would avoid proposed water storage reservoirs proposed by LCD. It would be less total distance than alternative routes 4B-4F. BLM completely failed to respond to this proposed alternative route. *Id.*

The Coalition only proposed the mitigation of burying the transmission line for eight miles or the alternative route once it was apparent in the FEIS that BLM was planning on locating the Gateway West Transmission Line much further north of the existing 345-kV transmission lines than the rest of the proposed route. Ex. 7, CLG Comments on FEIS at 1-6. There is no adequate explanation to justify not considering the mitigation or alternative route. Mitigating the impacts on residences and ensuring the project is consistent with the county plan and is economically and technically feasible and meets the purpose and need of the proposed action. The revision of the route is equally feasible and only adds a few miles to the route. Therefore, pursuant to NEPA and CEQ regulations, the Coalition's mitigation measure or alternative route should have been considered, analyzed, and properly responded to by BLM. As is evident in the FEIS, BLM ignored these points.

E. BLM Must Adjust VRM Classifications to Reflect Underlying Land Uses

Decision #6051 states that a visual corridor extending up to 1 mile on either side of the Sublette Cutoff and Slate Creek Cutoff would be designated through VRM Class II areas north of U.S. Highway 180 and east of Slate Creek Ridge in consideration of NHT views. Gateway West FEIS at App. F 1-10. The Coalition supports a reclassification to VRM Class III for all routes, including the preferred route located north and east of U.S. Highway 30 and west of the Hams Fork River. Ex. 6, at 7-8; Ex. 7 at 8.

"The approved VRM objectives shall result from, and conform with, the resource allocation decisions made in the RMPs." BLM Manual 8400.0-6A.2. BLM cannot enforce a VRM Class II designation if it conflicts with the underlying resource allocation. As stated by the IBLA, BLM must expressly alter the VRM classification to the level which would be consistent with approved land use determinations. *SUWA*, 144 IBLA 70, 84 (1998).

The objective of VRM Class II is to "retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape." BLM Manual H-8410-1.V.B.2. The existing 345-kV transmission lines running through the area north and east of U.S. Highway 30 do not comply with VRM Class II, nor will the Gateway West Transmission Line. Therefore, BLM

must amend the VRM classifications to reflect the underlying resource designation of allowing transmission lines through this area, including crossing and in the vicinity of the Sublette Cutoff NHT. *SUWA*, 144 IBLA at 84-85; BLM Manual H-8410-1.I.A (“During the RMP process, the class boundaries are adjusted as necessary to reflect the resource allocation decisions made in the RMPs.”). Therefore, the plan amendments should adjust the VRM classifications to reflect the approval of the existing transmission lines as well as the Gateway West Transmission Line.

BLM is complying with the Manuals and IBLA holdings by amending the Jarbidge RMP and the Bennett Hills/Timmerman Hills MFP on preferred routes 8 and 9. See Gateway West FEIS at ES-6 (Table ES-2) (“The VRM Management decision and Map 9 are amended to accommodate a major powerline R/W. Approximately 5, 200 acres of VRM Class I associated with the Oregon Trail is reclassified to Class III.”); *id.* (“The area within the WWE Corridor will be reclassified as VRM III.”); *id.* (The VRM Class II area within 3,000 feet to the north of the existing transmission line ROW will be reclassified to VRM III (including the existing ROW.”). BLM must do the same in the Kemmerer RMP amendments.

F. Historic Trail Criteria Are Not Valid Grounds to Deviate Transmission Line Onto Private Residential Areas near Cokeville, Wyoming

In the 2009 Omnibus Public Lands Act, Congress authorized a feasibility study of the Sublette Cutoff in consideration for part of the Oregon National Historic Trail, which has not gotten past scoping. No recommendations will be made for several years. More importantly as shown below several of the affected segments will not meet the National Park Service (NPS) criteria for protection and landowner consent is highly unlikely. Regardless of whether the Sublette Cutoff is included as part of the Oregon National Historic Trail or the California National Historic Trail, the route deviation the Coalition is concerned with is not based on any factual analysis of the segments and thus is arbitrary, because it preserves segments regardless of the extent to which such segments have lost all integrity and no longer qualify as an historic site. The fact that there is an existing power corridor, an airport, and residential subdivisions are all factors suggesting that any trail remnants are only that and the affected segments have lost all integrity.

1. Decision #6054

BLM proposes Amendment #4 to Decision #6054, which provides, “Allow the Gateway West Project where it would otherwise be in conflict with the historic viewshed preservation management actions. Micrositing and mitigation measures will be implemented to minimize visual impacts to affected historic sites and trail segments.” Gateway FEIS at App. F 1-17. Otherwise, BLM must preserve the viewshed within 3 miles of Class 1 NHT segments within the Tunp/Dempsey area and 1 mile outside of the Tunp/Dempsey area. *Id.* at App. F 1-10-1-11. BLM must also preserve the existing character of the landscape of Class 2 trail segments north of Highway 30. *Id.*

Segments of the Sublette Cutoff are located just south of Cokeville along the existing transmission line. This is the same location where the Coalition proposed its alternative to the proposed route. Representatives of Coalition members personally walked the entire length of the Sublette Cutoff near Cokeville, Wyoming and found that almost the entire length of the Trail is no longer visible and has lost its historic integrity. If properly analyzed pursuant to the NHT, NHPA, and VRM guidelines, BLM should not have ignored the Coalition’s alternative route based on the location of this trail.

The Coalition objects to the classification of the trail segments near the existing transmission lines as Class 1 or 2, because most have lost their physical integrity and do not qualify for protection under NHPA. *See How to Apply the National Register Criteria for Evaluation*, National Register Bulletin 51, at 44-47 (1995) (When roads or trails are mostly invisible or difficult to follow, then they have not retained the essential physical features necessary to meet the criteria for integrity.). Nor are these segments appropriate for NHT designation based on the NPS criteria.

For National Historic Trails, the management corridor need not be continuous through the planning area. A National Historic Trail Management Corridor will include Federal Protection Components, including the high potential historic sites and high potential route segments identified in the trailwide Comprehensive Plan. The corridor will include those areas that meet the criteria established in the NTSA; the designated route that contains evidence of history, including artifacts and remnants; National Register

eligible and/or listed properties; and proposed supporting development actions or uses, such as access trails, overlooks, and interpretive sites.

Ex. 9, BLM Manual 6280, Sec. 4.2., D.2.iv; see also *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin 51, at 44-47 (1995). Indeed, the California Trail Comprehensive Management and Use Plan FEIS shows that there are no high potential trail segments or high potential sites located in the immediate vicinity of the Coalition's proposals. Ex. 10, at 14, 233, 273.

Therefore, the Coalition recommends that BLM reclassify the relevant viewshed classifications to Class III segments within the portion of the planning area south of Cokeville, WY. In response to the Coalition's comment that BLM should not even consider historic trail segments which no longer have any physical evidence of the trail, BLM responded that it "does consider that these trails could be eligible for listing on the National Register of Historic Places until studies show otherwise." Gateway West FEIS at App. L 193. As explained above, the CLG information demonstrated BLM cannot assume eligibility when the trail has lost its physical integrity. The assumption of eligibility is contrary to regulations and policy. See *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin 51 at 44-47 (1995).

Pursuant to NEPA and CEQ regulations, BLM must explain why burying the lines or rerouting the lines south to alternative route 4C as proposed by the Coalition in its FEIS comments would not alleviate these supposed issues. There is no reason this route could not have been considered, unless BLM was relying on a misapplication of its NHT policy.

2. Decision #5010

BLM proposed to permit a one-time allowance for the Gateway West project to cross the Sublette Cutoff in Section 11 of T23N, R118W. Gateway West at App. F 1-15. According to BLM policy, BLM cannot permit a one-time violation of the VRM class for this portion of the proposed transmission line route, because it is a permanent structure that alters the context and historic values, to the extent that they exist anymore. See NHPA

rules, 36 C.F.R. part 800 (construed to protect specific trail features and their associated historic landscape); E.O. 13195, "Trails for America in the 21st Century, 66 Fed. Reg. 7391 (2001) (requiring federal agencies to ensure trail corridors are protected and that trail values remain intact); BLM IM No. WY-2002-001.

Instead, the Coalition proposes the BLM amend Decision #5010 to state, "Manage the viewshed to preserve the existing character of the landscape within the federal sections where physical evidence of the trail occurs (routes and traces, grades, campsites, landmarks)." See Ex. 6, CLG Comments on DEIS at 6-7; Ex. 7, CLG Comments at 6-7. Because much of these trail segments cross private land, the NHTA requires landowner and local government involvement and cooperation in protecting those segments. 16 U.S.C. §1244(b). This has not occurred and no landowner has consented to designation. Further, the CLG proposed amendment takes into account the need to establish the physical integrity of the trail segment before concluding that it is eligible for protection under the National Historic Register. See *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin 51 at 44-47 (1995). For instance, even if a trail can be seen, if it is made by mechanical tire tracks or has been bladed and graded, it no longer qualifies as an historical trail. *Id.* Therefore, the project need not be relocated or further land use plan amendments be necessary for this project or future projects based on historic trails which no longer exhibit any physical characteristics required for protection.

If BLM had accepted the Coalition's proposed amendment of Decision #5010, the Gateway West Transmission Line could run along the Coalition's proposed alternative route deviating south of the existing transmission lines without interfering with residential areas near Cokeville, WY and connecting with route alternative 4C. BLM must provide an explanation for not analyzing the Coalition's proposed route and not abiding by the National Park Service's guidelines for National Historic Trails.

Finally a one-time allowance as proposed in Decision #5010 by BLM would be rendered moot if BLM simply designated a 1-mile wide utility corridor centered on the existing 345-kV transmission lines. Further, BLM would not need to change VRM classifications or NHT viewsheds. Not only would this address trail issues, but also prevent

infringements upon residential areas near Cokeville, WY and benefit future transmission line proposals. In response to this comment by the Coalition, BLM responded that “utility corridors are not designated where they are in conflict with NHT’s management objectives.” Gateway West FEIS at App. L 193. This shows that BLM is basing its current routes near Cokeville, WY on the location of historic trails without determining whether the trail segments exhibit the physical integrity to be protected and whose setting are already compromised by the existing 345-kV transmission lines.

G. A 1-Mile Wide Utility Corridor should have been Considered by BLM to Address Future Projects and Render Moot One-Time Allowances for Crossing NHTs, Viewsheds of NHT Segments, and VRM Class II Areas

The BLM proposed Decision #6008 should be amended to designate a 1-mile wide utility corridor generally centered on the Gateway West Transmission Line if either routes 4B or 4D were selected. Gateway West DEIS at App. F 1-21. The current language of Decision #6008 states that “utility corridors are not designated, where they are in conflict with NHT’s management objectives.” *Id.* The Coalition supported creating a 1-mile utility corridor for all route alternatives, not just routes 4B and 4D. Ex. 6 at 7. However, because alternative routes 4B and 4D were not selected as the preferred alternative in the FEIS, BLM removed the amendment to Decision #6008. Gateway West FEIS at App. L 193. This response completely ignores the suggestion by the Coalition that a 1-mile corridor be considered for all alternatives, including the preferred alternative or its proposed alternative connecting with route 4C south of Cokeville, WY, as a means to resolve issues with crossing NHTs and their accompanying viewshed and VRM classifications. Ex. 6 at 7; Ex. 7 at 7. Once again, BLM failed to consider and respond to a reasonable alternative and mitigation method proposed by the Coalition.

At least two future transmission lines are currently being proposed (TransCanada and Zephyr) and a utility corridor will create an existing route for these projects. *Id.* If a utility corridor along the preferred route is created, the Coalition still supports mitigating the impact on private and residential properties near Cokeville, WY by burying the lines for eight miles. A utility corridor does not permit BLM to unnecessarily impact private and

residential property to avoid public lands or NHTs. *S. Utah Wilderness Alliance (SUWA)*, 182 IBLA 377, 391 (2012); *see supra* Sec. D at 10.

VI. Conclusion and Remedy Requested

Based on the foregoing, the Coalition, on behalf of its respective members, requests that the BLM Director set aside and remand BLM's Proposed Land Use Plan Amendments as stated in Appendix F of the FEIS for the Gateway West Transmission Line Project and:

- (1) Supplement the FEIS to add the burial of the transmission line as it passes near Cokeville Wyoming residences; or in the alternative
- (2) Supplement the FEIS to move the affected segments south of the existing line.
- (3) Adjust the VRM Classifications to reflect the underlying land use resource allocations.
- (4) Manage NHTs to only protect those segments which currently exhibit physical characteristics of an historic trail.
- (5) Create a 1-Mile Utility Corridor on whichever route is chosen to resolve issues of NHTs, NHT Viewsheds, and VRMs for the Gateway West project and other future transmission line projects.

Dated: May 28, 2013.

Respectfully submitted,



Constance E. Brooks
Michael B. Marinovich
C. E. BROOKS & ASSOCIATES, P.C.
303 East 17th Avenue, Suite 650
Denver, CO 80203
(303) 297-9100

Counsel for the Protestants

Board of Commissioners, Lincoln County,
WY
Attn: Kent Connelly, Chairman
926 Sage Avenue, Ste. 302
Kemmerer, WY 83101
(307) 877-9056

Coalition of Local Governments
Attn: Kent Connelly, Chairman
926 Sage Avenue, Ste. 302
Kemmerer, WY 83101
(307) 877-9056

Board of Commissioners, Sweetwater
County, WY
80 West Flaming Gorge Way
Kemmerer, WY 83101
Green River, WY 82935
(307) 872-3732

Sweetwater County Conservation District
79 Winston Drive, Suite 110
Rock Springs, WY 82901
(307) 362-3062 ext.4

Lincoln Conservation District
110 Pine St.
P.O. Box 98
Cokeville, WY 83144
(307) 279-3256