



Sent via email: [Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)

June 27, 2013

Walt George  
Project Manager  
Gateway West Project  
Bureau of Land Management  
Wyoming State Office  
P.O. Box 20879  
Cheyenne, WY 82003

**RE: Comments to the Final EIS for the Gateway West Transmission Line Project**

Dear Mr. George,

Please accept Trout Unlimited's (TU) comments to the Final Environmental Impact Statement (Final EIS) for the Gateway West Transmission Line Project for Wyoming, Idaho and Nevada. These comments supplement our October 28, 2011 comments to the Draft EIS for this Project.

After reviewing the Final EIS, we commend the BLM on a thoughtful and fairly thorough review of this immense Project. The scale of this Project will be a precedent-setter for the numerous proposed transmission line projects currently under review and those under future consideration and analysis. Because of the precedent-setting nature of this Project, TU continues to have concerns with issues related to watershed issues, stream crossings, and fish and wildlife species impacts. These concerns are centered primarily in Wyoming. We believe the BLM did not address our concerns despite our extensive analysis presented in our October comments.

**Primary Concerns**

Our concerns with the Final EIS are as follows:

1. West-wide Energy Corridor Study required. The Final EIS references the 2009 *West-wide Energy Corridor Programmatic EIS (PEIS)* of 2009 but does not acknowledge the latest developments brought on by the 2012 settlement of a federal lawsuit that, among other things, required a reassessment of all the corridors and completion of a corridor study. The four

principal components of the July 3, 2012 Settlement Agreement<sup>1</sup> requires the Agencies (BLM, US Forest Service, Department of Energy, and the Department of Justice) to:

- Complete an interagency Memorandum of Understanding (MOU) addressing periodic corridor reviews;
- Update agency guidance;
- Update agency training; and
- Complete a corridor study.

Until these components are completed, we believe the Final EIS cannot be approved as written or a supplement EIS is necessary.

2. Lack of cumulative analysis, multiple projects, and landscape impacts. Overall, due to expected levels of short-term and long-term permanent impacts to fish and wildlife habitat, as identified in the Final EIS, we feel the BLM did not adequately provide a thorough comprehensive and cumulative analysis for portions of the alternate line segments, specifically with respect to identified future transmission projects. The Final EIS specifically identifies additional transmission projects similar to Gateway West and because of these known projects, many of which are currently under draft development, the EIS did not fully consider the impacts of these future projects in a cumulative and comprehensive manner. Once the preferred alternative (in this case, the BLM Preferred Alternative and Proponent Proposed Route) is selected, it most likely becomes the right-of-way route for all other large transmission line projects. Thus, the scope of impacts becomes significantly broader and much more invasive since these large transmission projects require broad right-of-ways, extensive staging areas, and year-round access for regular maintenance operations.

3. Additional fisheries analysis is required. The Final EIS acknowledges that a range of environmental impacts are expected in the selection of the BLM Preferred Alternative and Proponent's Proposed Route, particularly in Segment 4 (Segment 4A). In fact, the Final EIS states in the Environmental Consequences discussion (Chapter 3) that permanent impacts are expected as a result of vegetation removal and sedimentation issues at stream/river crossings, including water withdrawals and the potential for permanent downstream impacts from increased sedimentation issues. In addition, we believe that the mitigation outlined in the Final EIS is insufficient or lacking for streamside reclamation impacts. By acknowledging that these impacts are inevitable, the BLM threatens the survival of native fish species in certain stream segments. We respectfully request the BLM to take a second hard look at the fisheries impacts that are likely to occur along the routes, with particular attention to Segment 4 (where 59 stream crossings are expected within the BLM's Preferred Alternative and Proponent Proposed Route).

4. Lack of consistent application of seasonal stipulations. As we discussed in our comments in October 2011, TU believes the setbacks or buffer stipulations to streams and river crossings are basically inadequate, particularly for sensitive native fish. This is primarily because there is no consistency among field offices or across state BLM land jurisdictions with respect to

<sup>1</sup> *Wilderness Society, et al. v. United States Department of the Interior, et al., No. 3:09-cv-03048-JW (N.D. Cal.)*. West-wide Energy Corridor Programmatic EIS Information Center. Notice dated November 8, 2012. <http://corridoreis.anl.gov/news/index.cfm>. Accessed website June 26, 2013.

stipulations. This must be remedied. The BLM is within its jurisdiction to create a consistent set of stipulations for impacts associated with energy development projects when there is an edge-effect among field office boundaries.<sup>2</sup> TU believes this can be remedied by three actions: First, we support the 1,000 foot buffer application defined in the Kemmerer RMP and request that this stipulation be applied for all sensitive fish waters. Second, the 500-foot buffer recommended in the Rock Springs field office and the Wyoming statewide 500-foot buffer for staging, refueling, drilling activities and disturbances be implemented along the entire route where public lands are accessed. Third, no construction activities should be allowed during spawning activities in any watershed where this Project crosses.

5. *Segment 4 Fish and Wildlife Concerns.* Our primary concerns center on that portion of the transmission line route identified as Segment 4 in western Wyoming. In our comments to the Draft EIS, we provided detailed analysis for the numerous alternatives identified in the Segment 4 route. Yet, after reviewing the Final EIS, we are left with the impression that our concerns have been disregarded. Rather than choose the least environmentally intrusive routes of Alternative 4 (identified in our comments as 4C and 4E), the BLM has chosen the route (4A) that:

- has the most stream crossings (59), many which contain sensitive Bonneville cutthroat trout habitat, and a species designated as a Wyoming Game and Fish Department (WGFD) Species of Greatest Conservation Need (SGCN- 2010).
- crosses through more important Critical Stream Corridors (Wyoming Game and Fish 2010)
- crosses through more areas of Aquatic Conservation Areas (WGFD-2010) including the Hams Fork, Twin Creek and Bear River ACA,
- crosses through important Bluehead Sucker habitat, Flannelmouth Sucker habitat, and Roundtail Chub habitat, all considered Species of Greatest Conservation Need, and which were not covered in the Final EIS,
- has the greatest amount of cumulative overlap with big game species (4),
- includes important parturition areas for elk,
- includes important migration corridors for elk, pronghorn, mule deer, and moose, which have not been identified in the Final EIS, and
- crosses through lynx units and wolf pack areas (WGFD).

All of this data is available through the Wyoming Game and Fish Department's 2010 Wildlife database updates. We urge the BLM to reconsider their Preferred Alternative and Proponent Alternative selection of Segment 4A, not only because of the current potential fish and wildlife impacts, but also because of the future impacts to this landscape's ecosystem as more and more energy development plans materialize.

6. *Resource Management Plan adequacy.* The Green River BLM Resource Management Plan (RMP) is currently under revision in the Rock Springs BLM Field Office and the Draft RMP is expected to be released this summer. The Green River RMP (1997), while fundamentally containing fairly strong protection measures for some activities, is a dated document and does not account for an increase in broad landscape projects and their comprehensive impacts, such as those which may come with this Project. Nor does the Green River RMP consider the range of new species issues and impacts to the resource management area. We request that the BLM

<sup>2</sup> BLM Interagency Memorandum 2010-117. May 2010. *Section I. B. Stipulation Consistency.*

include the Rock Springs planning revision documents in the final decision, which means that the Record of Decision for this Project potentially be delayed.

7. *Mitigation Options Need to be Expanded.* In June 2012, a Mitigation Workshop was held in Washington, D.C. to examine the landscape scale mitigation opportunities for ways to more effectively conserve habitat and offset impacts of development actions.<sup>3</sup> Attended by more than 70 experts, including state and federal resource agencies, conservation organizations, and the energy industry, the workshop attempted to develop new approaches to mitigation on public lands. We suggest the BLM review the Workshop Summary and presentations (<https://www.dropbox.com/home/Mitigation%20Workshop>) in order to gain potential insight into some new mitigation principles that can be applied to this Project.

### **Conclusion**

We have addressed our concerns regarding the BLM's need to reduce and limit the amount of potential disturbance along the transmission route, in particular along portions of Segment 4. We feel the BLM has thoughtfully considered the majority of the route and we understand the controversy that Section 4 has created. TU feels it is extremely important for the BLM to think about the long-term cumulative landscape impacts in choosing Route 4A. The construction activities along this section of the transmission route are significant and will have considerable environmental impacts. We urge the BLM to reconsider Route Segment 4A and instead select Route Segment 4C-4E in an effort to minimize habitat loss, watershed impacts, and to remain within an active right-of-way corridor.

We remain available for any questions and appreciate the opportunity to offer these comments.

Sincerely,

Cathy Purves  
Science & Technical Advisor  
Trout Unlimited  
250 North 1<sup>st</sup> Street  
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<sup>3</sup> "Redefining Mitigation Workshop: Improving efforts to avoid, minimize and offset impacts to fish and wildlife on public lands". June 21-22, 2012. Washington, D.C.

**From:** [jnclain@blm.gov](mailto:jnclain@blm.gov) on behalf of [Gateway West Trans Line, BLM WY](#)  
**To:** [blm@gwcomment.com](mailto:blm@gwcomment.com)  
**Subject:** 17472 Fwd: Gateway West Final EIS comments  
**Date:** Monday, July 01, 2013 10:27:33 AM  
**Attachments:** [TUComments to GatewayFinalEIS-June2013.pdf](#)

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**From:** **Cathy Purves** <[CPurves@tu.org](mailto:CPurves@tu.org)>  
**Date:** Thu, Jun 27, 2013 at 3:32 PM  
**Subject:** Gateway West Final EIS comments  
**To:** "[Gateway West WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)" <[Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)>  
**Cc:** Cathy Purves <[CPurves@tu.org](mailto:CPurves@tu.org)>

Walt,

Please find attached Trout Unlimited's comments on the Final EIS for the Gateway West transmission line. Many thanks for the ability to participate.

Cheers,

Cathy

Cathy Purves

*Science & Technical Advisor*

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**From:** [jmclain@blm.gov](mailto:jmclain@blm.gov) on behalf of [Gateway West Trans Line, BLM WY](#)  
**To:** [blm@gwcomment.com](mailto:blm@gwcomment.com)  
**Subject:** Fwd: Gateway West Transmission Line Comments  
**Date:** Thursday, May 30, 2013 10:31:22 AM  
**Attachments:** [Gateway EIS Protest 5-28.pdf](#)

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**From:** **Katie Fite** <[katie@westernwatersheds.org](mailto:katie@westernwatersheds.org)>  
**Date:** Tue, May 28, 2013 at 2:31 PM  
**Subject:** Gateway West Transmission Line Comments  
**To:** [Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)

Dear BLM,

Please consider this to be continuing comments and concerns about the now segmented Gateway West Transmission Line Project FEIS and ROD process.

Please confirm that you have received this.

Katie Fite  
Western Watersheds Project  
PO Box 2863  
Boise, ID 83701

May 23, 2013

Director (210)  
Attn: Brenda Williams  
PO Box 71383  
Washington, DC 20024-1383 (Sent Cert, Mail, Return Receipt Requested)

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[Brenda\\_Hudgens-Williams@blm.gov](mailto:Brenda_Hudgens-Williams@blm.gov), Fax: 202-245-0028

[Gateway\\_West\\_WYMail@blm.com](mailto:Gateway_West_WYMail@blm.com)

RE: Protest of Gateway West 230/500 kV Transmission Line Project Final EIS in ID, WY and potentially impacting Nevada and Utah, and all possible Land Use Plan and Forest Plan amendments. This Protest will also serve as additional comments on the now segmented and split process.

Dear BLM Director and Gateway West Project Lead,

Here is a Protest by Western Watersheds Project of the Gateway West Transmission Line Project FEIS and associated actions. We also are submitting this Protest as a Comment on the Gateway Final EIS.

We Protest the amendments of the Land Use Plans, as described in Section 2.2.4 of the EIS, page 2-13 to 2-30, and summarized in Table 2.2.3. Many of these areas are facing unprecedented threats from energy development and continued chronic livestock grazing degradation that is amplified by climate change effects. Several of the Plans are very old, and protecting the very limited protections of the Plans is now more important for conservation needs than ever. much more intensive human development now exists in many areas, especially on private lands in areas like the Jarbidge region. These plans are also going to be amended as part of various Sage grouse EIS's - and Gateway appears to be trying to ramrod harmful actions through prior to those EIS's, and without giving the affected resources full consideration. WWP is also greatly concerned that Gateway may thwart and prejudice a full and fair outcome of the Jarbidge RMP process, where BLM is under a Federal Court order to complete an EIS due to WWP litigation.

The Plans to be amended to allow Gateway include:

Green River RMP *VRM amendment*. VRM II lands must be protected, and in fact we support management of the affected lands as VRM 1, and not the destructive visual blight of this ugly huge transmission line, new roading, and other visual scars, intrusions, and blemishes on the landscape

across all the 18 RMP and Forest Service lands. On no part of the route is visual intrusion adequately analyzed or mitigated.

Kemmerer RMP *Heritage Resources Amendment*. #5010. The Gateway EIS greatly fails to benefit heritage resources and will destroy and degrade them. This is not in the public interest. *VRM Amendment*.

# 6051, Rock Creek Tunp Area of Significant Resource Concern. # 6054. VRM II lands must be protected, and in fact we support management of the affected lands as VRM 1, and not the destructive visual blight of these ugly huge transmission lines, new roading, and other visual scars, intrusions, and blemishes on the landscape across all the 18 RMP and Forest Service lands. On no part of the route is the full degree of visual and aesthetic intrusion adequately analyzed or mitigated. These lines are very large, and they and the road networks will dominate the visual landscape. We strongly oppose allowing the Gateway Project where it conflicts with historic viewshed preservation. These lines create jarring and discordant visual contrasts in the West's wide open sagebrush and other landscapes. Micro-siting and mitigation measures will be greatly inadequate to protect the resources.

We are greatly concerned about the potential avian and bat mortality due to collisions with the lines and/or guy wires, fencing, etc. ALL wires should be prominently marked with reflective or other highly visible material. This makes mitigating visual impacts even more difficult, but it must be done to try to reduce bird and bat injury and death.

We are very concerned about the EIS punting to "micrositing". This appears to be yet another segmentation strategy of a sort. It hides the exact path of the line from public review until after the ink is dry in the ROD. Full analysis necessary to understand how intrusive the line will be – and if mitigation by avoidance is necessary – cannot be undertaken if the exact path remains a mystery until the bulldozers roar to blade roads in to build this huge project. The purpose of the EIS is to conduct an analysis so that necessary actions can be taken, and proper mitigation applied – including mitigation by avoidance of choosing a different path entirely or not building the project, or other actions. Putting off hard choices to last minute micrositing thwarts NEPA's hard look requirement, and violates FLPMA's protections for public lands resources, as well.

Rock Creek/Tunp 37014. The Gateway West EIS conflicts with wildlife and other resource needs and cannot be mitigated in this area, and the area must be avoided. Monitoring is no basis for allowing a route, and mitigation is vague and inadequate to protect natural resources from this huge powerline's damage to animal habitats and populations.

Twin Falls MFP. 6. *Corridors*. The Gateway EIS should not be allowed outside the existing corridors. Why does BLM even bother with RMPs if it does not require energy companies to follow them? This is an example of an old LUP in a landscape where great amounts of new development have taken place. This makes every bit of open space even more precious to the public in this fast-growing area.

Twin Falls MFP. 7. *Salmon Falls ACEC*. We strongly oppose allowing the Gateway project to destroy the visual setting, wildlife habitats, and other values of the ACEC and public wild lands. Gateway must be required to follow existing corridors/line routes located to the north of this area, and be bundled there.

Jarbidge RMP 8. Utility avoidance/restriction area. This protection must be upheld. Huge amounts of sensitive species and other habitat losses have occurred across the Jarbidge, and adding yet another highly degrading project is unacceptable.

Jarbidge RMP 9. Salmon Falls Creek Canyon. This is an ACEC, and an increasingly important area as the population of southern Idaho continues to grow, and the Gateway project should not be allowed to mar and destroy this wild land setting. It also poses a significant hazard to migratory birds, rare bats, and other wildlife that inhabit this lovely canyon. Impacts cannot be mitigated. The area must be avoided. Here, as throughout the EIS and its routes, necessary site-specific information on rare bats, migratory birds and other sensitive biota has not been collected and analyzed so impacts simply cannot be properly assessed and mitigated. A Supplemental EIS is required to analyze the relative scarcity of little-disturbed habitats in this landscape.

Jarbidge RMP 10. Visual or scenic values of the public lands. These RMP protections must be retained. The damaging, intrusive high voltage powerline and jarring visual and other disturbances must be prohibited. This also will help to protect the important wildlife resources, including diminishing populations of migratory birds and rare bats. Impacts cannot be mitigated sufficiently. The areas must be avoided.

Jarbidge RMP 11. Cultural resources. This incompatible use should not be allowed in this historic trail area. The line will destroy the undeveloped setting of the trail.

Jarbidge RMP. 12. Visual and scenic values of the public lands must be protected, and that includes the > 5200 acres of VRM Class I lands, which includes the Salmon Falls ACEC and WSA.

Jarbidge RMP 13. Visual or scenic value protection and prohibition on alteration of the natural landscape. The visual standards help protect habitats for sensitive species, as well as recreational use and enjoyment.

Morley Nelson SRBOPA. This area is tragically mis-managed by BLM, and unfortunately this route is less damaging than the routes to the south.

Bennett Hills/Timmerman Hills.15. It appears that the BLM is amending the RMP to allow outward sprawl development into a visually sensitive area. Instead of building the line to the north, it should be built to the south if no amendment would be necessary there.

Kuna MFP. 16. The project should be confined to existing corridors.

It is quite difficult to develop a Protest, because it at times becomes a choice of the least evils for this sprawling, unnecessary behemoth. Further, there is no definite final route. In order to best protect our interests, and wildlife habitats and populations, cultural/historic and wild lands values of the public lands, we Protest all the amendments associated with "other routes" in Table 2.2.2, and/or discussed above in our Protest/comments.

These routes include:

Kemmerer RMP Alt 4F heritage, Alt 4B, 4C, 4D, 4E, 4F visual corridors, NHTs. 4C. 4E Rock Creek Twp. This project will result in a tremendous loss of wildlife habitat that cannot be mitigated except by avoidance of siting the line in this area.

Pocatello RMP. VRM amendments. No visual amendments to the Pocatello RMP should be allowed – these lands are very important to the recreational public, and often provide crucial habitat for sage-grouse and sharp-tailed grouse. Gateway’s rehab. actions to address landscape modifications are greatly inadequate.

Cassia RMP. This requires that rights of way be limited to existing facilities. This should not be amended, as Idaho Power has not demonstrated a need for this project, and has not worked to bundle and co-locate the project in the existing transmission and corridor footprint areas.

Cassia RMP. We strongly oppose amending the Cassia RMP to allow the Jarring visual intrusion of this powerline in important wild lands areas and wildlife habitat.

Twin Falls MFP. We oppose siting this huge project outside of existing corridor zones.

Jarbdige RMP. Utility avoidance, visual aesthetic, utility restricted areas, etc. We oppose amending the RMP for Gateway. (See previous discussion under Preferred Route in this Protest).

SRBOP RMP. We oppose allowing this project disturbance in slickspot peppergrass habitat – as this threatened species is suffering great harms from chronic grazing disturbance, fire, BLM seedings, and a raft of other human disturbance and development. Gateway promotes fires (increased human disturbance, ground disturbance promoting weeds, electrocution of birds that fall to the ground in flames, potential arcing, etc.) We oppose marring historic trail areas and SRMAs, as well. This project must be sited side-by-side with other existing lines to the closest degree possible.

Bruneau MFP. We strongly oppose amending the RMP to allow this harmful line in the area of Castle Creek. The VRM-protected parcel near Castle Creek must remain VRM II.

We Protest all of the Forest Plan amendments. Please include these concerns as comment on the proposed amendments. The Forest Plans include:

Medicine Bow NFRLMP amendment. TES northern goshawk standard must be retained, and strengthened, not stripped. Timing restrictions are greatly inadequate to protect nesting raptors and their habitats from disturbances. There must be no degradation of boreal toad, wood frog, or northern leopard frog habitat or Forest MIS habitats from Gateway and the soil, vegetation, water, watershed and other disturbance it will cause as well as potential pollution, contamination and herbicide impacts from this unnecessary and destructive project.

The scenery standard must not be stripped on these important National Forest recreational lands – plus the standard helps protect migratory and other birds and bats from imposition of hazardous vertical objects, guy wires, and deadly power lines. We strongly oppose changing land designation to “roaded natural” – these areas must be left unroaded to protect a wealth of wildlife, recreation, watersheds.

Caribou Forest Plan. We Protest the change to Concentrated Development Area.

Vegetation. We strongly oppose the permanent alteration of landscapes and ecological processes.

Wildlife/snags. We oppose the changed management status for the biological potential for woodpeckers. To what degree has woodpecker habitat across the Forest/in tis landscape – been altered and reduced by fire, logging, wood-cutting, other development.

Scenic. We oppose the changed visual management, and failure to protect the forest lands and properly site this destructive line with existing facilities.

ROS. We strongly oppose alteration of the VRS to accommodate this project.

Goshawk nesting territories. We strongly oppose stripping of protections for goshawk nesting territories and habitats. Systematic current surveys across the Forest and surrounding lands must be conducted in order to understand how scarce goshawk nesting territories may be. Mitigation is greatly inadequate. The full array of adverse cumulative impacts on goshawks, scenic, visual historical, and all other resources –has never been fully addressed or mitigated in this sprawling, unnecessary project. Why are goshawks disappearing in the Forest? Has it been over-logged?

We also Protest amending the Plan related to any part, including: Transportation, Aquatic influence, Semi-primitive, and Forest Vegetation.

Sawtooth Forest Plan. Visual Quality Objectives. We Protest amending these.

In all of these Forest and BLM land Use Plans, the EIS fails to provide adequate baseline information on the current setting, and status (including relative scarcity) of the resource that will be stripped, altered, and/or destroyed by Gateway. It fails to provide an adequate current analysis of threats to wild lands, visual landscapes, sensitive biota and their habitats and populations.

We have submitted Scoping, DEIS, sage-grouse and wildlife habitat mitigation comments on Gateway, and have attended public meetings. Many of our concerns have not been addressed. There are striking parallels to the DOE Corridors (and associated rampant wind and other expensive remotely sited and often wasteful “renewable” energy mega-projects) that would proliferate very expensive large-scale new transmission lines. While we oppose many segments of DOE corridors, others through highly degraded lands are acceptable. Yet Idaho Power is not following the Corridor in many degraded areas so as to avoid sensitive areas. So what was the purpose of that whole exercise, anyway? We Protest Idaho Power’s failure to follow established corridors, co-locate the project, increase capacity of existing lines, bundle lines where appropriate, bury lines in flat ag lands, and other common sense actions to conserve public lands and wildlife resources, as well as cultural, historical, recreational, wild land values, and protect quality of life for the region’s residents, as well.

We Protest the EIS’s divide-and-conquer strategy of piecemeal and segmented decisionmaking on different portions of the EIS. In order to quell public opposition and outrage over this unnecessary and damaging project with its greatly inadequate mitigation, BLM is trying to obtain blanket authorization

for the line, while not finalizing which routes will be chosen in some controversial segments. Idaho Power claims they need the whole line. The EIS embarked on analyzing the whole line. Routes must be finalized instead of trying to tamp down overall public controversy over the Gateway project with segmented and piecemeal decisionmaking. We Protest this.

Idaho Power has spun off a whole series of harmful alternatives – in portions of Wyoming that will facilitate large-scale wind development and other energy sprawl to a degree that is not adequately analyzed in the EIS; in the area of the Deep Creek Range in Idaho; in the area of Salmon Falls Creek in the Jarbidge; in the Owyhee region when the common sense alternative is to place the line in the Birds of Prey Area that BLM has long grossly mis-managed and turned into a weed land with chronic cattle and sheep overstocking and inadequate post-fire rehab actions; in the vicinity of the South Hills and the Important Bird Areas and other routes. The mapping in the EIS appendices is often unclear, and it also uses the same purple color to show the “Alternative Route not Studied in Detail” and WVEC segments – resulting in confusion and a viewer not able to clearly distinguish what is being depicted.

BLM appears to have ginned up several alternatives that it is clear the agency would just not select. BLM should have denied consideration of many of the alternatives that punch through significant wild lands from the start - due to known serious sage-grouse, recreation and other conflicts. It should have prepared a Supplemental EIS based on the pressing need for much more site-specific wildlife population watershed health and other characteristics, and the avoidance of sensitive areas and cultural/historical resources. While all this time has been wasted considering very harmful routes, a route that maximizes paralleling existing lines, major roads, the disturbed land areas of WVEC segments, and energizing Idaho and other Power company’s existing lines, has not been fully developed and considered. We Protest this, and the failure to analyze an adequate range of alternatives and take NEPA’s required “hard look”.

We are concerned that the first sections of the EIS provide the reader with a wall of confusion that can be understood by only a power company insider. Many parts of the EIS are confusing, Information should be provided in a manner able to be understood by the public. Information that might contradict many of these sections must also be fully and fairly presented as well. Clearer mapping and detailed mapping of biological, cultural, scenic viewshed and other conflicts must also be provided. We Protest the failure to do this.

Several of the alternative segments for the Gateway would have drastic impacts on the sagebrush biome, as well as other fragile lands that the Gateway Project would further degrade, alter, and fragment. Of particular concern is the devastating impact Gateway and other Corridor projects would have on species like the pygmy rabbit, sage-grouse, and other increasingly rare and imperiled native species. Habitats have already been greatly altered and fragmented from many other land uses, particularly chronic livestock grazing disturbance, fences, water developments and ranching infrastructure, agency “treatments” that destroy native woody species, and combined effects of desertification processes. The EIS process provides no adequate basis for understanding the baseline ecological conditions, and degree and severity of habitat degradation that exists along all potential routes, and how it will impact sensitive, MIS, and T&E species. We Protest this.

The FEIS does not adequately examine the adverse cumulative impacts on sagebrush and other native ecosystems and native biota of a plethora of new corridors/lines/energy developments/disturbances.

Detailed in-depth analysis including full discussion of threats and stressors to each affected habitat and population must be provided and integrated so that a logical science-based conclusion can be drawn. We Protest this.

We question whether this line, especially the split in the line in Idaho, is really needed. The DEIS does not provide sufficient data and analysis to determine this – especially since industry and energy use in America has waned as jobs have been exported overseas. Stark economic realities are now much different than when this project was conceived. Energy use booms have gone bust. At the same time that Idaho Power is clamoring for this line, it is fighting homeowners who want to install solar panels over net-metering. See <http://www.idahostatesman.com/2012/12/30/2396830/proposal-clouds-solar-home-investments.html>

*Idaho Power wants regulators to let more people generate electricity, but at a higher cost and with limits on incentives*

By ROCKY BARKER — [rbarker@idahostatesman.com](mailto:rbarker@idahostatesman.com)

*Boise financial adviser Steve White used to tell his customers that installing solar panels on their homes was a good thing to do, but not necessarily a good investment.*

*But today, with solar panel prices dropping dramatically, his advice has changed. The solar array he had installed on his home will be paid off in eight years — and then produce all the power he uses for free for decades.*

*“Solar’s time has come,” he said.*

*Like solar homeowners nationwide, White and his wife, Courtney, connect to the grid through the local electric utility, Idaho Power. During the day and especially during the summer, their electric meter runs backwards as their solar system sends the power they don’t need out onto the grid for their neighbors to use.*

*That ability for individual customers to sell their extra power back to the utility is called “net metering.”*

*The Whites are one of 353 net-metering customers — mostly people with solar panels — who augment the power they get from Idaho Power with electricity they generate themselves. Some of those customers even get checks from the utility for producing more electricity than they use.*

*But that may change.*

*Idaho Power announced earlier this month that it wants to expand the program as demand from people with their own solar systems grows. But the investor-owned utility — which has been fighting with renewable-energy developers for the past two years to not have to purchase what it says is expensive, hard-to-integrate wind power — wants to stop writing checks to solar customers. It also wants to increase the rate solar users pay for the power they get from Idaho Power and quadruple the fees they pay to hook up to the grid.*

*Idaho Power officials say the added charges are needed to ensure that its other customers aren’t subsidizing the solar-generating customers.*

*“It really comes down to a fairness issue,” said Tim Tatum, Idaho Power cost of service manager. “It is a revenue-neutral proposal.”*

**WHO’S SUBSIDIZING WHOM?**

*White and many of the other solar customers say the proposal is anything but fair, and they are the ones being asked to subsidize other Idaho Power customers.*

*Solar power generators earn credits from Idaho Power. But under the new proposal, instead of getting checks when they produce more power than they use they'd lose their credits at the end of the calendar year. Tatum said these credits "would essentially be donated to the system to benefit all our customers."*

*Margit Donhowe, who with her husband spent thousands of dollars to install solar panels on their Boise Foothills home this summer based on the current system, sees it differently.*

*"I call that stealing," she said.*

*White called the proposal "an abuse of monopoly power" that removes the incentive for homeowners to reduce demand and provide power at the time — summer afternoons — when it is most needed and most costly for Idaho Power to purchase. That's when demand is greatest from people turning on their air conditioners and farmers running their irrigation pumps.*

*Idaho Power pays 12 cents a kilowatt-hour to produce the peak power it needs during these periods, Courtney White said. Solar net-metering customers are paid 6.5 cents for the power they produce.*

*"When people invest in solar, it's good for Idaho," said White. "When a person writes a check for solar panels, they are subsidizing other Idahoans."*

#### **INCENTIVES AND PROFITS**

*If the solar customers want to sell power and not just get a credit against their Idaho Power bill, federal law requires them to go through the process established by the Idaho Public Utilities Commission under the Public Utility Regulatory Policies Act, Tatum said. PURPA is the 1978 law that encourages small and alternative energy generation by requiring monopoly utilities to buy the power at the cost they would pay to build new power plants themselves.*

*So, it's possible that larger, private solar-power producers might benefit from going through that process, said Don Reading, a economist who used to work for the Idaho PUC.*

*But that wouldn't take into account the fees Idaho Power might require, insurance and other obligations. Additionally, Idaho Power has taken a hard position in its negotiations with PURPA power producers, large and small, and there's no guarantee the solar homeowner would be able to negotiate a favorable arrangement with the big utility.*

*"(PURPA) may be a less bad solution for the homeowners," he said.*

*Because solar power from homes would reduce demands and costs to Idaho Power, offer low-cost power during peak periods and reduce the need to transmit electricity across long and expensive transmission lines, Courtney White said she doesn't understand why Idaho Power looked only at the costs.*

*"It's the illogical nature of this move that frustrates a lot of people," she said.*

*Reading said the nature of public utilities, which profit from selling power and building transmission lines, gives them an incentive to make it harder for people to put solar panels on their roofs.*

*"They will be progressive and build their own solar plants where they earn a profit on the plant they build," Reading said.*

*Idaho Power officials say they support renewable energy. They also said the company has no plans to build a utility-scale solar project.*

*They point out that the new proposal does envision expanding the number of people in the net-metering program.*

*“Idaho Power has made this proposal to make net metering both sustainable and scalable going forward,” Tatum said.*

*Rocky Barker: 377-6484*

If Idaho Power embraced and worked to advance home rooftop solar and promote conservation, this whole Gateway boondoggle would be even less needed – by any stretch of the imagination. Instead of the manifest destiny Idaho Power Gateway mindset of carving up public wild lands as if there were no limit to open spaces, or limitless native wildlife like sage-grouse and pygmy rabbits and rare bats, the alternative of conservation coupled with rooftop solar has been ignored. We Protest this, and BLM catering to a corporate worldview that opposes common sense energy actions, and instead focuses on tearing apart wild landscapes with an unnecessary transmission line.

Any new line here should follow existing high voltage transmission line paths, disturbed WVEC segments and/or the Interstate to the maximum extent possible, as well as energizing not only existing Idaho Power lines, but with Idaho Power working collaboratively with other powerline operators to energize their existing lines for use. Shorter distance connecting lines can be built through disturbed areas to help achieve this, as well. BLM should have required this be fully examined. We Protest BLM’s failures here.

Instead of doing this, the EIS includes many potential segments located in areas that maximize disturbance and promote energy and other sprawl into less developed areas. Yet a valid ecological baseline and site-specific biological and other surveys have not been conducted to enable full and fair comparison between route segments – so the ecological importance of the alternative routes is not able to be understood in making a valid comparison. This is inexcusable, given how long this project has been on the drawing board and how controversial it and the Boardman project have become. The full link between controversy and the Boardman line and the terribly poor route choices of the Gateway EIS and the failure to bundle and co-locate must be examined. We Protest the failure to do so.

Bundling any Gateway line into existing utility corridor swaths and Idaho Power working collaboratively with other transmission line entities to use/energize their lines or corridors must be included in a SEIS. This all would minimize the project’s harmful environmental Footprint. It would reduce weed expansion caused by construction and operation (such as use of access roads), habitat fragmentation and significant loss and impacts on populations of sage-grouse and other imperiled species, disturbances to human residents, and many other adverse impacts of such a mammoth transmission project.

This would also eliminate the need for many harmful land-degrading RMP and Forest Plan amendments. So much of the sagebrush and arid forest landscape has been woefully fragmented and developed (grazing projects, logging, roads, etc.) that amending the lands use plans to allow even more development is not acceptable. Any Plan amendments should actually be done to designate ACECs or otherwise increase biological value, Visual resource, or other protections. We Protest the failure to do so.

Landscape-level and Project Footprint baseline information highlighting areas of ecological importance in 2013 has also still not been provided. BLM has internal maps that overlay sage-grouse, pygmy rabbit and other habitats and conflicts. This all should have been made public and laid out in the Scoping and now the DEIS process – so that a valid range of alternatives and analysis can occur. Interior refuses to lay out basic information necessary to properly plan to protect and conserve wild public lands, and imperiled species, and so be able to tell industry: *No – don't even consider a route in that intact area. Please develop a range of alternatives using disturbed lands instead.*

A full analysis of the catastrophic fire and agency treatment habitat losses that have occurred in much of Idaho and Wyoming and portions of Nevada has not been provided. This includes fire, exotic seedings, cheatgrass invasion, high density of livestock fences and facilities, high road densities, etc. We Protest this.

Revised and expanded analysis of the adverse impacts of potential linked or foreseeable development of new energy or other projects (wind, geothermal, fossil fuel, more transmission, etc.) in the path of any potential route of the Gateway line have not been fully examined. This is part of understanding the full range of connected, linked, and foreseeable actions. Where are sites where potential or linked development is likely if the line is routed along any segment? If this occurs, to what degree will habitats be lost and fragmented further, and species decline or be extirpated altogether in particular habitats used by particular populations? This is also necessary to understand if any mitigation is possible, the effectiveness of any mitigation, or the impossibility of mitigating impacts of ill-sited routes. We Protest this lack.

In scoping, we asked that BLM fully explain why this line, along with all the other existing proposed and foreseeable corridors are needed. It seems to us that Gateway is part a free-for-all scramble for rights-of-way right now. Various large energy companies seem to each be trying to get their own lines - perhaps even speculating on rights-of-way for lines to be sold or traded in the future (like occurred with Idaho Power's SWIP). Certainly part of what is going on here is making sure that energy can be manipulated and centralized, rather than de-centralized, in the future. This was not adequately examined in the EIS. Instead, the EIS presents a morass of confusion. The information and analysis is divorced from the rapidly changing smart grid and other energy developments. We Protest the failure to examine the full energy control framework surrounding the Gateway project.

All of the other potential large transmission projects (and the disastrous alternatives) would result in a proliferation of roading and other human disturbances, and cut-across roads at points from existing roads. All of this must be fully analyzed in site-specific detail. While the EIS presents colorful large maps, the road issue is unresolved. The mapping only skims the surface in overlaying the biological conflicts with these potential route segments. After all these years of planning this behemoth, Idaho Power has not even bothered to conduct baseline surveys and collect and analyze essential site-specific biological information on may rare species like the loggerhead shrike or sage sparrow. It hasn't even conducted intensive new lek surveys! Thorough and detailed baseline surveys must be conducted across the habitats of the affected populations of sage-grouse, pygmy rabbits, migratory songbirds, and other rare species. Please see Comments on sage-grouse and other species in following section of our comments, and sent to the Project Lead following the mitigation sessions of 2012. No map of access roads, project construction disturbance areas, etc. is provided so that informed comparisons of impacts

can be made and NEPA's require "hard look" at alternatives taken. Is this because Idaho Power is afraid of what it might find?

The impacts of Gateway (and any other foreseeable projects and renewable or other energy facilities these lines may spawn) on all sensitive species populations must be analyzed. This is necessary to understand ALL routes - along the Nevada-Utah border, or the northern part of the South Hills, or the routes through the Deep Creek Range, or slicing across the Owyhee Front would lead to extirpation of sage-grouse, pygmy rabbit, Brewer's sparrow loggerhead shrike, sage sparrow, or other rare species populations in these sites.

We are very concerned about migratory bird and bat collisions with transmission lines, and the migration routes and patterns (including areas where birds may be flying low under adverse weather conditions) must be fully examined. Migration routes in the region traversed by Gateway are very poorly understood. When renewable energy project analyses (such as the greatly flawed China Mountain EIS) have been prepared, BLM has not required that industry consultants conduct necessary multi-year intensive radar and other studies necessary to understand the large-scale conflicts with migrating passerines, raptors, or bats, including during inclement weather when migrating birds may be downed. The Gateway line could open up vast areas just east of Salmon Falls Reservoir to deadly industrial wind development and even more powerline sprawl. Full analysis of migration routes must be provided for this as well as all other potential routes or segments. Radar data on migrants must be collected for many portions of the route, specially in all areas of the South Hills and other likely areas. **We strongly Protest that this has not been done.** A SEIS is essential to answer these questions alone.

This EIS must provide detailed (and honest) analysis of the catastrophic effects that the ill-sited wind developments that may be facilitated by Gateway would have on sage-grouse and many other wildlife populations as well as migratory bird populations shared between states so that the cumulative effects of this project can be understood.

We submitted our comments on China Mountain to be considered as a general part of cumulative impacts and for inclusion in a Supplemental review. This served to illustrate many harmful impacts of energy structure development and of inappropriately sited remote "renewable" wind or other energy projects that Gateway may spawn in Wyoming, Idaho and Nevada. While China Mountain appears to be dead for now, we are greatly concerned about wind energy development in other areas that Gateway may facilitate, and this has not been adequately addressed.

This is necessary to understand the impacts of the route in Wyoming, and eastern Idaho, and potential route near the Nevada border and parts of the South Hills. The combined effects of wind or other development and abusive livestock grazing practices countenanced by BLM will very foreseeably cause even further reductions in sage-grouse and other wildlife populations leading to extirpation of the birds in many areas. If BLM authorized the potential southern route by the Nevada border east of Salmon Falls and then up into Shoshone Basin, the disturbance, increased nest predation, increased predation of adult birds, and increased human disturbance including fires resulting from Gateway plowing through remote undeveloped lands, coupled with the foreseeable wind energy and other development sprawl that would be spawned. This all combined is highly likely to cause great declines

or loss altogether of the sage-grouse populations in the Idaho-Nevada borderlands east of Salmon Falls. Where else are such combined effects likely – in Wyoming, Utah, or Idaho?

The full battery of private land wind developments all along the route must be fully examined. The Sawtooth Forest southern division has issued a series of Categorical Exclusions for wind MET towers in various sites north of the Nevada route. Plus Gollaher Mountain and other Nevada areas have also been put forth as wind development sites. Have there been rights-of-way for various energy activities issued in Wyoming, or the Project Footprint in Utah, as well? There is large-scale industrial wind in lands in eastern Idaho, and the American Falls/Rockland area. China Mountain (tabled for now) or similar projects and Gateway and the development/energy sprawl spawned could result in a significant range perforation for sage-grouse, and significant declines in pygmy rabbit and other wildlife as well. We are very concerned with potential wind energy development in Wyoming in areas with sage-grouse populations, prairie dogs and even black-tailed ferret. It appears substation locations in some areas (like Wyoming) may be anticipating wind development, yet the full indirect and cumulative effects of all of this existing and potential development all along the path of Gateway and its alternatives have not been addressed. We Protest the failure to adequately analyze the potential cumulative effects of Gateway spawning more run amok wind development, as well as the cumulative effects of this foreseeable development on sage-grouse, sharptail grouse, pygmy rabbit and other sensitive, rare, T&E species habitats and populations. More highly visible, road and habitat fragmentation spawning industrial wind development poses very significant threats to wildlife populations – as well as threats to cultural and heritage sites and human quality of life – across the route of Gateway.

With transmission lines such as this, wild land fire danger is greatly increased – including from increased flammable weeds that proliferate in areas of disturbance, from increased vehicle/OHV use, from raptor electrocutions igniting wild land fires, etc. We note BLM often fails in controlling OHV use. Many LUPs are woefully outdated and crosscountry use and road proliferation is allowed. Fires from Raptor electrocutions have ignited grasses as electrocuted birds fall to earth in southern Idaho. All of these risks must be considered in siting decisions, and they have not been. Nor has adequate mitigation been applied to minimize and/or avoid further very significant potential habitat loss and fragmentation. Any LUP amendments must include road/OHV closures in any new or upgraded roading caused by this project. Any upgraded roads must be returned to their original condition to limit human access, weed spread, etc. We Protest the lack of adequate analysis and mitigation.

We are greatly concerned that throughout this process, Gateway splits and often minimizes protective actions for natural resources on private lands. Just because a low, damaging bar can be set is no excuse for Idaho Power to do so. We Protest this.

Several of the various huge transmission/corridor processes are inter-related, and the full picture of **energy alternatives** that site any power generating/transmission facilities much closer to urban areas, that focus on private land development of “renewables”, and that focus on de-centralized energy and home or other solar/wind generation and conservation must be fully explored. This should be contrasted with the current apparent free-for-all Corridor Grab that appears to be unfolding across the Western Landscape, of which this Gateway EIS process is a part. Part of the Energy sprawl that appears to be occurring is aimed at keeping a chokehold on centralized large-grid projects like this one. These large projects make it easier for very large power industry players or speculators to manipulate and control and raise prices on power – as occurred with the Enron scandal.

There is increasing public outrage at huge taxpayer loan and other subsidies energy projects are receiving. For example, SWIP recently received a massive federal loan subsidy. We Protest the failure to analyze and reveal any potential subsidies and burden on taxpayers with Gateway. We are also very concerned about even further costs to the public ratepayers that will result to subsidize this line for Idaho Power's speculative benefit.

From the start, we have commented that BLM must fully and clearly evaluate whether there really is a need for the plethora of projects and corridor paths being proposed across this region, and must explain why Gateway, even if needed, cannot just follow or hook into other areas, rather than destroying undeveloped areas. A SEIS must provide honest, detailed information and independent analysis of why Idaho Power cannot focus on conservation measures with its customers and develop a really good smart grid as well as encouraging rather than trying to kill rooftop solar, instead of wasting power and resources through long-distance transmission, and destroying or highly degrading so many areas of public lands, along with placing another lethal hazard to birds and bats across so vast a landscape. How much energy will be required to build this line? Please provide all information –from likely import of steel to mining raw materials, to herbiciding weeds spawned anywhere across the globe. Please also analyze how much power will be lost in transmission, and the loss in the ability of wild public lands to buffer climate change adverse impacts that may result from Gateway and degradation and risks it poses. BLM cannot just take Idaho Power's/Gateway's word for a "Need". We Protest the lack of full analysis here.

BLM must critically examine the adverse effects, including promoting devastating habitat loss and fragmentation, large-scale visual pollution and blight of wild landscapes and high desert vistas, and other factors. BLM must consider saying No to Gateway and other projects that would have such deleterious effects, especially if the extremely harmful wild land routes are chosen. BLM has set up no rational framework to deny portions of the route – and instead appears to be embracing a highly flawed and minimal mitigation scheme that the power company has concocted. We Protest this (please see WWP comment letter and e-mails on sagebrush and sage-grouse and other sensitive species habitat mitigation).

BLM must require that a range of viable alternatives be considered and not a series of non-mitigatable southern routes, along with analysis of much stronger conservation measures, and alternatives that fully follow existing large transmission routes and/or the Interstate. This will greatly reduce the project footprint and environmental damage.

A SEIS must incorporate the full range of ecological concerns (such as habitat loss and fragmentation for native biota that will result from all potential segments), and the tremendous ecological footprint of a host of likely linked developments – ranging from powerlines to road networks that these projects would spawn) to potential wind, geothermal and solar development sprawl. Please also consider the potential for Gateway to promote oil and gas development, mining, and other industrial undertakings that further promote habitat loss. We Protest the failure to fully analyze this linked development and sprawl. Please analyze the potential for development. We surmise that the map would be black with leases/claims/rights of way.

How will siting of “renewable” energy complexes potentially linked to this line alter localized weather and other patterns? We understand that vast areas of arid lands will be bladed/bulldozed – cleared of vegetation, paved and solar panels placed if solar energy is developed. This will certainly alter local winds, local temperatures, and have other effects. There has been discussion of some solar facilities being sited in Idaho. As our China Mountain comments (submitted with comments on the DEIS) show, remote wild land wind farms have a massive roading impact, will interfere with windblown snow accumulation and the ability of the site to support moisture-dependent vegetation communities as well as hydrological processes, and have an overall terribly harmful Footprint. The Gateway road network may also alter snow deposition and hydrological processes. We Protest the failure to analyze a bevy of linked development sprawl concerns.

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

Why was the DOE Corridor process even conducted - if additional mushrooming corridors like Gateway, in relative proximity, can be obtained at any time?

If distance separation is needed between various energy projects – what is a minimal and reasonable separation? We Protest the failure to adequately address these concerns.

The EIS process failed to consider an adequate range of alternatives, including those focused on locally generated and locally used power – instead of transport (and much associated loss of electrical power) across long-distances ripping apart critical big game winter ranges, sage grouse habitats, pygmy rabbit habitats, loggerhead shrike habitats, cultural and historical sites including unique trails and viewsheds, landscapes and ecosystems critical to the integrity of National Parks and Monuments, ACEC, WSAs and Wilderness Areas, etc. In the BLM sage-grouse EIS process, new ACECs may be designated to protect sage-grouse and sagebrush ecosystems– yet Gateway may rip across these potential ACECs. What ACECs have been proposed, and are under consideration in that process, and how might Gateway prejudice the outcome of that EIS? We Protest the failure to fully examine the line’s full adverse impacts, and candidly address how Gateway fails to conserve, enhance and restore sage-grouse and sagebrush landscapes.

Adverse impacts to residents and wildlife and potential health hazards include harmful effects of lines and transformer sites, as well as herbicide use along huge disturbed corridors and the disturbance associated with the development that will be spawned, toxic materials associated with energy facilities, pollutants associated with linked/facilitated coal plants and other development, spills or leakage of all manner of nasty chemicals ranging from PCBs to chemical solvents, ground and surface water contamination from materials/substances transported, used or spilled/leaked, or that may contaminate water used or “run-through” or re-injected in association with geothermal or other development that will be spawned. There will also be cumulative impacts of herbicides and chemicals used with roadways in areas where the Gateway, road rights-of-ways, and public lands grazing disturbance overlap. There is a great dearth of information on the full amount of herbicide use and drift that may result – both during construction as well as over the life of the project. We Protest this.

**Grazing:** We Protest the appalling lack of candid information and analysis of the direct, indirect and cumulative impacts of livestock grazing on the current ecological health of all public lands grazing allotments in and near all potential segments. This is necessary in order to conduct a NEPA analysis of all the direct, indirect, cumulative, and additive/synergistic adverse effects of chronic grazing disturbance on sensitive species habitats and populations and the quality and quantity of habitat that exists and will be destroyed and/or impaired by the project. It is necessary to understand the effects of the additional disturbance associated with the project, which may be much more likely to result in new flammable invasive species problems in landscapes already degraded and disturbed by livestock, and thus “primed” for weed and biological impoverishment invasions. See Fleischner (1994), Belsky and Gelbard (2000), Gelbard and Belnap 2003. New scientific information shows that livestock amplify the effects of climate change (Beschta et al. 2012). Recent research further confirms that livestock grazing promotes flammable, invasive annual grasses like cheatgrass. See Resiner et al. 2013, also Reisner dissertation.

A Supplemental EIS is required to fully address the effects on public lands of the Gateway disturbance on top of the adverse effects of habitat degradation, loss and fragmentation caused by livestock grazing, livestock facilities, and often linked wildfire, roading, agency forage and vegetation “treatments” and other disturbances. Please see Fleischner (1994), Belsky et al. 1999, Belsky and Gelbard 2000, USDI BLM 2001 Belnap et al. Technical Bulletin on microbiotic crusts), Connelly et al (2004), Knick and Connelly (2009/2011) *Studies in Avian Biology*, March 2010 USFWS Federal Register Warranted But Precluded Finding for Greater sage-grouse, USDI BLM National Technical Team Report (2011), Beschta et al. 2012, USFWS Gunnison sage-grouse Proposed Rule (2013), Reisner et al. 2013, to understand just some of the broad array of adverse impacts from livestock grazing disturbance that chronically occurs across many portions of any potential route and the linked development that would be spawned.

How will it be possible to rehab disturbed lands (soils, microbiotic crusts, native vegetation communities, fragile sagebrush sites) faced with continued chronic grazing disturbance? What is the risk of failure, and permanent domination by invasive annual grasses and other weeds? There is no annual monitoring, Ecological Site Inventory, Rangeland Health, allotment evaluation, lentic or lotic PFC monitoring or examination of condition of habitat components or other data essential to understand the current condition and quality and quantity of the lands and waters that Gateway potential routes and their Footprint would impact – and how these are currently being impacted and impaired by livestock grazing.

All of this information is necessary to understand both indirect and cumulative impacts; to understand effectiveness of any mitigation and the scope of mitigation that is required; to understand the feasibility or likelihood of any rehab of disturbance being successful; to understand the risk of new and expanded weed invasions with Gateway disturbance; and the full impacts of current chronic grazing disturbance and degradation stressors on sage grouse and other habitats. Current science on the very long disturbance interval of many arid sagebrush and other communities must be provided. See Knick and Connelly (2009/2011) Baker and other chapters, also Bukowski and Baker (2013), for example.

There is no baseline information provided on the existing battery of livestock facilities that serve to degrade or fragment essential species habitat components across the Corridor and landscape impacts. This includes livestock fences, water developments (spring “development” and de-watering projects, water pipelines and troughs, wells), salting sites, etc. – all of which may significantly impair ecological processes, and have spawned an extensive road network over time and are also deleteriously affecting sage grouse, pygmy rabbit and other important and sensitive species habitats. Fleischner (1994), Frelich (2003), Connelly et al. 2004, Knick and Connelly 2009. This is also essential to understand the impacts additional fencing, roading, potentially expanded pumped livestock water sources, and other development that the Corridor projects and linked wild land industrial development sprawl that would occur from Gateway providing a power source in wild land areas.

There is no information on the current timing conflicts of grazing disturbance with sage-grouse, pygmy rabbit, migratory bird, raptor and other important and rare species needs across the landscape impacted by the project. Where are livestock turned out on top of leks, nesting birds, birds rearing broods, pygmy rabbit kits in shallow natal burrows, etc.? What management practices are applied that increase threats of predation and loss to sage-grouse and migratory birds? How will the added degree of habitat fragmentation by Gateway heighten and increase these impacts? What are monitoring findings? What use levels are applied, and how inadequate are the to provide nesting and other cover?

There must be consideration of a removal or reduction in livestock AUMs across the public lands path. As mitigation please require that project proponents set aside significant sums for purchase of private lands with important biological values, as well as for purchase of public lands grazing permits and permanent permit retirement for the specific region where the corridor or linked new development is located. This EIS should amend Land Use Plans to authorize such retirement. BLM ignored WWP’s request that this fully be considered as mitigation, and instead developed a flawed model that minimizes mitigation and promotes severe habitat loss and fragmentation. We Protest this.

There is not adequate mitigation or required mandatory actions associated with this EIS to adequately address the deleterious effects of this powerline, transformer stations, expanded roading, and all disturbances associated with construction, operation and de-commissioning. The project impacts will be amplified by livestock degradation of the corridor area and its surrounding areas where development will be promoted. This is essential to understand, because any disturbance effects of livestock grazing are likely to be exacerbated by global warming processes.

Global warming is also likely to increase cheatgrass and other invasive species problems resulting from energy corridors, livestock, roading and other disturbance. This will lead to further altered wildfire cycles (Whisenant 1991, Billings 1994). See Pellant 2007 USDI BLM Congressional Testimony, See Wyoming Basin Ecoregional Assessment, see Nevada Ecoregional Assessment, Knick and Connelly (2009).

How much will the risk of wild land fires (and thus significant losses of habitat) increase with Gateway development? Wildfires that start due to construction and operation accidents (raptor collisions with lines, downed lines, explosions, maintenance or operation of vehicles, etc.) may affect a vast area of important and critical habitats for ESA-listed species and sensitive species like sage grouse and pygmy rabbit. There is not even a baseline map provided of fire history. We stress that this must be fully

considered in Wyoming, too, as cheatgrass is becoming an increasing problem there and large-scale wildfires will follow its advance. In Idaho, cheatgrass sites are no being invaded by medusahead and/or rush skeletonweed, etc. in grazed disturbed landscapes.

Fences have serious adverse effects on mule deer, elk, bighorn sheep, antelope, sage grouse, and many migratory bird species (Connelly et al. 2004), Knick and Connelly (2009). What is the current Footprint of fencing and other livestock infrastructure in the affected landscape? How can this be greatly reduced and minimized as part of mitigation?

How does the battery of livestock facilities impact wildlife and recreational uses? How does it block or impede big game use and movement – including during periods of snow accumulation when any supposed “wildlife friendly” spacing will not be “friendly”, movement to seasonal ranges, etc. Where are all critical or seasonal ranges located in the landscape impacted? Fences provide even more elevated perches for brown-headed cowbird nest parasites on species like sage sparrow, Brewer’s sparrow, sage thrasher, loggerhead shrike, etc., or perches for egg predators like ravens, or predators on nesting birds. Livestock trailing along fences promotes weed corridors and fence disturbance areas like roads provide travel paths for predators.

Placement of high tension lines in or near Wildlife Refuges or state WMAs, sage grouse leks, Important Bird Areas, habitats essential for connectivity, migratory bird flyways, etc. may have serious adverse impacts to birds – and result in mortality and population losses, including of birds that are internationally significant. Where are all known migration corridors or movement pathways? Please conduct necessary baseline studies to determine migratory bird routes, especially in areas where such routes may be less known. What percentage of the population of each species may use each route? How might this corridor and also the development that may be spawned such as industrial wind farms on remote ranges affect population viability? We are very concerned at the failure of the EIS to conduct necessary analysis to understand migration patterns in this little-studied landscape.

All of this must be determined in a comprehensive Supplemental EIS analysis. Many of the Land Use Plans to be amended contain specific protections for big game and sensitive species, as well as some wildlife species “forage” allocations and habitat protections and often population goals, and prohibitions against causing adverse impacts to sensitive species. The consequences of any Amendment cannot be understood unless current and comprehensive wildlife information is provided, and all other parts of the Land Use Plan are complied with. Especially in the case of old land use plans, there is now a dramatically changed setting – and there have been hundreds of miles of additional fence, sagebrush loss, energy or other adverse impacts since the old plans were developed. Plus the old plans were developed before fence impacts were understood, West Nile impacts, climate change, etc. All of the adverse developments in excess of what the plan provided must be examined before any harmful Gateway amendment can occur. What protections for wildlife are found in the Plans? How does Gateway conflict with those? Why isn’t BLM strengthening protections to mitigate the adverse impacts of this immense project?

Please provide a full and detailed analysis of how any rehab of disturbed areas would occur, including how any rehabbed areas would be protected from grazing. No new fencing must be built. Entire pastures must be closed. Otherwise more fencing would need to be built. Will native species only be used in any site rehab? We are greatly concerned about the use of any exotic species – which spread.

How will global warming impede rehab of disturbance zones? Only local native ecotypes should be used in rehab efforts. A minimum of 5 to 10 years rest, and specific recover criteria including recovery of microbiotic crusts and the native shrub component must be required.

Invasive species like cheatgrass (promotes wildfires – see Billings 1994) and tumbleweeds thrive in disturbed areas. Windblown tumbleweeds and tumbledustards at times endanger motorists on roads, clog fences, heighten fire danger, etc. in the Idaho path of Gateway. There is no detailed analysis of the adverse effects on health and safety of motorists on federal, state, and local highways in the project potential route Footprints. What dangers does the infrastructure foreseeable here pose? Besides windblown weeds - what effects might any additional facilities have in concentrating livestock or big game use on roadways? What exposure will passing motorists have to herbicides used to control weeds thriving in corridor disturbance zones? Please note that the BLM Weed EIS (Vegetation Treatment EIS) is considered by many to be greatly inadequate in addressing ecological and human and wildlife health concerns related to the use of a great number of herbicides across public lands. Various Forests have only old, outdated, or minimal to non-existent analysis of herbicides currently in use and their adverse effects to wildlife and humans.

There is no adequate discussion or analysis of the current ecological health or importance of all the lands that will be affected. This is important to understand the difficulty of any rehabbing and the likelihood of invasive species dominance, and altered fire cycles caused by Gateway development. It is necessary to understand the relative scarcity/tremendous ecological importance – of lands that will be impaired as Gateway tears apart the remaining less developed landscapes and habitat areas in shrubsteppe, salt desert shrub and other arid habitats especially under the very harmful southern routes in Idaho. Landscapes will be further fragmented and torn apart once the Corridor infrastructure is in place.

BLM has not conducted a full-scale analysis of the effects of this development on short term, mid term, and long-term viability of all BLM sensitive species populations and all TES species, and the significance of the habitat areas and populations to the species as a whole (see Wisdom et al. 2002, Connelly et al. 2004, Knick and Connelly 2009/2011 as a starting point for this analysis).

Our Scoping Comments referenced the following basic information in the context of the DOE corridors but also relevant to Gateway in understanding the context of even more energy sprawl. The DEIS has not detailed and analyzed such parallel concerns as the following:

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

*foreseeable industrial wind farm development areas to cover up the tremendous ecological footprint that these corridors would have.*

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

Development of various alternative energy – including geothermal energy facilitated by Gateway - would have a broad array of adverse effects to wildlife, recreational uses of public lands, and potentially even agriculture. Tapping into or altering geothermal waters would accelerate aquifer depletion. Geothermal development would also deplete, alter and potentially destroy important recreational hot springs, or areas with important cultural importance to Native Americans.

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

This project will result in new roading, new development, transport or use of hazardous substances and use of environmental pollutants/contaminants. A broad array of effects on ground and surface waters may occur. These effects range from increased sedimentation (caused by new or expand road networks) that pollute and clog endangered or sensitive salmonid, springsnail or other habitats, to pollution/contamination from PCBs/other harmful utility industry chemicals, petroleum products, herbicides impacting waters and amphibians, or contaminating ground and surface waters – with impacts to aquatic species, wildlife, and human populations.

Construction of expanded roads or facilities will alter hydrological processes, and may affect both ground and surface waters – and a broad range of native wildlife species, and human uses and enjoyment of wild land waters – including fishing opportunities. The condition of

Sage-grouse brood rearing, especially in desertified livestock-depleted landscapes is tied to green vegetation on wet meadow and other areas. Many of these sites have already been greatly reduced and depleted – and agency use standards are typically far too lenient to protect what remains from grazing and especially trampling impacts. Roading alters hydrological flows, often creates long-standing pools or puddles of water in culverts or borrow pits, and these areas may harbor West Nile virus, of significant concern to sage-grouse and migratory birds. Plus, improved roading may be used to more

intensively disturb habitats with grazing, place very damaging supplement, and have a welter of other adverse impacts. Roading and potential energy development linked to this EIS may alter or affect ground water infiltration, hydrological processes, and linked energy development that will be facilitated by this line may deplete ground or surface waters, may have significant adverse impacts to sage grouse brood rearing habitats, habitats for aquatic species, habitats for riparian-dependent migratory birds, etc. We Protest this.

Of great importance are the effects of potential further alteration of hydrological processes or depletion on exceedingly scarce spring sources in high desert regions. Springs are critical to a broad array of wildlife, and many have already suffered large-scale degradation, depletion and in some cases been killed entirely by the effects of livestock grazing and BLM and Forest Service “development” for livestock. See Sada et al. 2001, BLM Technical Bulletin, describing the sad and sorry state of many of the region’s springs. Livestock water pipelines linked to these developments further extend intensive, damaging weed-promoting and nesting habitat depleting livestock grazing use. A Supplemental EIS must fully examine the current condition (including both water quantity and quality and any documented changes over time up to this point) of springs, seeps and riparian areas across the affected landscape. It must then determine the effects of all Gateway alternatives and associated, linked or foreseeable development on these critical riparian/watershed areas.

Riparian areas across the arid West will be under even greater stress, and facing further flow reductions due to diminished snow pack, increased temperatures, and other factors linked to global warming/climate change. Grazing amplifies these adverse effects. See Beschta et al. 2012. How will any potential route with this project and the linked and foreseeable development amplify global warming effects and disruptions/losses to riparian areas? Or aid in further desertification of the uplands through potentially intensifying damaging grazing impacts? How will development of Gateway affect municipal watersheds? We Protest the lack of adequate analysis of all of the above concerns.

Will this project promote more global-warming gas producing coal-fired plant emissions? We Protest the failure to lay out all the impacts of this line.

We Protest the lack of systematic site-specific surveys. The EIS provides some species lists, and minimal mapping of biological information. No adequate current, site-specific surveys for rare or imperiled species over the footprint of all potential routes has been presented. Rare plants are likely to be greatly affected by invasive species promoted by disturbance from construction, operation, and linked developments.

A much broader range of alternatives must be developed to focus on conservation and responsible transmission siting that includes using existing corridors and disturbed areas wherever possible. There has been no systematic and fact-based examination of any “need” for the particular swaths. Promoting and relying on huge energy projects detracts funding, interest and incentives (both federal and private) from efforts to develop local conservation, and home-produced energy such as solar or wind-powered houses with power generated on-site. BLM failed to follow existing corridors, and failed to lay out a series of reduced impact alternatives in a clear, understandable manner.

The EIS treats nationally significant values of the public lands and important areas with little consideration. We are appalled at how little consideration is given to nationally significant biological resources and rare species that are affected and will be further imperiled or extirpated under the profligate development of public wild lands that this EIS promotes with many of the alternative routes. Two prime examples are sage grouse and pygmy rabbit. Powerlines provide ample sage grouse avian predator and egg-predator perches – where ravens can scan for nests. Powerlines are always accompanied by new roading. Additional roading and other disturbance also increases sage grouse nest predator travel corridors. These impacts cannot be fully mitigated, and the EIS further carves up and fragments remaining sagebrush habitats, as well as nationally significant cultural/historical sites. We Protest this.

It is alarming to us that “mitigation” for mega powerlines is minimal, and consists largely of minor measures like fence reflectors and some “research” dollars, or conservation easements that typically allow abusive grazing, predator killing, and other harms to continue, or funds to Game Departments or BLM to once again study highly predictable wildlife declines and species loss will occur. The other standard “mitigation” is killing trees and shrubs – which often has significant adverse impacts and is not really “mitigation” but often is more aimed at appeasing livestock or trophy hunting interests. There is greatly inadequate consideration of the effectiveness and certainty of mitigation measures, and the actual conservation value and positive benefit of the measures that are proposed. We Protest this.

Such damaging powerlines that carve up important habitats for sensitive species are virtually always given the greenlight – despite the long-lasting tremendous impact these developments have on wildlife, watersheds, native plant communities and much-increased risk of weed development, cultural sites, wild land recreational uses, etc.

BLM and the Forest must clearly state that impacts cannot be mitigated in many segments of potential routes for this line, and this has not occurred. We Protest this.

This EIS must fully examine the large-scale deleterious effects of development of this and other foreseeable Corridors/projects, as well as other foreseeable linkage powerlines that will result, and provide some sizable mitigation funding and significant mitigation actions – not just giving agencies some funds to study grouse decline and kill some junipers, and fragment more habitats.

BLM must use the methodology and science in the Sage Grouse Conservation Assessment (Connelly et al. 2004) and the recent Knick and Connelly (2009/2011) *Studies in Avian Biology*, including information on long recovery periods for disturbed arid lands sagebrush communities (see also Baker and Bukowski 2013), to conduct a science based analysis of the direct, indirect and cumulative effects of the designation and/or development and use this as the basis for developing alternatives and determining any mitigation actions, including mitigation by avoidance. The flawed HEA and other “models” are greatly inadequate, and they are often not based on systematic site-specific surveys and a determination of the relative importance of the land areas under all alternatives. This is a particular problem with winter habitats for sage-grouse, and other little-studied aspects of animal habitat needs across much of the project’s route and footprint.

The EIS has not conducted current and updated habitat impact and fragmentation analyses for all sage grouse populations as described in the Connelly et al. 2004 Assessment and Knick and Connelly

(2009/2011). It has not examined effects on local and regional populations, including the Northern Great Basin sage-grouse population. In many areas, claimed population increases of sage grouse from much more intensive sampling in the early-mid 2000s are now dropping. There has also been tremendous wildfire habitat loss of critical lek complexes and other habitats. In all of these efforts – the broader populations like northern Great Basin and the local populations, please examine the current effects of fragmentation and loss of habitats – including fire, livestock fences and other infrastructure, roads, existing and foreseeable energy development, powerlines, etc. How much intact little-fragmented sagebrush is left in these populations' habitats? How will this project further alter and reduce this? Please project effects to populations over time with and without development of this mega utility corridor in the area. Please do this under all of a greatly expanded range of alternatives that focus on siting in disturbed areas.

In Scoping, we asked that you use analyses as found in ICBEMP and other current science-based assessments such as the ICBEMP Wisdom et al. 2002 species examination and other ICBEMP documents, also Nevada Wisdom et al. 2003 assessment, and the Wyoming Basin Environmental Analysis (WBEA) to examine the full range of ecological threats and habitat fragmentation that currently exists for other sensitive species, too. This has not been done. We Protest this.

Again, as mitigation, WWP requests that Idaho Power set up a substantial fund to purchase and retire public lands grazing permits across regions where sage grouse and other native wildlife habitats and populations will be adversely affected by this project. This EIS proponents should work with BLM and the USFS to contain language that amends Land Use Plans and allows for permanent retirement of grazing permits so purchased. We Protest that this has been ignored.

This project claims to be decreasing “congestion” and enhancing capability of the grid, but the EIS does not provide necessary analysis to allow understanding of why only the Proposed Action or routes in that and only that location, would magically achieve this compared to a broad range of other alternative disturbed locations, conservation actions, and more localized energy development. In reality, this seems to be to export power from the region, rather than relieve local congestion. We Protest this.

Will this facilitate remote siting of nuclear plants? If so, this is a major human health issue that needs to be thoroughly examined. This will also generate hazardous waste that somehow must be dealt with. Plus, nuclear energy requires a large volume of water for cooling, and any nuclear development in the water-scarce West may strain and deplete waters – plus has a potential for contamination and pollution. Is this project (in the Jarbidge area) potentially or foreseeably or known to be linked to military uses? Will this facilitate additional phosphate mining, cyanide heap leach gold or other hard rock mineral mining, and linked mercury poisoning of regional airsheds and waters from this? We Protest the failure to adequately address this concern.

The project routes will greatly blight and mar scenic viewsheds, wild natural settings, intrude on roadless and remote lands, etc. The EIS must fully examine the adverse effects to public enjoyment of cultural and historic sites, and potential adverse effects. WSA and roadless inventories (Lands with Wilderness Characteristics) must be conducted, and these lands identified and protected as part of this process. We Protest the further loss of wild land natural and unroaded areas, and the wildlife, watershed, and recreational values that they provide.

Please provide mapping and analysis that overlays Dark Night Sky areas with the path. How will this project adversely impact the Darkness of Night Skies? This has not been addressed, nor facility lighting minimized. We Protest the lack of dark skies analysis, and lack of necessary measures to minimize light pollution – including potential transformer/substation and other sites that may be lighted and linked development – and the lethal impacts such lighting may have on migratory birds and bats, as well. See for example <http://www.abcbirds.org/abcprograms/policy/collisions/towers.html> . This describes millions of birds being killed across the U. S. at transmission towers. The power line, its upright towers near ancillary facilities with night lights as well as potentially linked development pose a significant and unassessed and unmitigated risk that will very likely result in significant “take” of migratory birds. We Protest the failure to address and mitigate these serious issues.

The EIS has not addressed the likely amount of intrusive lighting that would be associated with various facilities, or with the developments that would be spawned, or developed efforts to avoid or mitigate this. We Protest all of these deficiencies.

The EIS must do a much better job of describing the type of transmission, gas pipeline and other existing rights-of-way, as well as mining and other activities in or near all segments.

### **ADDITIONAL BIOLOGICAL and OTHER CONCERNS**

The Gateway EIS’s sage-grouse, pygmy rabbit and other wildlife baseline environmental information, data presentation and other analyses are greatly deficient. A Supplemental EIS must be prepared that provides a valid basis for development and full and fair evaluation of alternatives.

We are appalled that objections of single landowners can be the basis for generating whole new greatly harmful alternatives that would impose massive new intrusion onto remote areas of public lands. The American public owns the public lands – and protection of their values is critical. Is this what has occurred with crossing of Salmon Falls Creek, or other very sensitive areas in Idaho? This EIS is an abject failure in accurately describing the environmental baseline, in examining a viable range of alternatives, and in complying with sage-grouse and other biological conservation plans and protections for native biota of all kinds, as well as protection for long-recognized ACEC, wild land and recreation values of the public lands.

### **HEA and Other Vague, Incomplete or Inadequate Mitigation and Analysis Models**

We are very concerned about the reliance on the HEA and other models. HEA is supposed to be a “method of quantifying the permanent or interim loss of habitat *services* [what an absurd term!] from project-related impacts”. This model is not adequate to establish a valid mitigation/compensatory plan, or to regulate/mitigate or understand project activities and impacts during construction, operation and de-commissioning. It omits or downplays key elements of landscape setting and project context, the relative importance and scarcity of undeveloped wild habitats and landscapes impacted by Gateway routes, and many other key attributes necessary to understand impacts of all potential routes.

The EIS must examine conditions to at least 10 miles distance from leks in the context of local populations, and fully consider that grouse may nest even further from leks and move over vast

landscapes in the course of the year. The full Gateway Footprint must be understood in terms of affected local and regional populations and the landscape that birds use over the course of the year in fulfilling all of their seasonal needs, including habitats that ensure movement and connectivity. Core areas do not do this. There is no detailed population-by-population analysis of habitat quality and quantity, population status, and cumulative impacts and threats to the populations. FEIS Sections 3.10.1.4, 3.10.1.5, 3.10.2, 3.10.2.1 and 3.10.2.2 are greatly inadequate in establishing a species occurrence and habitat quality and quantity baseline. The rest of the analysis in Section 3.10 Sections 1-44 is also greatly inadequate. FEIS Sections 3.11.1 through Section 3.11.15 (Special Status Wildlife and Fish) is similarly deficient in Sections 3.11.1 (Affected Environment) as well as discussion of various state sage-grouse and other efforts, and the threats these loose uncertain plans and proposals pose to sage-grouse and other native biota.

Delaying surveys to “preconstruction” for bald eagle, black-footed ferret, burrowing owl, Columbian sharp-tailed grouse, ferruginous hawk, flammulated owl, greater sage-grouse, mountain plover, northern goshawk, Preble’s jumping mouse, pygmy rabbit, three-toed woodpecker, white-tailed prairie dog, Wyoming pocket gopher, midget faded rattlesnake, yellow-billed cuckoo, golden eagle, prairie falcon red-tailed hawk, Swainson’s hawk, and other species is greatly inadequate. It appears no surveys will even be done for many nesting migratory birds – from sage thrashers to long-billed curlew. All late winter- summer periods should be off-limits to development. See FEIS 3.11.1.4. Vegetation mapping and methods are greatly inadequate (3-11.1.4). General models and databases were used, not essential on-the-ground site specific biological information.

The COT Report (Budd et al.) is greatly defective, and we Protest BLM reliance on that political document in any way. The Sage-grouse COT report guts protection of vast areas long recognized as critical to sage-grouse, and where habitat is being actively restored for sage-grouse, and large areas of recognized BLM Priority habitats. This is a political document - one of the last FWS acts under Ken Salazar as Interior Secretary, and treats sage-grouse and sage-grouse habitats as expendable. The report tries to use the names of recognized biologists who wanted nothing to do with this travesty of a political hatchet job on sage-grouse habitats. It demonstrates the failure of the state plans (like Idaho’s) to conserve, enhance and restore sage-grouse populations. It is also weighted toward leks, and not the full array of habitats.

Regarding the Wyoming core areas - They were drawn up to purposefully exclude many sites where developers wanted to put energy and other projects, or where important ranchers held sway. Then, following the Core Area mapping, Wyoming has proceeded to look the other way as uranium mining and other development has taken place.

Gross generalizations about sagebrush are made, complex communities are all lumped together, grazing, facility and other degradation and fragmentation and reductions in habitat quality and quantity are not adequately addressed. We Protest this.

The EIS states: “the ‘currency’ under the ESA is the number of individuals in a population”. First, we object to this characterization –especially from an entity that apparently does not understand that these individuals require undisturbed habitat and the Footprint of the project impacts crucial habitats in myriad ways unexamined in this cursory and incomplete EIS. Second, why is there no site-specific

information presented on the CURRENT 2013 local and regional populations and number of individuals impacted of sage-grouse, Columbian sharptailed grouse and many other imperiled species?

Following on this “currency” – It is certainly necessary to understand how reduced populations have become, and predictions of how severe foreseeable declines will be –to understand the “value”. How many individuals are found are in all populations in all areas traversed by all potential routes now? Are they viable? How will Gateway and potential linked developments reduce their viability? How are these populations defined, and what are their boundaries? How much available habitat, and of what quality is this habitat, for all existing populations. How will any potential route (such as the calamitous route by the Nevada border – and others in segment 7, or the southern Owyhee route in segment 9, or the various routes that cross the Idaho Deep Creek Range impact habitats and populations of rare and imperiled species?

Also following on this “currency” scheme: Money can’t buy you enough wild birds to make a sustainable population and make up for the destruction that you do --- If your route is essentially so damaging it is not mitigatable. This is the case with many portions of the various Alternative routes through intact sagebrush and other wild lands. Sage-grouse and other wildlife need a complexity of connected habitat types – and areas with suitable conditions resulting from topography, vegetation, water sources, etc. can not be replicated. Models based on fallacies or mere acreage replacement are divorced from understanding a species needs in time and space. We Protest the failure to consider the irreparable nature of the losses caused by Gateway’s direct, indirect and cumulative effects, and the deficient and minimal measures in FEIS Sections 3.10 and 3.11 in their entirety.

Sage-grouse and other wildlife are increasingly boxed into smaller and smaller areas – and industry like Idaho Power refuses to leave these blocks of remaining habitat alone while the BLM abdicates its duty as a steward of the public lands in failing to require that the energy industry route projects in existing Corridors and disturbed areas.

Agencies cannot use “acres disturbed” in understanding impacts, or in determining mitigation and other measures. The cumulative impacts, and the entire Footprint of the project on a landscape species – like sage-grouse must be examined. The visual blight/intrusion, noise, roading, weed expansion, predator-promoting disturbance and all other impacts and the greatly expanded linked industrial development potential Footprint of all potential routes must be provided.

DDC in the EIS is tied to the Wyoming core area concept model. WWP believes this Core area concept, and continuing and additional development and fragmentation that it allows is not adequate to conserve and protect sage-grouse in nearly all instances. But the Idaho Power EIS doesn’t even conduct and present necessary minimal analysis to understand impacts on core areas.

A great flaw of the Core concept is that it is focused on leks - and promotes sacrificing/triage of whole land areas and important wintering and other habitats if lek numbers and density are not as high as other areas. Thus, populations that may have fewer birds are being sacrificed.

But sage-grouse across the Project Footprint are in such a perilous state that all efforts must be made to retain all populations – and not write some off just because a Core Model does not include them.

In fact, reliance on the core concept can have devastating impacts – if, for example, a large wildfire removes the main Core Area in a region, or higher populations collapse due to disease or unforeseen events. Such shortcomings and risks must be fully examined – especially since the project heightens fire risk.

Density Disturbance Calculation information and analysis must be provided in a SEIS for all areas not just Wyoming. See 2010 Doherty et al. Westwide Sage Grouse mapping, but considerations must extend far beyond just this.

A full and fair analysis of the impact of this project on all affected habitats and populations of sage-grouse must be provided. How viable will all populations in all areas of the footprint of all potential routes be? How viable are they now? In 10, 20, 50 and 100 year time frames?

The EIS doesn't even guarantee that this minimal DDC level of analysis will be completed – even after a preferred Alternative is selected.

There is no excuse for Idaho Power's failure to have conducted all of these analyses and provide them to the public at the stage of the DEIS. Informed full public comment cannot occur until this is done. The degree and severity of impacts of any route cannot be fully understood. It is also impossible for the agency to understand the need for additional or altered alternatives or how much mitigation would be required until this is done.

A large flaw in the Core Area concept (FEIS Figure 3-11-1) is that it is lek based. Thus, it may omit essential wintering, nesting, brood rearing or other habitats that are key to the survival of sage-grouse a landscape bird, and also that provide crucial connectivity.

A SEIS must be prepared to provide a tremendous amount of information lacking in the SEIS for sage-grouse and all wildlife species habitats and populations, including US Forest Service MIS species. We can only conclude that Idaho Power is rushing to get this EIS shoved through before public outrage at these expensive and environmentally damaging transmission projects escalates further. As soon as an EIS process is completed, and a record of decision signed, Idaho Power could turn around the day after, and essentially sell the right-of-way to another party. If full analysis is not conducted now, there is no hope that it ever will be adequately done. Foreign developers, energy speculators, or anyone else could buy the right-of-way. Unless iron clad mitigation based on best available science and full current baseline data is laid out and alternatives impacts clearly understood, there is no way that impacts on species and their habitats will actually be minimized or properly mitigated.

Additionally, the methods described for Density Disturbance Calculation analysis are greatly inadequate. These include BLM using a DDC "tool" to automatically sum up disturbances within the DDC analysis area, and determine how many occur there. It appears the "disturbance" of a road will be treated the same as the "disturbance" of a powerline – yet the impacts are different and affect different species in various ways (tall visual object avoidance, road noise avoidance – for example). This project will often result in BOTH occurring in the same area. Is a mine disturbance the same as a fence? Is a fence considered a "disturbance"? Since fences cause very significant mortality to sage-grouse, certainly these too must count. Is herding thousands of domestic sheep and sheep camps annually situated on top of grouse leks a "disturbance"? Is a fire a disturbance? How in the world will

all of this information be considered and integrated? Is a transmission line disturbance the same as an oil and gas rig disturbance?

Sage-grouse use breeding habitats with much greater shrub canopy cover than just 10-25%. This must be corrected, and areas with greater canopy cover included. All mature and old growth sagebrush communities must be identified and protected. Where are these areas in the Project Footprint? This information is ignored. See Bukowski and Baker (2013) showing historical prevalence of mature sagebrush communities, including dense sagebrush. Managing for meager cover will greatly harm pygmy rabbits and many other species.

The EIS mentions that sage-grouse are capable of traveling long distances. But there is not an adequate analysis of how and where sage-grouse from all affected populations move through or across the lands affected by all potential routes or project components and linked developments in the course of their annual cycle?

Much more current and accurate information must be provided on the number of actually active leks in all four states based on comprehensive systematic baseline surveys within at least 10 miles of all potential routes. Some wildlife departments at times try to conceal how severe declines and losses have been in some areas. Full information on all lek counts for all periods of time for all affected populations of sage-grouse and sage-grouse habitat must be provided. As part of this project, intensive baseline surveys and lek searches must be conducted across the affected habitat area and population – a minimum distance of 10 miles from all potential routes. Habitat quality and ecological conditions in this area, too, must be assessed and provided.

Table 3.11-3 provides only “Miles of Habitat Crossed”. Idaho Power cannot be allowed to get away with considering only the immediate area of the powerline as the project Footprint – as appears to be the case with info presented so far. What is the quality of all this habitat? When is it used, and how is it connected to large blocks of undisturbed habitats? How fragmented is this habitat? What is the habitat configuration – as sage-grouse habitat is not linear – and what are the threats to it?

There is a significant difference in how states identify active leks – in Idaho – occupied once in 5 years, vs. Wyoming –occupied once in 10 years. WHY haven’t uncertainties “undetermined” status - within ten miles of all potential routes been cleared up by now?

The EIS 3-11-30 attempted to minimize impacts by looking at leks within a mere 0.6 miles of the Proposed Route in Wyoming. It states there are 9 leks occupied or undetermined within 0.6 miles, 66 leks (DEIS), now stated to be 42 leks in the FEIS within 2 miles, and 511 leks (DEIS), now 412 (FEIS) within 11 miles of the Proposed Route. What about all the other Routes, including the Idaho and Nevada route? WHY isn’t this information provided – for distances of out to 10 miles? Use of 0.6 miles is far too minimal – given all that is now known about how sensitive sage-grouse and other species are to visual, sound, roading and other habitat disturbance.

The EIS further tries to minimize the colossal project footprint by claiming that the PR would cross through approximately 677.3 miles of suitable sage-grouse habitat. What about all potential routes? But moreso – focusing only on the exact linear path in no way addresses the full construction and operation disturbance impact of a mammoth transmission line.

Why does mapping only show Wyoming leks, and not Idaho leks? Without mapping this – it is impossible to understand the location of the leks, or the impact of the project. We are dismayed to see despite the series of fancy maps, there is no mapping and identification of the very important pygmy rabbit habitat along all routes, of MIS species habitats, etc. We Protest this.

In understanding the degree and severity of impacts of the footprint of this development on wildlife species, rare plants, the health and integrity of native vegetation communities, it is essential that regional, local and site-specific mapping of current cheatgrass/medusahead and other weed presence, as well as risk of expansion, be undertaken. Then, the risk of the roading and ground disturbance impacts of this project in accelerating or causing weed infestation must be understood across the project Footprint. This analysis must fully consider the role of continued livestock grazing on top of the powerline development and other threats.

WWP provided photos of the large-scale disturbance associated with the SWIP powerline now being built in Nevada to illustrate our concerns. Large areas of access roading are bladed, areas of tower assembly are mowed, bladed or reduced to bare dirt. Then – large herds of livestock are herded and or grazed for months at a time right on top of disturbed lands. The end result? Swaths of Project-caused weeds soon spread crosscountry in the wake of livestock disturbance to microbiotic crusts, soils, and plant communities. Photos August 2011 White River Valley near Grant Range. View of one portion of upper crossarm assembly site. Roading was churned to powdery dust, and access road appeared to be new or freshly bladed to a much greater width. SWIP was an Idaho Power right of way sold to another party.









The EIS woefully fails to provide information necessary to understand and visualize the degree and severity of impacts of project construction and rehab, and the risk of failure including during drought or as weeds invade in chronically grazing-disturbed landscapes.

The FEIS woefully fails to provide detailed information on current ecological conditions, rangeland health status, degree of depletion of understory, condition of microbiotic crusts, etc. since many recent BLM assessments have been highly flawed and try to cover up livestock grazing and trampling impacts – new studies must be conducted in the footprint along all possible routes. We Protest that this has not been done.

In addition, vehicles accessing or passing by the site (both workers and the public) will carry weed seeds to and through the Footprint – and livestock then transport seeds onto bare project-disturbed soils. We commented that as part of this process, any RMP amendment undertaken must amend RMPs to provide for Integrated Weed Management to overcome the standard BLM/FS “spray and walk away” approach. These amendments must include that no grazing occur on the disturbed lands of the project Footprint until recovery of native vegetation occurs. Grazing must be pulled back to existing pasture boundaries – i.e. the “pastures” through which the project and access roads pass must be closed to grazing use until successful rehab with native species is realized.

In the broader landscape, all these MFPs, RMPs, Forest Plans must be amended to require quarantining of livestock moving from a weed-infested area onto any native vegetation sites for a suitable period of time for weed seeds to pass through animals, and cessation of grazing disturbance on lands until infestations are controlled. We Protest that BLM ignored these concerns and their mitigation actions to minimize weed spread.

We are greatly concerned about declines in golden eagle, ferruginous hawk and other raptors in recent years. These species are greatly threatened by energy development – such as wind turbines, and increased human habitat disturbance and manipulations. Eagles are threatened by the setting of snares, which appears to have increased as predators are persecuted in order to try to “save” sage-grouse. This new line poses a great threat. Eagles are facing large-scale loss of jackrabbit prey habitat with wildfires. Ferruginous hawk habitat is being destroyed at breakneck speed in Burley and other BLM lands as BLM seeks to purge junipers from the landscape – to the detriment of this very important native species. Now Gateway will further amplify risks. In the case of any raptor electrocution, downed line electrocution, or construction-related wildfires caused by the line, the owner of the right-of-way (Idaho Power or any party IP may sell this to– as happened with SWIP) must be held responsible for the costs of rehabbing fires with native vegetation only.

The project passes through a mish mash of old or highly flawed MFPs, RMPs, and Forest Plans with greatly inadequate measures to protect from OHV/roading, excessive grazing including harmful practices and facility expansion, overstocking, and grazing of weed-vulnerable lands, and where a battery of other projects have occurred in prime and important habitats already.

We are greatly concerned about the amount of herbicide and the types of herbicide that may be used. Instead of reliance on the spray and walk away approach, full and integrated IPM must take place. There is significant potential for soil contamination, drift including on windblown eroded soils, and many other problems with herbicide use. A solid protocol for effective treatment – including preventive actions and prudent post-rehab controls grounded in IPM must be established.

We also stress that there are no adequate protections provided here for prevention of excessive soil erosion, loss of microbiotic crusts, and many other adverse impacts of gateway.

We also believe that BLM’s Herbicide EIS is deeply flawed, and cannot be used as the basis for widespread application of herbicides here. Full adverse impacts of a battery of chemicals used in pygmy rabbit habitat, or spotted frog habitat, or sage-grouse nesting habitat, for example, have not been adequately examined. Rabbits may be exposed to chemicals while they are being applied, in soils in burrows, and on vegetation consumed. Just how much herbicide, and what type, will be applied in association with any part of this project? Will sprayed dead zones be used around facilities?

### **TES Concerns**

A much higher caliber Biological assessment must be prepared, and the EIS is not sufficient for and informed ESA consultation to occur. We Protest this.

The EIS is inadequate in presenting information and analysis for black-footed ferret, Canada lynx, Columbia spotted frog, gray wolf, grizzly bear, mountain plover, northern leopard frog, whooping crane, yellow-billed cuckoo, several spring snails, rare Colorado river fish, and other habitats including those of Forest MIS species. One of the concerns with routing of this line in these areas is that is likely to set a precedent for all manner of energy lines, such as gas pipelines to occur in the future if the RMPs are amended and Idaho Power is allowed to carve a brand new route with this line. The gray wolf is still listed in Utah and Nevada and may be impacted by potential routes. Instead of the BLM being concerned about the loss of goshawks from forest nesting territories, the EIS any hard look at causes or declines. We Protest this.

None of the mapping shows all the access routes. So how can the impacts – including such impacts as downstream sedimentation, really be understood, analyzed, and mitigated? We Protest this.

All transmission line wires must be prominently marked to maximize visibility and reduce avian collisions. Visual analyses must be conducted using such marking. Any cell or other towers linked to this line must be “bundled” with other sites, and night lighting hazards minimized. Night lights, especially under cloudy conditions, appear to draw migrating birds in – and they are killed by collisions with wires or tower structures. This is also a concern with the various transformer and other sites associated with this line. “Bundling” of ANY such developments with other night sky light polluters must occur. We Protest the failure to do so.

How much will this project and linked developments alter the darkness of night Skies in remote areas?

How much will dust pollute the air, and add to already very poor air quality in portions of Idaho suffering intensive dairy, feedlot and ag land air quality issues, or Wyoming in areas suffering oil and gas air pollution?

In Section 3-11, the EIS lumps many sensitive species (BLM and Forest). This is greatly inadequate in addressing impacts, especially when Idaho Power hasn't bothered to conduct site-specific surveys across all potential routes. Species are lumped due to habitat requirements or life history traits. This is nonsense. EACH of these species is a species of concern, and has specific habitat requirements. This appears to be another part of the Idaho Power EIS's “Don't Look, Don't Find, Forget About” superficial and self-serving schemes to avoid honest understanding of the degree and severity of impacts of all potential routes so that a valid comparison can be made. It also panders to, and is biased towards, interests who are trying to shove the project onto fragile public lands.

We commented that this entire part of the EIS and its meaningless Appendix Tables must be re-done and detailed baseline surveys, analysis, and mapping occur. This did not occur, and the significance of the impacts and losses to species and the public lands cannot be understood. A SEIS is required, and we Protest the failure to prepare one for the entire project area and route.

The EIS refers to Tables buried deep in Appendices – Table D 11-1 and D-11-2. When a reader looks at these Tables –only simplistic information is found. If species are present, entire segments are where found are numbered, with no specificity of any kind on where in the segment they may be found. Thus there is no way to possibly understand the impacts of the project, its access roads, and entire habitat alteration and destruction Footprint on habitats and populations, and how population viability will be

impacted. The species include California bighorn sheep, black-tailed prairie dog, Brazilian free-tailed bat, American marten, and a host of other very important species.

EIS 3-11-55 to 58 has MIS species for only one two Forests. Sawtooth Forest MIS species - or any others impacted by any potential route must be considered. And is there only one MIS species on the Caribou-Targhee? We Protest the failure to clarify this.

TES Plan amendments include Medicine Bow permitting Gateway Proposed route intrusions into northern goshawk habitats. This should not be allowed, due to viability concerns. The same applies to golden crowned kinglet habitats, Lincoln's sparrow habitats, snowshoe hare habitats, three-toed woodpecker habitats, Wilson's warbler habitats

There must be much more concern and consideration given to intensive surveys and avoidance of all raptor species nest sites during sensitive nesting periods. Golden eagles, for example, may start nesting in January. No project construction (including road activity) can be allowed during sensitive raptor nesting periods. The EIS minor mitigation and avoidance actions are greatly inadequate, especially for species facing such unprecedented threats. Have detailed site-specific surveys over an area 10 miles from the Project been conducted?

All the EIS does here is leave the door wide open for Idaho Power (or whoever the ROW might be sold to) to pressure BLM or the Forest to issue waivers. BLM, in particular, does this all the time in Wyoming for Oil and Gas, and also issues waivers for wind energy - as in Nevada Spring Valley Wind. In fact, the so-called "mitigation measures"/avoidance periods have often been routinely waived for industry. The Forest leasing is typically overseen by BLM. So the EIS's that promised mitigation/avoidance really weren't worth the paper they were written on.

Gateway's supposed "mitigation measures or "EPMs" and other readily waived **non-protections**. The DEIS states "a list of all state and federal restrictions can be found in Appendix 1; the Project would be required to comply with all agency timing restrictions **unless an exception is granted by Agencies**". This leaves the door wide open for Idaho Power to exert political pressures through backroom methods and get any supposed mitigation and protections promised to the public cast aside as the project is built and operated. Not only are the Gateway FEIS mitigations are greatly inadequate and do not take into account the increasingly dire straits many of these species are now in –like native raptors, migratory birds and sage-grouse, they can be waived at any time. We Protest this.

Further, many of the agency boilerplate mitigations have proven completely inadequate to protect species like sage-grouse and many other rare animals and rare plants, and much more conservative and protective measures must be put in place. All high quality habitats for species must be avoided to the maximum extent possible. WHERE are these habitats – for all species of concern? A reader of the EIS cannot tell. We Protest the failure to depict where along the line and the surrounding landscape there is habitat, and to analyze the quality and quantity of the habitat.

Any Plan amendments must consider much more protective measures for any intact habitats – rather than gutting the already poor protections, as this EIS would do with its many amendments. Why doesn't this EIS also amend the Green River RMP to prohibit Gateway to be built within 0.25 miles of sage grouse leks, or to ban such large-scale intrusions into goshawk habitats in the Caribou Plan area?

The EIS does not adequately disclose impacts. The Threat determinations greatly underplay the severity of impacts and threat.

This project must be routed to avoid Canada Lynx LAUs and linkage areas. Please develop alternatives that do this in a greatly revised EIS. It is impossible to understand the project impacts on Columbia spotted frog, rare mollusks or any aquatic species since adequate and detailed mapping of access roads and other disturbance has not been provided and overlaid. Alteration of hydrology and flow patterns, release of pollutants, increased predators, sedimentation, and many other adverse impacts are highly likely. We Protest the lack of clarity.

It appears segments of a potential route in segment 7 in Cassia County are located near the Jim Sage bighorn sheep population is that the case? What other potential habitats are impacted by any Gateway route? Please examine all the stresses that bighorn sheep populations may be under in the Footprint of the Corridor. This includes disturbance by cattle grazing, and disease issues with domestic sheep. We Protest the failure to look at each local population threatened by any Gateway route, and analyze all the threats that it faces – so that a reasonable determination can be made if the habitat and population can withstand any additional stress.

Sage-grouse discussion in FEIS 3.11. This entire section must be re-done and solid comprehensive baseline information collected and presented so that impacts can be understood.

The EIS states that “arid landscapes can take many decades to restore”. Disturbed low sagebrush ,black sagebrush Wyoming big sagebrush, juniper communities and many other areas can take hundreds of years to restore. Citations for the tremendous amount of time that disturbance, even under the best of circumstances, will persist must be provided. See Knick and Connelly (2009/2011 Baker Chapter, also Bukowski and Baker (2013).

Idaho Power has offered only limited EPMs, and these are greatly inadequate to “*help avoid, minimize, and mitigate direct, indirect impacts on GSG*” as the proponent claims they are supposed to do. These EPMs look like something from the 1950s. They are also greatly inadequate to conserve, enhance and restore sage-grouse, as required by the BLM’s current conservation policies, and described in the NTT Report. We Protest these limited EPMs.

Idaho Power proposes to survey only “all gsg leks determined to be within one mile of the centerline of the project”. This must be increased to within 5 to 10 miles of the line or any access route. There is zero winter or other habitat avoidance. There should be no activity allowed within five miles of ANY lek in ANY habitat. Surface disturbance and occupancy must be prohibited within 5 miles of occupied leks –not the ridiculous 0.6 miles. We Protest the failure to adopt this minimal protective measure. FEIS 3-11-62, 63

Idaho Power cannot rely on the greatly inadequate WY Core-derived industry-centric 0.6 mile NSO federal lands only, and no waivers can be allowed. FEIS 3-11-62, 63 for example.

We strongly oppose Idaho Power cutting away its already minimal protections when it comes to mitigation on private or state lands. Idaho Power even tries to get out of any lek protections if

“agriculture, a highway, or line of sight barrier is present. This is unacceptable, unsupported by science, and BLM cannot authorize an EIS with this segregated treatment of wildlife and other natural resources. The adverse cumulative impacts of this appalling short-cutting of basic conservation must be assessed as part of cumulative impacts. The same protections must be applied across the board on all land ownerships.

“Agriculture” could be a narrow dryland wheat field. What exactly is a “highway” - a minor paved road? “Line of sight” does not affect sound, blasting, helicopter use and other disturbance. It is impossible to understand how any of this would be applied, as necessary current surveys have not been conducted. Plus the nuts and bolts of all the disturbances that would occur in project construction and operation have not been provided. We Protest this.

Why have agencies only applied precautions to sage-grouse pre-construction surveys? These should be applied to all migratory birds and raptors, and sensitive mammal species, too. This project will result in very high levels of take of migratory birds during construction and operation.

Nevada lek areas must be avoided for a much longer period.

Necessary site-specific studies must occur over all potential routes to determine any potential winter habitat, and it must be avoided. How is “winter concentration area” described? How might this vary from year to year depending on snow depth?

ALL project activity must be prohibited during migratory bird nesting season. There is no consideration whatsoever for migratory birds, including many rare and sensitive species like loggerhead shrike, brewer’s sparrow, sage sparrow, and many others. This should extend from March 1 through July 1, at a minimum and longer in higher elevation areas.

There is a great disparity in MFP-RMP and Forest Plan ages and thus of consideration of ACEC or other protections for special, unique or rare areas, especially in sagebrush habitats, in a modern day context. As part of this process, full surveys must be conducted, and areas with exceptional value completely avoided, as well as Land Use Plans amended to provide RMP protections such as ACEC status. We Protest the failure to do so.

3.11. No crossing of Rock Creek-Tunp can be allowed. It is not sufficient “mitigation” for any part of this project to put some flight diverters on a fence. This has got to be the most meager and measly mitigation ever seen in recent years: If the Kemmerer RMP is amended, fences within a mile will get reflectors and maybe some sagebrush seedlings will be transplanted. Instead of putting reflectors and still leaving a source of mortality standing, significant reductions in fencing i.e. fence removal - all along the project footprint must be considered. But first a solid baseline of the fence density and impacts across the Footprint must be provided. This has not been, and the EIS fails to even consider basic alternative actions under NEPA and as mitigation for any development.

Indirect impacts to GSG are described as increased disturbance and poaching along the ROW “due to an increase in human activity created by new access roads”. How many miles of new roads would be needed under all alternatives, and where would they be located? How about road upgrades? We Protest the failure to clearly lay out this basic information.

Plus the line would increase predation and level of predatory harassment. The EIS describes raven problems – it is our direct observation that livestock grazing activities significantly increase raven presence – especially during nesting season. Example: Jarbidge BLM where extensive supplement feeding is permitted by BLM, and ravens lured to supplements. Dead livestock, afterbirth and other carrion across grazed BLM and Forest land provide abundant food, as well. We have also observed ravens flipping over cattle manure to eat insects underneath. Reduction in grass heights and simplification of sagebrush structure from livestock breaking or eating shrubs also decreases protective cover and makes more vulnerable to predation of all types. So all components of livestock use negatively impact sage-grouse, and are part of the serious direct, indirect and adverse impacts that must be considered. Significant mitigation of all of these effects – not just sticking shiny objects on a very limited area of fence must be undertaken. We Protest the failure to conduct this analysis.

New or increased accessed routes would also increase easy livestock movement corridors – resulting in extending intensive disturbances. Why does the EIS not include the March 2010 Federal Register Warranted But Precluded consideration of tall structures, road disturbance and many other adverse impacts, as well as all the discussion in many of the chapters in the Knick and Connelly 2009/2011 *Studies in Avian Biology*? We Protest this.

3.11-71 states that compensatory mitigation cannot be developed until a quantitative assessment of potential impacts has been finalized, because the magnitude of direct and indirect impacts needs to be disclosed. Well, there is a tremendous amount of multi-year work that must be done before this can happen. Removal of fences and retirement of grazing must be considered. Full and detailed analysis of the environmental effects and effectiveness of any “mitigation” must be provided. The **quality** of the habitat altered, lost, or destroyed must be fully considered.

The EIS has no basis for its claim that after a hodgepodge of mitigation, the project would be “not likely to contribute to a trend toward federal listing or loss of viability for GSG” or other sensitive BLM and Forest species. Several of the potential routes in Wyoming and Idaho and by Nevada would pierce and permanently alter and degrade significant less disturbed habitats.

For raptors, there is one Map with Nevada info. This is Appendix E, Map 10-6 where the map depicts one raptor nest and/or roost in Nevada - a golden eagle. Since there have not been major mines or energy development here, how extensive have any previous surveys been? It is ridiculous for Idaho Power to have us believe that there is only one known raptor nesting location in this wild land area.

Plus, there is habitat for avian species of significant concern – including pinyon jay, black-throated gray warbler, Virginia’s warbler, juniper titmouse, and other migratory songbirds that may inhabit sagebrush and pinyon-juniper systems.

Review of the greatly inadequate Appendix 1 – Land Use Plan Seasonal Stipulations has significant omissions – of protective measures. We Protest this.

We protest the failure to provide all necessary Key Observation Points for assessing visual impacts – for humans as well as understanding potential impacts on sage-grouse. Each sage-grouse lek, wintering area, or other important use areas must be KOPs. Any visual impacts on any roadless or significant intact habitat must be provided, and KOPs established and impacts studied.

The visibility of the metal uprights and line will change greatly during different times of day. In morning and/or evening, when light is hitting it at a low angle, highly visible bright reflections may occur that result in high visual disturbance several miles from the line. We have observed this repeatedly with transmission lines, such as the existing line to the east of Salmon Falls Reservoir.

We note that the photos used for KOP show very significant signs of livestock use and degradation.

Some Examples of ecological concerns that are not addressed in the EIS but that show up even in the KOP images:

Viewpoint C8 shows heavy to severe use of herbaceous vegetation in lower left photo, and cow manure clearly visible as well. E3=31 C63 shows signs of extensive degradation of understories – with weeds both along dirt track as well as extending outward into the sagebrush community (cheatgrass, some halogeton). This highlights how the EIS woefully fails to adequately consider and categorize the ecological condition and health of existing understories, the vulnerability of less disturbed sites to weed proliferation, the harms caused by chronic livestock grazing disturbance, and the difficulties any rehab will face – especially of grazing is continued in pastures traversed by this line. If one looks at photo E-3-36 - one sees that the illustration of powerline visual effects include large round bare disturbed areas at the base of each transmission tower unit, along with a linear path of disturbance. These areas will be highly vulnerable to weed invasion – and livestock will promote proliferation into surrounding areas. Plus, livestock will concentrate by, rub on, wallow by, and otherwise continue to disturb lands by any posts or tower legs – amplifying weed problems, through disturbance and deposition of weed-promoting manure. This will all increase the risk of flammable weeds, and use of harmful herbicides.

The serious adverse effects of existing impacts and desertification caused by livestock grazing disturbance, including continued chronic disturbance over the life of the line, must be analyzed and mitigated. These impacts remain ignored in the FEIS. We Protest this.

We are also alarmed at the undeveloped wild landscapes this mammoth line would impact – Here are a few examples – but the same concerns apply to the rest of the photos, as well: Figure E 3.19-Sublette Cutoff. The sagebrush landscape in the Tump range appears to provide a continuous block of unfragmented habitat in the center and eastern part of the photo. However, the stream in the photo shows many signs of livestock degradation – including sparse willows, unvegetated cut banks, and many other problems. E 3-23 shows what appears to be very important less fragmented habitat.

C40 shows hugely intrusive visually disruptive transmission structures. What a hideous eyesore! Photos 3-27, 3-29 show intact habitats.

These are just an example of some of our many concerns. Full analysis of adverse visual effects of roads and structures from all leks and important habitats must be undertaken.

### **Inadequacies in All Parts of the EIS**

The information in the FEIS remains poor and incomplete. For example, a viewer seeking to understand vegetation communities is provided with a single map – “GAP Habitat” which only shows “shrublands” – lumping ALL sagebrush together, and forests/woodlands – lumping all trees together. There is no indication of how much has burned, the presence of cheatgrass in understories or completely dominating the landscape. As “cheatgrass “grasslands” are apparently mapped the same as crested wheatgrass areas, or others. Mountain big sagebrush is different from low sagebrush from Wyoming big sage, from salt desert shrub, etc. There are greatly varying disturbance/fire return and recovery intervals for these communities. See Knock and Connelly 2009/2011, Bukowski and Baker 2013, and full analysis of vegetation destruction and promises about rehab and mitigation require understanding both difficulty and rate of recovery – if it is even possible. We Protest the lack of analysis.

We stress that this is also very important in understanding the risk of rapid project-caused or other wildfire spread. It has become increasingly clear that the mix of crested wheatgrass with cheatgrass in severely grazed interspaces promotes extremely rapid fire spread. For example, in 2010 in the northern Jarbidge, in the area of portions of the Proposed Route segment 9 and alternate, the Long Butte fire burned across nearly 300,000 acres mostly in the course of two days – and 90% or more of the area was crested wheatgrass and various seedings on top of seedings – at times with abundant cheatgrass. BLM refuses to remove crested wheatgrass, as it is used by range staff to claim limited use by livestock. It is largely unpalatable so livestock eat the small native Poa and other grasses, and severely degrade interspaces resulting in blankets of cheatgrass between coarse tall grass. This sets up a disastrous wildfire scenario.

### **Why Are Gateway Wildlife and Wild Land Being Treated So Shoddily by Idaho Power?**

We understand that lek surveys and other more detailed biological studies are being conducted for the Hemingway to Boardman line – but not Gateway. We Protest this concern not being adequately addressed.

### **Important Bird Areas**

The consideration of biological information is so poor that the Important Bird Areas of the South Hills and the important Ferruginous hawk areas and their surroundings are not even shown. NO lines or any other Gateway Project disturbance should be allowed in any IBAs. Alt 71, 7 JA and 7H all would have serious adverse impacts on recognized or other important habitats. None of these should be considered further, and should not have been allowed by BLM to be considered as alternatives in the first place. We Protest the FEIS allowing serious impacts to IBA Lands.

### **Springs, Seeps, All Intermittent and Perennial Waters Not Adequately Examined**

The EIS is greatly deficient in providing detailed information the location and current condition of all springs, seeps and other waters impacted by any part of the Gateway project. These are critical for migratory birds, sage-grouse brood rating, and many other wildlife needs, as well as highly valued by recreationalists.

Yet many have been severely degraded by livestock grazing, de-watering/reduced flows due to harmful “development” for livestock, and many other purposes. In addition, roading almost always accompanies development, and adds to impacts. Now we are faced with Idaho Power considering a series of southern routes in wild lands where any additional stresses to waters will very significantly add to stress on systems.

At times agencies have built band-aid exclosures – leaving any unfenced wet area as a sacrificed to extreme levels of livestock use.

There is greatly inadequate information on the current ecological health, flows, etc. of all riparian areas, as well as conditions of meadows. We Protest the EIS failure to provide detailed analysis of affected riparian areas, and minimize Gateway impacts on riparian systems, and hydrological connectivity in watersheds.

### **Adverse Impacts of Various Seedings, Sage-Juniper Killing “Treatments”, Failures of Fire Rehab Must Be assessed**

Federal agencies have spent vast sums of taxpayer dollars destroying woody vegetation to produce livestock forage, or to “treat” it often under false claims that fire risk might be reduced. All such areas must be identified. Large wildfires have burned vast areas of the sagebrush and pinyon-juniper landscapes, including the 2012 Holloway and Long Draw fires, with long Draw impacting a very significant area for the Northern Great Basin GSG population.

Exotic forage grasses and the weedy forage kochia have been seeded in many areas – with adverse impacts to sage-grouse, migratory birds and many other wildlife. All of this disturbance must be mapped, analyzed, and impacts assessed as part of the baseline of this process. It is necessary to understand the relative scarcity of high quality native habitats, difficulties of rehab in any grazed landscape, and to understand how altered and fragmented many areas are. It is also necessary to highlight differences among alternatives.

It is also necessary to understand how often greatly overstocked lands were. AUMs in many of the older LUPS - and even continuing to this day – were based on fantasy levels, and these have never been cut.

We Protest the failure to provide this analysis, and the failure to prohibit use of non-native species in any rehab actions related to Gateway. We strongly oppose Gateway mitigation actions that further reduce and destroy woody native vegetation.

### **Grazing Information Must Be Provided**

All current and adequate rangeland health information for all affected lands must be provided. All permitted use, all actual livestock stocking/actual use over the past 20 years must be provided, and summaries of monitoring information on uplands and riparian areas must be provided across all pastures and allotments in the Footprint of the project. This is necessary to understand the baseline, as well as to understand if efforts at rehab may attempt to shift or intensify livestock use in other less used

areas of allotments –an action that we strongly oppose. AUM reductions must occur as livestock are pulled back and excluded from pastures crossed by Gateway.

We note that we are increasingly finding that ranchers are unable to graze a significant portion of their AUMs without inflicting very significant damage – so often “actual use” is well below the number of parties allowed on paper.

All CRP land must be mapped, and impacts of any “emergency” or other grazing or disturbance must be provided. What is the overlay of CRP and Gateway Alternatives? One of the reasons the FWS claimed that Listing of sharp-tailed grouse was not required was because of CRP. New and increasing transmission line and other disturbances to such habitats must be understood, so that an accurate understanding of just how “secure” CRP may be can be obtained.

We are also concerned that increasingly various speculators, hobby ranchers and mining, oil and gas or other industry actually owns base properties, and grazing is sub-leased. Instead of trying to mitigate harmful effects of development activities by retiring grazing, energy and other developers control public lands permits and allow large-scale grazing disturbance to continue.

We Protest the continued lack of adequate grazing information.

### **If Gateway Carves A New Corridor – Other Lines Will Follow**

The full adverse impacts of Gateway setting a precedent for new harmful routes to be followed by other transmission or oil and gas or even water export lines must be examined in consideration of the segments proposed route, and many of the very harmful alternative routes. We Protest the failure to analyze the impacts of pioneering new routes for energy sprawl.

### **All Transmission, Roding, Fencing, Water Developments, Veg Conditions, Etc. Must Be Overlaid**

Detailed overlaying of information is necessary to understand the landscape and environmental context – and severity of impacts – of any route segment on sensitive species, wild lands, etc.

Much of the mapping does not have much of the existing infrastructure shown – so the degree of fragmentation and development cannot be understood.

We Protest the lack of information in the FEIS.

### **Slickspot Peppergrass and other Rare Plants and Other Concerns**

Portions of the route north of the Snake River would affect slickspot peppergrass. Since access route and new and expanded roading maps have not been provided, it is impossible to understand the degree and severity of impacts – which are likely to be very significant. New and expanded weeds, increased wildfire risk, and many other threats and adverse impacts are likely.

Construction of the line and roading will result in additional altered hydrology, small depressions, ruts – and puddles. Puddles that collect water increase livestock concentration and adverse impacts – especially the very harmful trampling impacts. Detailed plans must be provided, and the full degree of

impacts examined. We note that altered hydrological processes will also create additional sites for West Nile virus, especially when combined with cattle troughs, stock ponds, and other West Nile mosquito breeding areas. Both the baseline and expanded impacts and threats to migratory birds, sage-grouse, and recreational users must be examined here. We Protest the lack of necessary information and mitigation. The Appendices C-1, C-2 and C-3 are greatly inadequate to protect and mitigate Gateway impacts to historic properties (C-1), the compensatory mitigation and for monitoring of waters of the US is still draft and inadequate to protect the stressed waters in this very arid region that also suffers chronic livestock grazing, irrigation withdrawals, aquifer depletion, grazing caused sedimentation and manure pollution, agricultural runoff, etc. C3 is sage-grouse mitigation and other wildlife mitigation and is plagued with the same problems we have already described. There is little avoidance, minimal minimization and greatly inadequate and uncertain mitigation effectiveness. This package will not adequately conserve, enhance and restore sage-grouse and the habitats upon which they rely. A collaborative committee does not ensure sound mitigation. There is no requirement that the mitigation occur in the same local population area – only the same state. There is no analysis of the effectiveness of the actions. Please review WWP’s comments on sage-grouse mitigation, which we incorporate by reference into this Protest.

### **Some Additional Route Protests and Comments**

The mapping of routes is cluttered and difficult to understand. On Maps such as E.2.4, it is often impossible to understand where existing transmission lines run as there is overlap between old and new lines, it appears. These must be overlaid. In several of the maps, it is impossible to understand where the WWEC runs.

Portions of the Proposed Route in Wyoming come much too close to VRM II and I areas, and strongly conflicts with those designations. We also stress that the reason there are VRM II areas is that modern land use plans are in place- in contrast to the tear it all up VRM categories common under older RMPs and MFPs. As part of this analysis, for all potential routes – a modern day consideration of VRM must occur, and any RMP amendments undertaken must upgrade VRM protections to VRM II or I for all intact native vegetation habitats and important wild land areas.

Mapping appears to show the Westwide Energy Corridor. WHY can’t Gateway follow this, existing torn up areas and power/energy lines, and the interstate? There is no alternative that effectively does this, and it must be considered.

There have not been sufficient alternative routes that follow existing lines considered. Two Gateway lines can parallel each other - separated by a certain “safe” distance, including building a second line if a second line is actually needed) that parallels the energized existing line, and two parallel lines otherwise follows the disturbed lands and other developed areas. It appears that the claim that in a certain part, two lines are needed is really about opening up a huge swath of sensitive less developed country to all manner of development.

Even using reading glasses, it is hard to distinguish the letters that are associated with parts of routes on mapping. We appreciate the big maps, but more clarity is required.

Deep Creek - 7A is described as: “requested by BLM to examine ... alternatives on public and private land that did not impact the Deep Creek Mountains. Yet this route - as shown on mapping – still slices across the Range, instead of following the “other route” – gray line on Map Figure E 3.8. This route should be moved further north, and out of the Deep Creek range entirely. It should follow the existing line to the north as much as possible. Gateway must follow existing lines to the north, and stay out of the Deep Creek range and sensitive Sublette and other areas.

To what degree would any new line here facilitate further large-scale industrial wind development? What would the serious adverse impacts on sage-grouse, sharp-tailed grouse, pygmy rabbit, migratory birds be?

In Segment 6 (and elsewhere) mapping of routes overlaps, and it is impossible to discern what is occurring, see Figure E-3.7. There is no need for a southern route, and degradation of salmon Falls Canyon, rare bat and migratory bird and eagle habitats is unacceptable. In fact, the mailer about Gateway that was sent out does not seem to show what the FEIS mapping is showing.

We strongly oppose 9E. OHV use is already out of control (despite BLM efforts at “Travel Planning”). Any further south powerline disturbance in the Owyhees will add greatly to the uncontrollable habitat disturbance and alteration. We oppose all segment outing in western Twin Falls County (Jarbidge BLM) and Owyhee County. Why in the world is BLM proposing an alternative so far south in Owyhee County – is the agency trying to wipe out sage-grouse, loggerhead shrike, and other rare biota here/ There are very few leks, and this line will be their death knell. Is BLM trying to heighten controversy in western Idaho, to allow the project’s facilitation of massive wind development to go little-noticed, especially under this bizarre segmented decisionmaking scheme?

It will also have serious adverse impacts to unburned sagebrush and some salt desert shrub habitats, as well as watersheds. There are severe livestock degradation problems as well all along the Owyhee front – and sage-grouse are on the verge of being extirpated over much of this area. The addition of Gateway West will greatly add to the demise of this population. Lands here are also very important habitat for loggerhead shrike, sage sparrow, and many other rare, declining and sensitive species. Thorough systematic baseline inventories for all these rare and sensitive species must be conducted along alternative routes and the affected blocks of less fragmented habitat that would be chopped apart by this line.

Please review the work by Chris Wood, Dr. Tom Cade and others on the Owyhee Front shrike populations that would be severely impacted by southern Section 9 alternative route segments. Low elevation Wyoming big sagebrush communities here are critical for the loggerhead shrike, a sensitive species, as well as sage sparrow, Brewer’s sparrow and others. There is a nationally significant shrike population right in the path of southern segments.

We Protest BLM ignoring all of these concerns about the Owyhee and other segments.

The line will increase wild fire risk. The DEIS is greatly deficient in analyzing impacts to a host of sensitive species. Sage-grouse are not a surrogate for sage sparrow, loggerhead shrike, Mojave collared lizard, and other lower elevation Wyoming big sagebrush species, including those that occur at interfaces with salt desert shrub.

Here too we request that only routes NORTH of the Snake River be considered, with a crossing near Melba to Hemingway. Why can't there be two new parallel lines set up along the path of the existing lines to the north, and no southern route at all? Separate the lines by whatever distance is necessary (please provide a specific distance and describe why separation is necessary)– but co-locate all new lines in the same area as the bulk of existing lines to the maximum extent possible. We fear that the claim that a split and two new routes are needed in places is “cover” for opening up Rockland Valley Cedar Ridge area, the South Hills, northeastern Nevada, portions of the Jarbidge lands to extensive new development. We Protest this.

### **Electrical Environment Section**

All of the issues raised are of significant concern to the public. This includes voltage build-ups, EMF health effects – low frequency electric and magnetic fields, audible noise, stray voltage, and interference with electronic equipment.

High voltage lines produce a very audible crackling noise, which at times is quite loud. How do different weather conditions, voltage loads, etc. - effect this as well as EMF and other hazards? The EIS downplays this by saying “the air breakdown, or small spark caused by corona t the surface of a transmission line conductor, is accompanied by a snapping sound. If there is sufficient corona activity on a high voltage line ... may be sufficient ... to produce discernible noise ... The use of the word may is not accurate. These lines are always audible and producing noise.

This may interfere with animal communication and behavior in various ways, and is annoying to people. What species given their known hearing and communication systems, may be particularly vulnerable?

DEIS 3.21-11 described electric fields associated with lines inducing small electric currents in metallic objects, and possible nuisance shocks –which can occur to electric fences, vehicles, irrigation systems.

“Stray voltage” refers to a phenomenon in wet environments. Recreationists, scientists or others may be near the line under such conditions, in vehicles or hiking on foot. What hazards does this pose – as hikers can't be grounded – and cars can't either. It is difficult to understand what the effects would be from this material.

Both the human health and the animal adverse impacts have not been analyzed. For example, what species have low frequency communication –and how could the lines impact this? While these various effects of concern are described, the EIS is not adequate to determine impacts. Plus, the line is likely to lead to wind energy and other sprawl, and the adverse impacts of wind farm noise, flicker effects and other concerns that may affect human health as well as wildlife – so what will the cumulative impacts of this all be?

We Protest BLM not fully analyzing this array of adverse impacts.

### **Fire Hazards**

The fire prevention measures are inadequate. No construction activities (blasting, motorized equipment use) should be allowed during periods of “High” fire danger on public lands. Idaho Power must be responsible for paying for the full costs of any fires linked in any way to this line over its entire period of construction and operation. Lands must be rehabbed with local native ecotypes, and grazing removed until recovery of all components occurs.

Blasting is mentioned here. How much blasting is proposed, and where – for all segments of the line and access roads? Until full and detailed surveys in the noise Footprint of the line are conducted and detailed plans for this line produced, it will be impossible to understand impacts.

There is inadequate analysis of impacts of construction and operation. Protest this.

### **Guy Wires**

No guy wires should be allowed. They pose a collision risk for bats and avian species, as well as public safety concerns. The EIS describes 4 guy wires each 140 feet long spaced in a square around each tower. 3.22-13. This again highlights the need for detailed study of migratory bird use and movement patterns including migration routes across the footprint of the line. We Protest the use of these lethal guy wires.

### **Cumulative Effects Analysis Deficiencies**

We Protest the entire cumulative effects analysis, as described below. It is greatly inadequate for all rare, sensitive, and ESA-listed species, for roadless lands, for impacts on cultural and historic properties, and other values of the public lands.

The entire cumulative effects analysis is greatly flawed. The EIS attempts to use a Table with a list of some projects listed to avoid full and detailed cumulative impacts analysis. It is impossible cumulative effects as there has been no adequate baseline. Now this simplistic approach how SEVERE the effects of the other projects will be, and the full array of threats and vulnerability of the habitats and populations impacted. The Table also omits many harmful activities occurring chronically in the Footprint of the line – like chronic livestock grazing disturbance.

For example, the section on migratory birds and raptors (Section 4.4.11.3) claims that “effects of gateway could occur primarily during construction”. Yes, the construction impacts may be severe – but the effects of the line - combined with chronic grazing disturbance, energy disturbances, roading, etc. will play out over the life of the line. AND the line will be a long-term lethal collision hazard causing death of migratory birds.

The EIS concludes, with no basis that “the Gateway Project would not have a measurable adverse effect on migratory bird populations, habitats ecological conditions and/or significant bird conservation sites”. Of course, this conclusion is based on the “Don’t Look, Don’t Find” pathetic baseline that BLM has somehow allowed Idaho Power to get away with. There is no way any valid conclusion can be drawn until in-depth site-specific surveys for migratory birds, including imperiled species like the loggerhead shrike, and all of their nesting, migration, and less fragmented habitats are examined across the footprint of all potential routes.

The cursory EIS analysis also does not allow any conclusions whatsoever to be drawn for the potential routes where Idaho Power never bothered to collect valid field data.

The Columbian sharp-tailed grouse, sage-grouse and all imperiled species cumulative effects analyses are a joke – and no valid conclusions are drawn.

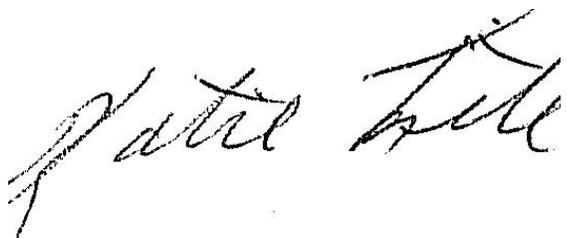
It is incorrect to say that the Wyoming EO effectively ends new wind development on state and private land in core areas, and it assumes that the EO remains – it has already been weakened under the current Governor of Wyoming. A political stroke of the pen can change all of this – and the Core Plan EO still allows some new development – on top of all the existing developments that have already occurred and the tremendous ecological stresses of continued roading, livestock grazing and other disturbances.

DEIS 4-81 admitted the precedent that selection of any wild land route away from existing corridors and disturbed areas would have in converting an area to a monstrous energy line sprawl zone: “If Alt 7H were selected for Gateway West other proposed transmission lines such as Zephyr and the Overland Intertie lines, would likely be built along Gateway’s Proposed Route”. Well, wouldn’t the same apply to the disastrous routes 7I, and 7J by the Nevada border and southern Cassia and Twin Falls Counties? We Protest the failure to critically examine the colossal impact of the Gateway routes in pioneering huge new corridors. It also admits that a battery of lines might be located in other areas. Since there is no current baseline provided of the status of habitats and populations, and how ANY of the routes might really impact birds – neither the effect of Gateway or any of the sprawl of potential energy development can be understood.

The entire superficial cumulative impacts analysis must be redone – and an adequate and honest analysis occurs.

We cannot help but recall the disastrous impacts to anadromous fish in Idaho of Idaho Power constructing the Hells Canyon dams without proper care for fish passage. Salmon were wiped in the Weiser River and other tributaries. Now in 2013, watersheds, sage-grouse and other sagebrush wildlife are currently under siege. Solid baseline information must be acquired, best available science applied, and route segments with significant conflicts abandoned. Otherwise, Idaho Power’s Gateway Project may be a very significant factor in extirpation of affected sage-grouse, Columbian sharp-tailed grouse, and other wildlife populations. This EIS does not give Priority to sage-grouse and other sensitive species or values of the public lands.

Sincerely,



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**Attachments Previously Sent on CD (below), Additional cd with newer Lit. will now be submitted with this Protest/Comments on What Has Devolved into a Segmented and Even Murkier Process**

### **General Documents**

- Jarbidge AMS July 2007.pdf
- Jarbidge Carter Grazing Considerations RMPJC review.pdf
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- Marine Wildlife Veterinary Care and Research Center - Wild and Domestic Sheep Disease Workshops main page.pdf
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**From:** [jnclain@blm.gov](mailto:jnclain@blm.gov) on behalf of [Gateway West Trans Line, BLM WY](#)  
**To:** [blm@gwcomment.com](mailto:blm@gwcomment.com)  
**Subject:** Fwd: WOC Gateway West FEIS comments  
**Date:** Monday, July 01, 2013 10:19:14 AM  
**Attachments:** [WOC Gateway West FEIS.pdf](#)  
[Appendix A. Gateway South Scoping Routes.pdf](#)

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

From: <[julia@wyomingoutdoorcouncil.org](mailto:julia@wyomingoutdoorcouncil.org)>  
Date: Fri, Jun 28, 2013 at 3:55 PM  
Subject: WOC Gateway West FEIS comments  
To: [Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)

Hello--

Please find attached the Wyoming Outdoor Council's comments on the Gateway West Transmission Project's FEIS, as well as our "Appendix A". We appreciate the ability to submit these comments.

Thank you ,  
Julia

Julia Stuble  
Land Conservation Coordinator  
Wyoming Outdoor Council  
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June 28, 2013

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

**RE: Comments on the Final Environmental Impact Statement for the Gateway West Transmission Line**

Please accept these comments from the Wyoming Outdoor Council regarding the final environmental impact analysis for the Gateway West Transmission Line Project. We appreciate the ability to further comment on the Bureau of Land Management's environmental analysis for this project. We have previously submitted three sets of comments regarding this project: two on the draft environmental impact statement and dated October 28, 2011 and one set on the supplemental environmental impact analysis, dated August 3, 2012. These three sets of comments are hereby enjoined to these by this reference.

The Wyoming Outdoor Council, founded in 1967, is Wyoming's oldest, independent statewide conservation organization. We work to safeguard public lands, wildlife and environmental quality in Wyoming. The majority of our 1500+ membership is comprised of residents of Wyoming and most of these members live here, in large part, for the many recreational opportunities our incredible public lands offer. These citizens seek recreational opportunities on public lands that provide exceptional wildlife viewing opportunities, open spaces, and undisturbed natural vistas. And yet, as citizens of Wyoming they, and we, understand the need to balance these environmental amenities with reasonable natural resource development. We advocate throughout these comments and during the lifetime of all energy development projects for the full implementation of best management practices that minimize the environmental effects from those natural resource developments that are well sited and appropriately sized.

We have previously focused our comments on the Gateway West project on the proposed routes and impacts to viewsheds, wildlife habitats, cultural resources. We continue to be concerned with the impacts this proposed development could have on these resources. In particular, we will again address the inadequate purpose and need statement for this analysis, the incomplete cumulative impact analysis, and reemphasize the need for the BLM to fully analyze alternative routing for certain segments of the transmission line. We will advocate the



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BLM completes a supplemental environmental impact analysis to fill in the gaps left in this analysis.

## **I. Purpose and Need**

The BLM received numerous comments about inadequate purpose and need statement in the draft environmental impact analysis for the Gateway West project. The Wyoming Outdoor Council finds that the statement in the FEIS is technically correct, but the implementation or follow-through on this statement remains inadequate. The BLM acknowledges that the impetus for this project analysis was a request for a Right-of-Way grant across the National System of Public Lands from Idaho Power Company and PacifiCorp, doing business as Rocky Mountain Power, and hereafter, the Proponents. The FEIS states that the proposed 990 miles of new 230-kilovolt and 500-kilovolt alternating current (AC) electrical transmission system is needed “to supplement existing transmission lines” to “relieve operating limitations, increase capacity, and improve reliability in the existing electrical transmission grid.” Additionally, the project is “principally necessary to serve the Proponents’ customers” as well as “other markets.” (FEIS Chapter 1-1)

While analyzing the “purpose and need” for this project for other federal agencies, the BLM then correctly states that in accordance with the Federal Land Policy Management Act and the agency’s own ROW regulations, 43 CFR Part 2800, the BLM manages public lands for multiple uses that “take into account the long-term needs for future generations of renewable and non-renewable resources.” In responding to the Proponents’ project proposal, the BLM can grant, grant with modifications, or deny the application. These modifications can range from granting only a portion of the project, modifying the proposed use, or changing routes or locations of facilities in accordance with managing for the public interest (43 CFR § 2805.10(a)(1)).

We find that this Purpose and Need statement is technically correct, but it is not implemented throughout the FEIS. While it is stated accurately it is not accurately put into practice. We would find better evidence the BLM was balancing multiple use as its purpose for this project if alternative routes were not discarded because of less economic feasibility for the proponent. This type of decision-making skews the purpose and need for this analysis to fit the proponents’ purpose and need, not the BLM’s. (*see* FEIS 2.2.2. “Was the alternative economically feasible?”) We have previously stated this position, but need to re-emphasize it at the FEIS stage as it has continually not been re-addressed by the BLM. If an alternative route (as we suggest below, in section III.) satisfies the BLM’s multiple use mandate, regardless of whether or not it is the cheapest route for the Proponents’, it must be considered in full. The



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purpose and need for the project is the BLM's multiple use mandate, not the Proponent's profit-and-loss statement for the project. This type of decision-making has excluded several viable alternative routes we will discuss in more detail below.

## II. Cumulative Impact Analysis

We appreciate the BLM's effort to augment its cumulative impact analysis between the draft and final EIS in response to comments from WOC and other organizations. However we find this analysis is still inadequate. Instead of adding substantive analysis to the cumulative impacts the Gateway West transmission line would have on the landscape, the BLM has chosen to simply review the latest NEPA hotsheet and list potential projects in the area. This is a good start. But cumulative impact analysis necessitates much meatier analysis, one which does not simply list proposed projects in the same area as the Gateway West line. What is needed is in-depth analysis of the scope and scale of projects that would be incentivized, made more feasible, or allowable because of the Gateway West project.

A proper analysis of cumulative impacts includes a hard look at connected and similar actions. In addition, a thorough look at cumulative impacts satisfies the following question: How and where are direct, secondary, indirect, and cumulative effects and impacts defined?

The CEQ regulations (40 CFR §§ 1500 -1508) define the impacts and effects that must be addressed and considered by Federal agencies in satisfying the requirements of the NEPA process. This includes direct, indirect and cumulative impacts:

**Direct effects** are caused by the action and occur at the same time and place. (40 CFR § 1508.8)

**Indirect effects** are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. (40 CFR § 1508.8)

**Cumulative impact** is the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR § 1508.7)



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The terms "effect" and "impact" are used synonymously in the CEQ regulations (40 CFR §1508.8). "Secondary impact" does not appear, nor is it defined in either the CEQ regulations or related CEQ guidance. However, the term is used in the Federal Highway Administration's *Position Paper: Secondary and Cumulative Impact Assessment In the Highway Project Development Process* (April, 1992) but is defined with the CEQ definition of indirect impact (40 CFR § 1508.8).

In particular, we have two concerns that are not addressed by the FEIS cumulative impacts analysis in Chapter 4. They are primarily related to the Gateway West project because they are “reasonably foreseeable future actions.”

Our first problem with the current cumulative impact analysis concerns the Aeolus substation in the Shirley Basin. The FEIS states that before the Aeolus substation, the Gateway West will be a 230 kV line. After this substation, the Gateway West will have a 500 kV capacity. This dramatic increase is evidence that new energy generation facilities are being planned for—or could be developed now that a high-capacity line is in the region. Without Gateway West, these energy generation facilities would be less feasible. Being dependent on the Gateway West’s increased capacity after Aeolus makes any possible wind generation a cumulative impact on the Gateway West line and demands full analysis now—to wildlife, viewshed, cultural, historic and other resources.

The Wyoming Outdoor Council has identified the Shirley Basin as a Heritage Landscape: a place with irreplaceable and threatened wildlife habitat, phenomenal recreation opportunities, and matchless viewsheds. We identify the Shirley Basin as an important, relatively undeveloped mixed-grass prairie and sagebrush landscape that supports abundant wildlife, including sensitive species such as golden eagles and greater sage-grouse, big game, and the endangered black-footed ferret. We are particularly concerned with the potential impacts that the Gateway West transmission line would pose for golden eagles and greater sage-grouse if it were routed through the Shirley Basin. These impacts are multiplied many times over if additional wind generation facilities are made possible by the Gateway West as an alternative current transmission line that doubles its capacity at a substation in the Shirley Basin. The BLM is remiss in its cumulative impact analysis if it approves, without full analysis of all indirect impacts, a transmission line that facilitates future industrial development in a sensitive and relatively pristine landscape. We urge the BLM to fully analyze cumulative impacts for the Gateway West project, in particular, giving a hard look to the increased capacity of the Aeolus substation and the resultant energy generation facilities for which that capacity would provide.



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We also find the cumulative impact analysis lacking in regard to several other proposed high-voltage transmission lines. We have long applauded the BLMs dedication to co-locating these types of developments to ensure they pass through “brown” not “green” fields. This has been a sound policy. However, in light of the quantity of sizable transmission lines that are currently proposed for Wyoming, the co-location policy may need revision.

At the least, this policy is relevant to Gateway West’s cumulative impacts as, after Gateway is built, it will be a development that invites co-location. We have particular concern, again, for the Shirley Basin and the possibility that other high capacity transmission lines will be able to cross the Basin by paralleling Gateway West. This will further the industrialization and degradation of this unmatched landscape and its wildlife habitat.

In particular, the impacts of the proposed Gateway South transmission line must be fully analyzed during the Gateway West process as the Gateway South line depends on the construction of the Aeolus substation on the Gateway West line and may follow Gateway West out of the Shirley Basin to Interstate 80. (*see* Appendix A: Gateway South Scoping Routes) It is untenable that another high-voltage transmission line will possibly be constructed dependent on the infrastructure of another project, and yet not be analyzed as a cumulative impact. We urge the BLM to also complete this section of the cumulative impact analysis of Gateway West in order not to be remiss on the scope of its environmental analyses.

Additionally, it is highly concerning to us that not only the Gateway West line would increase in capacity at Aeolus, but the Proponents have proposed an additional high-voltage transmission line beginning at that substation. This can only mean additional energy generation—probably as wind farms—are either currently being planned or will be planned soon after the transmission line development. That this is not a fully analyzed cumulative impact of the Gateway West project is indefensible.

### **III. Transmission Line routing**

As we have previously stated in our comments on Gateway West’s DEIS and SEIS, we are concerned about the proposed route in the Shirley Basin and in the Kemmerer area and we urge the BLM to modify these routes from the current preferred alternative. Some of the alternatives that have been excluded from full analysis have been arbitrarily excluded, we argue, and should be re-evaluated.

#### **Shirley Basin**



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Regarding proposed routes through or around the Shirley Basin, we urge the BLM to give more analysis to a route that would travel south along the eastern side of the Laramie Mountains. Specifically, we believe a route should be considered and adopted that follows the existing transmission line corridor shown on Figure A-2 in the FEIS that runs from the Dave Johnstown Power Plant to in the vicinity of Wheatland. The power line could then run west from there to the Aeolus substation.

In its comment response, the BLM cites that this alternative adds additional miles, crosses more big game crucial winter range, and may impact more greenfield than brownfield. We challenge these assertions. First, 48 additional miles is not significant in relation to the full extent of the Gateway West line—and this reasoning sounds more in line with the Proponents' Purpose and Need, not the BLM's. Second, this alternative may impact more big game crucial winter range, but less crucial habitat for a variety of avian and sagebrush obligate species as it would in the Shirley Basin. We argue that the impacts of a high-voltage transmission line creates more negative effects on avian species, including golden eagles and greater sage-grouse, than it does on big game. If the BLM insists on using big game winter range as a reason to cross the Shirley Basin, we ask for evidence of the impacts a high-voltage transmission line has on big game as compared to a variety of avian species. Third, we believe the BLM has overstated the impact this route would have on greenfield. We note that at least half and probably more of this proposed route would follow an existing transmission line. Thus, the impacts to greenfields certainly would not necessarily have “substantially more disturbance along the entire corridor, relative to the considered routes.” (See FEIS at 2-87)

A route east of the Laramie Mountains has several advantages over the preferred alternative. These include avoiding sage-grouse core areas, as shown by Figure 3.11-1 in the FEIS. This is direct contrast to the preferred alternative and proposed route through the Shirley Basin, which traverses a significant amount of sage-grouse core area. Avoidance of core area must be a fundamental priority of the BLM during the siting of this transmission line and must trump the need to avoid some big game winter range east of the Laramie Mountains. Additionally, avoiding the Shirley Basin is a distinct advantage by helping to maintain the incredible wide open spaces of this area. Avoiding this area is also extremely valuable for big game species, raptors, and endangered species such as the black-footed ferret. This wide open, wild area is also tremendously valuable to the public which values these undeveloped landscapes and which would prefer that they remain undeveloped. Following a route east of the Laramie Mountains would avoid the Bates Hole Management Area, which is to receive special protections pursuant to the Casper RMP. A travel management plan is currently being developed for the Bates Hole Management Area. A cumulative



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impacts analysis must include known future connected and similar actions. Rerouting in this instance would avoid any need to amend the Casper RMP and ensure this important natural area is protected. Also, this route would avoid the Medicine Bow National Forest and the need to amend that Forest Plan relative to issues such as raptor protection.

In any event, we do support the BLM's decision to choose Alternative 1W(c) over Alternative 1W(a). If BLM maintains its Preferred Alternative as a route through the Shirley Basin, Alternative 1W(c) is a better option. This alternative would reconstruct an existing 230 kV line rather than also constructing a new line. This significantly reduces environmental impacts and we urge the BLM to adopt this alternative.

#### **Kemmerer area**

There a number of problems with the Preferred Alternative in western Wyoming, making this route one that must be avoided and analysis given to other alternatives (that may have been disregarded, inappropriately, due to confusing the Proponents' and BLM's Purpose and Need statements). The proposed power line in the Kemmerer area has a great number of significant environmental problems. These include impacts to National Historic Trails and impacts to visually sensitive areas. This level of impact must be reduced by entirely rerouting or, if possible, by meticulously threading the lines, as necessary, to avoid these conflicts. In this area the impacts of the Gateway West project are too significant and long-lasting to allow for approval of the project as proposed under the preferred alternative. The FEIS repeatedly emphasizes the significance of these problems if the project were built as contemplated in the preferred alternative. These impacts appear to exist or occur even if the various feasible alternative routes were selected. Therefore, other alternative routes should be considered and adopted in the record of decision.

We believe there are three additional routing possibilities. In turn they are: the Southern WWE Corridor alternative, the existing transmission corridor between Kemmerer and Bear Lake, and the transmission corridor from Naughton Power Plant southwest to Uinta County and then into Rich County, Utah.

The Southern WWE Corridor alternative was considered in the FEIS but not in detail (*see* FEIS at 2-91). This alternative should be adopted as the preferred alternative for this segment of the Gateway West project because it would virtually eliminate the extreme environmental problems that would accompany the current preferred route in the Kemmerer area.



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Fundamentally the Southern WWE Corridor Alternative tracks along I-80 into the Utah and then tracks north through the heavily developed Wasatch Front area to reconnect with the proposed Gateway West corridor in Idaho. I-80 is the appropriate corridor for the Gateway West project to follow, not the more northern route near Kemmerer. This is recognized in the Kemmerer RMP, which designates a high voltage corridor along I-80 and certainly not in the more northern area that the current preferred alternative would intrude into. (*See* Kemmerer RMP Record of Decision at Map 13) This routing has the advantage of avoiding the significant special management areas provided for in the Kemmerer RMP, such as the Raymond Mountain and Rock Creek/Tunp areas, as well as the protected visual environments and the National Historic Trail Corridors. (*See* Kemmerer RMP Record of Decision at Maps 19, 20, and 21) This route would also probably totally avoid sage-grouse core areas. (*See* FEIS at Figure 3.11-1)

The BLM rejects this routing choice from detailed consideration because it claims there are five problems with the route. In turn, these problems are, and the reasons they are not valid reasons to eliminate the route from consideration include:

1. The BLM claims that this route “Does not meet the Proponents’ Objectives, as it would neither be feasible to connect to the Populus Substation nor would this alternative allow for the proposed connection between Populus and Borah Substations along Segment 5.” (FEIS at 2-92.) This claim needs substantiation before it is used a basis for rejecting this route. As we have previously noted, BLM’s purpose and need for this project is take into account the agency’s multiple use mandate while responding to a ROW application—an application that can be granted, modified, or denied depending on the ability to manage it under the multiple use mandate.

These objectives clearly can be met even if the route was placed along I-80. There is nothing in BLM’s purpose and need for this project that demands that a Populus station connection be achieved nor is there a requirement for a connection between Populus and Borah under the terms of BLMs’ purpose and need statement. BLM specifically has the right to grant construction of this project with modifications. It is obligated to reduce environmental impacts, as the I-80 route clearly would do relative to the more northern route. The public interest is the fundamental guide, and the public interest will clearly be better served by routing this transmission line along I-80 than through the environmentally sensitive Kemmerer area.

2. BLM points out that this route is 64 miles longer than the proposed route. But as was true with the Shirley Basin segment, this is a minor and even trivial difference



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in a 1000 mile long transmission line. This should not be used as the basis for rejecting the Southern WWE Corridor Alternative where environmental impacts would be greatly reduced compared to the preferred alternative. Construction and related cost will be amortized over many decades of service and in this context become even more trivial in terms of costs. On the other hand, additional maintenance and repair cost for the 64 mile stretch will, over the decades, represent an insignificant cost and one paid for by the end consumer. Costs cannot be cited as a disqualifier for this alternative.

3. BLM claims this route will cross 136 miles more of private land than the proposed route. The significance of this as a preclusive factor needs to be elaborated on. From *BLM's* perspective, it is not clear this is a detriment at all. Reducing impacts to the public lands should be BLM's goal and fundamental objective. This maximizes advancing the public interest, as BLM is required to do. While we recognize this project will have to involve considerable cooperation and collaboration among different entities, it is not clear that having 136 more miles of this project on private lands is necessarily so significant that more of the project needs to be built on the *public lands*. For example, along the Wasatch Front portion of this route, where most of the land is probably private, it could well be there are number of existing power lines than can be used for corridors (According to the FEIS, the route will "then [go] west into Utah, following existing transmission lines over the Wasatch Mountain Range and into the Salt Lake Valley north of Ogden, Utah. The alternative would then turn north for approximately 45 miles, paralleling existing transmission lines on the east side of I-15." (FEIS at 2-91). If increased construction on private lands is accompanied by following existing powerline corridors, that does not seem undesirable.
4. The BLM then states this route will lead to 131 more miles in Utah "including densely populated portions of the Salt Lake Valley." It is not at all clear why this should preclude choice of this route. In fact, installing this mammoth industrial scale project in a densely populated area would seem to make more sense than building it in remote, environmentally sensitive areas, that are nominally supposed to receive protection to preserve these values, unlike most densely populated areas.
5. And last, the BLM attempts to negate the benefit of this route following the WWE to a greater degree, saying that the increased length of this route negates the benefit of following the WWE. We have discussed the insignificance of the increased route length above, and maximizing the use of the WWE should clearly be a priority in route selection



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All in all, it is clear the Southern WWE Corridor Alternative should be chosen as the preferred route for the Gateway West Transmission line in western Wyoming. This is the best way to avoid the substantial environmental impacts that will accompany BLMs' current preferred alternative in the Kemmerer area.

The existing transmission line corridor between Kemmerer and Bear Lake also deserves greater analysis as an alternative route for Gateway West. It appears that this corridor route, running west to west-north-west from Kemmerer to Bear Lake (starting just west of Kemmerer, running south of Fossil Butte National Monument, then crossing U.S. 30 near Cokeville, and then running northwest to Bear Lake) was not fully considered in the FEIS. (*See* FEIS Figure A-5)

This route may not have any environmental advantages over the current preferred alternative or any of the feasible alternative routes. But then again, it could. The BLM should at least consider whether this is true, and if this route has fewer adverse environmental impacts it might be chosen. Again, it does not appear that BLM has previously considered this route; it certainly is not shown as a feasible alternative. Failure to consider a viable, practical alternative is a significant flaw in a NEPA analysis.

The third routing alternative that deserves greater analysis in the Kemmerer area is the existing transmission line corridor that runs from the Naughton Power Plant southwest into Uinta County, WY and then into Rich County, Utah. This route is also shown on Figure A-5 in the FEIS. It too does not appear to have been considered in detail at all in the FEIS. It appears to us this route should be considered. It would likely greatly reduce the environmental impacts relative to the preferred alternative now under consideration. It appears to us this route would be a natural extension of the 4B,C, D, E Feasible Alternative route that is shown in Figure A-5.

In all likelihood, this route would have less impact on National Historic Trails and visually sensitive areas than the preferred alternative will have. It would generally avoid specially designated areas, it appears. For that reason this route should be carefully considered as an option. While this route also crosses a sage-grouse core area, it does not appear to us this route would have any greater impacts than the preferred alternative, which also crosses this core area. The BLM may tend to reject this route for some of the same reasons addressed above in the discussion of the Southern WWE Corridor Alternative. We have already discussed why those claimed detriments are not persuasive.



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The above options for route choices for the Gateway West transmission line, one in the Shirley Basin and three in the Kemmerer area, are practical and viable and therefore must be fully considered. An EIS must “[r]igorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14(a). All of these routes would follow an existing power line or were at least peripherally considered by the BLM already, so there is no doubt regarding their reasonableness. We have explained in some detail above why these alternatives are reasonable, especially relative to BLM’s preferred alternative. Therefore, the BLM must fully consider them. The alternatives section of an EIS “is the heart of the environmental impact statement.” *Id.* § 1502.14. If these alternatives are not fully considered, this requirement will not be met for the Gateway West FEIS.

#### **IV. Supplemental Environmental Impact statement**

Given that we are at the final EIS stage of this NEPA process, it may be necessary for BLM to issue a supplemental EIS so as to evaluate these routing alternatives for both eastern and western Wyoming, as well as to fully develop the necessary cumulative impact analysis and better implement the Purpose and Need statement into the EIS. Among other things, agencies may prepare a supplemental EIS “when the agency determines that the purposes of the Act will be furthered by doing so.” 40 C.F.R. § 1502.9(c)(2). This would seem to clearly be the case here—preparing a supplemental EIS so as to fully consider the alternatives we have highlighted and analyze cumulative impacts would advance the purposes of NEPA. Therefore a supplemental EIS should be prepared. Policies of NEPA are to “foster and promote the general welfare” and to “create and maintain conditions under which man and nature can exist in productive harmony.” 42 U.S.C. § 4331(a). The government is to “use all practicable means and measures” to achieve these policies. *Id.* In addition, all practicable means are to be used to the end that six environmental protection objectives can be achieved. *Id.* § 4331(b)(1)-(6). To achieve these policy goals, a supplemental EIS should be issued for the Gateway West project that more fully considers a wider range of routing options.

Considering a supplemental EIS for the Gateway West, because of the inadequacies of this FEIS, is also relevant given the similarities between this project and the Ruby Pipeline, which is also undergoing supplemental analysis. The BLM is preparing a draft supplemental EIS for the Ruby Pipeline project (which starts in Wyoming at Opal and follows a route that is roughly similar to the Gateway West route west into Utah and Nevada) as result of litigation ordering it to do so. The purpose of this draft SEIS will be to develop sufficient quantitative information and detailed data about cumulative impacts to sagebrush steppe vegetation and habitat. The SEIS will provide information about the original and past condition of the sagebrush steppe habitat and



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analyze cumulative impacts. It could lead to new terms and conditions for the Ruby Pipeline project.

The BLM should fully consider this SEIS at it moves toward approval of the Gateway West project. This information could be highly relevant to the Gateway West project, which also traverses large areas of sagebrush steppe habitat. The Ruby Pipeline terms and conditions might be just as relevant (perhaps in a modified way) to the Gateway West project, and the BLM should carefully consider whether to include these terms and conditions as components of this project in its Gateway West record of decision.

There is an additional reason to consider a supplemental EIS: in BLM's efforts to comply with the Wyoming Executive Order 2011-5, the agency is in danger of not fulfilling its multiple use mandate. While we strongly support efforts to ensure sage-grouse conservation, we believe there is some danger in BLM's apparent almost single-minded focus on compliance with this Executive Order. It appears the BLM is giving compliance with the EO more weight—much more weight—than any other multiple use concern. This is especially apparent in the Kemmerer area where BLM seems mostly intent on ensuring compliance with the EO and has far less concern about compliance with RMP provisions intended to protect historic trails, visually sensitive areas, and special management areas. BLM seems more than willing to weaken RMP provisions if they stand in the way of Gateway West approval, but it will not even dream of not complying with the EO.

This logic is contrary to BLM's multiple use mandate, as stated in the purpose and need statement for this project. The BLM should ensure that all multiple uses are receiving equivalent consideration and are valued similarly. A National Historic Trail is just as valuable and has just as much legal protection as does a sage chicken. This should be reflected in BLM's decision-making, which is not currently the case. BLM should be no more willing to violate the current provisions of its RMPs than it is to violate the sage-grouse EO. Accordingly, we ask the BLM to reconsider all decisions being made in the FEIS and ensure that all multiple use values are given equivalent levels of consideration and where the values are significant, equivalent levels of protection. No one resource value should trump all other resource values.

Often, there is reticence on the part of the BLM and all stakeholders to undergo the processes necessary for additional analysis. While we deny that this is not a valid reason to not complete an SEIS to address the FEIS' shortcomings for a variety of reasons, we would also like to note that there is no rush to complete Gateway West, even from the Proponents' perspective. In early June 2013, one of the Gateway project proponents (Rocky Mountain Power) told media that, because of the Environmental



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Protection Agency's new rules on regional haze, "Many of the company's coal-fueled generating plants in Wyoming may face early shut-down," (*Casper Star-Tribune*, June 6, 2013). The company owns four coal-powered plants, one of which—the Dave Johnston—is the origin point for Gateway West. If the company is considering shutting down this power plant, there is no need to consider a ROW grant application. While proponents argue there may be other electrons they can feed onto Gateway West after completion, these are not currently available, thus, their generation (wind farms in the Shirley Basin, we fear) must be considered as a cumulative impact of this project. Once again, the incomplete cumulative impact analysis is, by itself, a reason to complete another SEIS and if Rocky Mountain Power is considering shutting down the plant that would provide energy to the Gateway West line there is no need to rush this analysis.

The most recent news regarding President Barack Obama's additional regulations on existing power plants (*New York Times*, June 13 2013 and *New York Times* June 25, 2013) to limit carbon dioxide emissions will also have sweeping impacts on coal-fired power plants, like the one that would feed energy into the Gateway West line. While the Proponents may want to receive ROW approval and build this line as soon as possible, it is not in the BLM's or the public's interest to rush approval, especially in light of incomplete analysis. Arguably, if coal-fired power plants become less viable because of environmental regulations, the Proponents will desire a transmission line, like Gateway West, to transmit energy from renewable sources, like wind. But as we have stated many times, this cumulative impact is not adequately analyzed in this FEIS and deserves supplemental analysis for the BLM to complete its multiple use mandate and comply with NEPA regulations regarding complete analysis.

In conclusion, we are grateful for the ability to provide comments on this plan and to the BLM for the extensive effort already invested in this FEIS. However, we find it is incomplete and that there is standing for the agency to complete another SEIS in order to do its due diligence regarding environmental impact analysis for the Gateway West line. We believe the BLM's multiple use mandate, through its Purpose and Need must be better implemented and considered during alternative development, that the cumulative impact analysis is inadequate, and that several routing alternatives in eastern and western Wyoming deserve further analysis. We urge the BLM to address these shortcomings by completing a supplemental environmental analysis.

Thank you for your consideration of these comments. We look forward to working with the BLM on this project in the future, particularly by commenting on the supplemental environmental impact statement we think is warranted to complete analysis of the Gateway West Transmission Line Project.



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Best,

Julia Stuble  
Land Conservation Coordinator  
Wyoming Outdoor Council

Bruce Pendery  
Chief Legal Counsel  
Wyoming Outdoor Council

*And, in agreement with the points the Wyoming Outdoor Council has made in these comments,*

Duane Short  
Wild Species Program Director  
Biodiversity Conservation Alliance

# ALTERNATIVE ROUTES - RECOMMENDATIONS BASED ON SCOPING RESULTS

## Project Features

Project Area Boundary

Planned Substation

## Alternative Routes

Alternative Route

Alternative Route Recommended for Elimination After Public Scoping

Series Compensation Station Siting Area (2 total)

Link Number

Link Node

## Utilities

Existing Substation

Existing Power Plant

345kV Transmission Line

230 to 287kV Transmission Line

138 to 161kV Transmission Line

115kV Transmission Line

## Transportation

Interstate Highway

U.S. Highway

State Highway

Railroad

## Land Jurisdictions

Bureau of Land Management

Bureau of Reclamation

Indian Reservation

National Park Service

State Land

Private Land

U.S. Department of Defense

U.S. Fish and Wildlife Service

U.S. Forest Service

## Water

Lake or Reservoir

## Administrative Boundaries

State Boundary

County Boundary

**SOURCES:**  
BLM State Office Colorado, 2008, Land Jurisdiction;  
BLM State Office Utah, 2009, Land Jurisdiction;  
BLM State Office Wyoming, 2009, Land Jurisdiction;  
NAIP, 2009, Series Compensation Station Siting Area as digitized by EPG;  
POWERmap Platts, 2007, Transmission Lines and Substations as digitized by EPG;  
USDOT, 2008, National Transportation Atlas Database;  
ESRI, 2008, Water Features; ESRI, 2008, County Boundary;  
ESRI, 2008, State Boundary; AGRC, 2004, Cities

**NOTES:**  
• The alternative routes shown on this map are preliminary and may be revised and/or refined throughout the development of the project.  
• Substation symbols do not necessarily represent precise locations.  
• Series compensation station siting areas are preliminary and do not represent precise locations.

Alternative routes last revised: August 30, 2010  
Series compensation station siting areas last revised: August 30, 2011



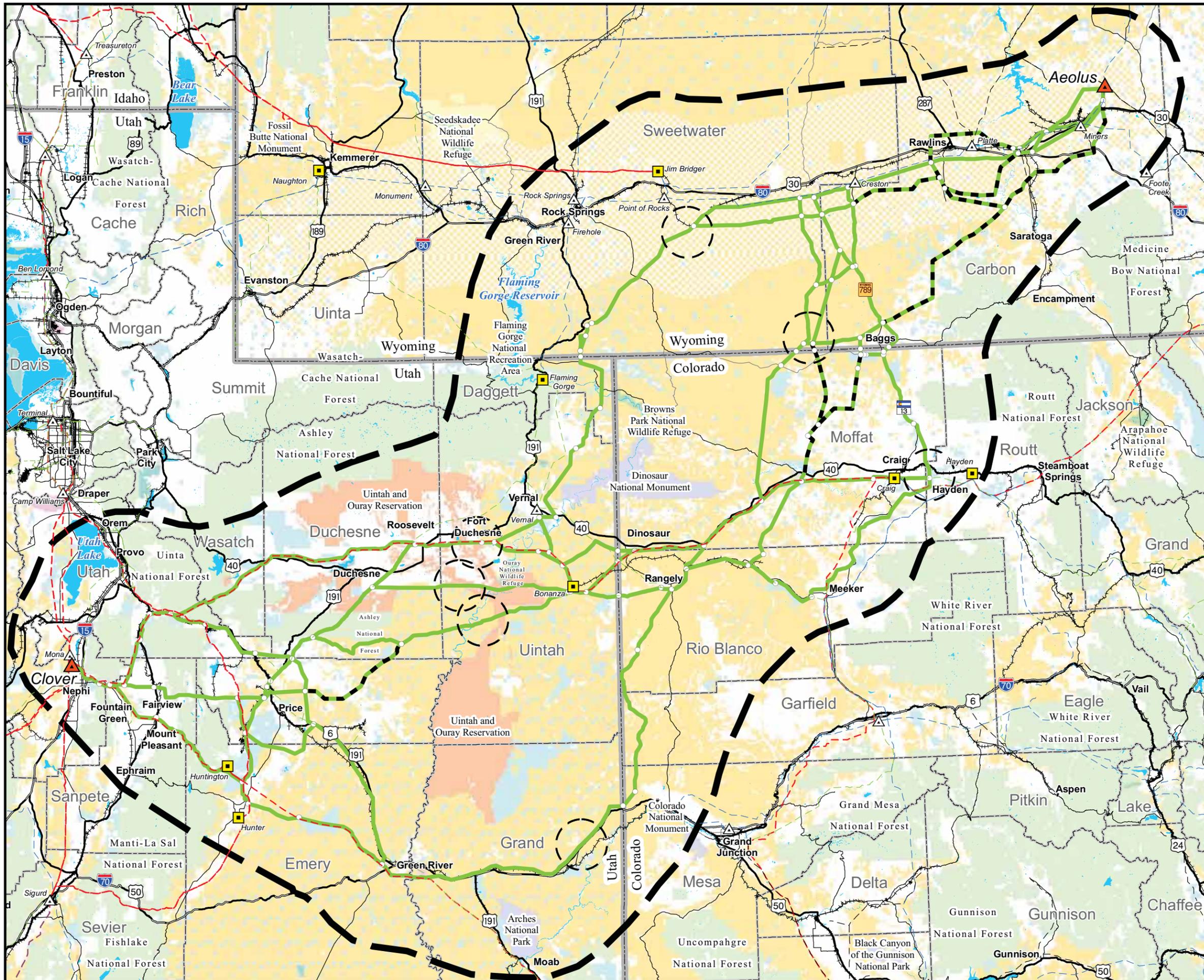
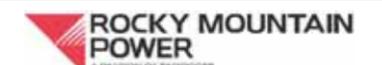
Prepared by:



**PRELIMINARY  
DRAFT**

Printed: October 24, 2011

## ENERGY GATEWAY SOUTH TRANSMISSION PROJECT



**From:** [jmclain@blm.gov](mailto:jmclain@blm.gov) on behalf of [Gateway West Trans Line, BLM WY](#)  
**To:** [blm@gwcomment.com](mailto:blm@gwcomment.com)  
**Subject:** Fwd: Gateway West Transmission Line Project - WWF comments  
**Date:** Monday, July 01, 2013 10:22:11 AM  
**Attachments:** [GWW\\_FEIS\\_WWF\\_6.2013.pdf](#)

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

From: <[joybannon@wyomingwildlife.org](mailto:joybannon@wyomingwildlife.org)>  
Date: Fri, Jun 28, 2013 at 2:00 PM  
Subject: Gateway West Transmission Line Project - WWF comments  
To: [Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)

Dear BLM,

Please find attached Wyoming Wildlife Federation's comments on the Gateway West Transmission Line Project. If you have questions or want to discuss our comments in greater detail, please contact us.

Sincerely,

Joy

Joy Bannon  
Field Director  
Wyoming Wildlife Federation  
P.O. Box 1312  
259 Main Street  
Lander, WY 82520  
mobile: 307.287.0129  
office: 307.335.8633  
[joybannon@wyomingwildlife.org](mailto:joybannon@wyomingwildlife.org)



June 27, 2013

Bureau of Land Management  
Gateway West Project  
P.O. Box 20879  
Cheyenne, WY 82003  
[Gateway\\_West\\_WYMail@blm.gov](mailto:Gateway_West_WYMail@blm.gov)

RE: Gateway West Transmission Line Project – Final Environmental Impact Statement

Dear Bureau of Land Management:

Wyoming Wildlife Federation (WWF) submits the following comments for your review and thorough consideration. WWF, established in 1937 and with current standing membership of over 5,000, is Wyoming's oldest and largest statewide conservation organization. Our mission is to work for hunters, anglers, and outdoor enthusiasts to protect and enhance habitat, to perpetuate quality hunting and fishing, to protect citizens' rights to use public lands and waters, and to promote ethical hunting and fishing.

### **Routing**

In our Draft Environmental Impact Statement (DEIS) comments, WWF identified avoiding environmental and social impacts to the greatest extent possible. In addition, WWF commented that the transmission line should be developed within existing corridors and co-located with other transmission lines, when possible. Areas that should be avoided include crucial big game winter ranges/severe winter ranges, migration corridors, Greater Sage-grouse core areas, National Wild, Scenic, and Recreational Rivers, wetlands, National Historic and National Scenic trails, and cutthroat trout habitat. WWF also provided our preferred siting route that satisfied the priorities mentioned.

The Final EIS preferred segment 1 did change from the preferred segment 1 in the DEIS. WWF accepts segment 1 in the FEIS because it is in compliance with Wyoming's Greater sage-grouse core area strategy, is primarily within designated corridors or is parallel to existing linear infrastructure for more than 90% of its length, rebuilds an existing transmission line, which limits surface disturbance, and will run parallel to an existing transmission line.

Segment 2 and 3 were maintained or had few changes from the DEIS, thus WWF remains in support of those segments. With respect to segment 4, WWF suggested 4F/4A or a combination of the preferred and 4F. Due to the fact that 4F doesn't comply with Wyoming's Greater sage-grouse core area strategy, WWF concedes that the route can't be considered. We chose the preferred in combination with 4F because 4F has lesser impacts to Visual Resource Management (VRM) Class II status. WWF finds segment 4 sufficient in that it will follow an existing transmission line for 75% of its segment and does avoid crossing Seedskaadee National Wildlife Refuge, minimizes wetland impacts, avoids unstable soils and steep terrain, and avoids sage grouse leks.

### **Recreation**

In the DEIS comments submitted by WWF, we recommended avoiding transmission line construction during the hunting season so that big game are not disturbed and don't move out of a hunters area due to habitat fragmentation, noise, increased traffic, and general construction activity. The BLM's response to our DEIS comment reads, "Given the restrictions on operating during most of the year to protect wildlife (see the closure periods in Appendix I) it would not be practical to also restrict construction during hunting periods." (FEIS, Appendix L-57) WWF realizes that the proponents have many time frame restrictions to abide by, but for the BLM and the proponents to make no effort what so ever to accommodate hunting and Wyoming sporting heritage is an insult. Hunting is an economic contributor to Wyoming's communities and state coffers. Over 37 million Americans took part in hunting, fishing or both, spending \$90 billion." (*National Survey of Fishing, Hunting, and Wildlife-Associated Recreation State Overview Report*, U.S. Fish and Wildlife Service, Issued September 2012) In addition, "the 2011 National Survey data show that hunters, anglers and wildlife watchers spent \$145 billion last year on related gear, trips and other purchases such as licenses, tags and land leasing or ownership." (*National Survey of Fishing, Hunting, and Wildlife-Associated Recreation State Overview Report*, U.S. Fish and Wildlife Service, Issued September 2012)

Hunting should not be overlooked or dismissed as a multiple use and economic driver. The BLM and the proponents could establish a general rule to limit construction activity in the early morning and during dusk when big game are more apt to be eating, out of cover, and have a greater chance of being harvested by a hunter. WWF finds it unacceptable for the BLM and the proponent to just throw their hands up and deny the ability to work with sportsmen on this issue. We would also suggest taking a close look at the Multiple Use and Sustained Yield Act to make sure the BLM is in compliance with that Act for this issue.

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- Decontamination of equipment should occur before work begins around or near water, as well as when construction equipment leaves the area.
- Areas disturbed during construction that contribute sediment to surface waters should be re-vegetated as quickly as possible to ensure water quality.

- Riparian vegetation should be protected by leaving a 200 foot buffer on each side of streams and water courses. The buffer should be expanded to 500 feet in the case of waterways with sensitive aquatic species.
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- All lines should be constructed in a raptor proof manner, ensuring the safety of raptors throughout the area.
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- Employees should be required to participate in an Environmental Awareness Training Program. Trespass laws, laws on public lands, and current Wyoming Game and Fish regulations should be covered for the benefit of employees new to the area.
  - The answer provided by the BLM: CON-1 requires hazardous materials training, REC-1 requires training in identifying noxious and invasive weeds (see Table 2.7-1). The BLM has no authority to require other training.
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Field Director  
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June 27, 2013

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