



From: corridoreiswebmaster@anl.gov
To: [Corridoreisarchives;](#)
CC:
Subject: Energy Corridor Programmatic EIS Comment 80031
Date: Sunday, November 27, 2005 10:54:22 PM
Attachments:

Thank you for your comment, .

The comment tracking number that has been assigned to your comment is 80031. Please refer to the tracking number in all correspondence relating to this comment.

Comment Date: November 27, 2005 10:54:09PM CDT

Energy Corridor Programmatic EIS Scoping Comment: 80031

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Privacy Preference: Withhold address only from public record

Comment Submitted:

FURTHER COMMENTS by JACK W. SCOTT

, NM

DOE/EIS 0386-- Designation of Energy Corridors on Federal Land in the 11 Western

States

These comments are in addition to and incorporated with the verbal comments given October 26, 2005, Albuquerque, NM Scoping meeting.

This massive effort and action by the administration and Congress is an ill conceived travesty that should be stopped. It leaves the impression of showing the energy and transport industries as the driving force behind any designations of corridors. This is not going to be accepted as right or prudent. The notice of scoping and public participation is a sham. At the Albuquerque meeting I requested a properly advertised scoping meeting be held in the Farmington, NM or the Durango, CO area•the Four Corners energy rich area of the United States. I still request that this be done to add a sense of legitimacy to this process. Other scoping meetings throughout the west would also be a good idea.

I suspect that public response to this process will be small since local notification appears to have not been adequately accomplished or attempted.

The timeline for a project of this magnitude is far too short and to be done properly and will require years complete. There was not enough information at the meeting or in written form to allow anyone enough information upon which to comment let alone to make recommendations about the project or process.

Holding 11 Scoping meetings, not advertised in local papers or noticed one day ahead of the meeting in news accounts regarding previous meetings and requiring people to travel hundreds of miles to attend does not constitute public participation or requirements to allow public participation.

Any public land corridor designation, by default, causes corridor designation on private property adjoining or in close proximity to where the corridor enters or leaves the public land•this is a taking by any definition. It will have profound and definite adverse impacts on said private lands. The full extent of the intrusion and impact on these private owners and their land has to be covered socially, economically, and environmentally in this EIS process. In fact, these agencies, just because of the designation of corridors, should pay the private owners in the paths of these designations for the adverse impacts and ramifications on these properties because of said designation. It is a taking to be so designated.

The agency or agencies permitting lines across their lands in corridors designated should share the responsibility of compensation to private land owners in the paths of these lines.

The corruption and manipulation of Eminent Domain and condemnation statutes and laws has to be addressed in this process. These have been corrupted to the point of being just legalized theft. What environmental safeguards are afforded private owners under

Eminent Domain and condemnation? What is the usual cost in attorney fees needed by the private owner just to get to the first hearing where a restraining order is placed against the owner and the energy company is given permission to rape the owner and his land. How long do many condemnation processes take before completed in years? What is the usual total in attorney fees and costs to defend oneself against a taking by an energy company? What time involvement is required of an owner who has property in one of these proposed corridors and has to deal with the government and energy company takings across his property? Indian lands and reservations cannot be condemned and the Tribes many times get a fair value for their lands if the process is not corrupted. This is not the case for allotment lands and the allottees. They many times by improper representation and lack of knowledge have their lands basically stolen.

Indian lands are usually conveyed by lease. and contracts are limited in time with renewal and renegotiations processes. Private lands because of the threat of or use of eminent domain and condemnation have their lands taken in perpetuity with a one time low payment.

Simple things like how wide a corridor is intended? How will they be determined? What is the criteria to be used in designations? These and other answers are all information needed before scoping can be addressed.

How does one become a stakeholder in this process?

Even before scoping meetings were completed, in fact during, the bias was shown to the transport industry and these special interest corporations. A definite bias against the non-transport industry concerns regarding issues and impacts on private lands and federal lands was apparent.

The no action alternative is misstated in the Federal Register. It states, "Under the No Action alternative, no new energy corridors would be designated through this coordinated approach. The No Action alternative will identify the environmental impacts associated with each of the Agencies continuing to designate energy corridors through use of their present practices. These practices would include the application of local planning criteria by each regional land management office." Present practices allow the agencies to become participating agencies and become equal participants in the designation of corridors under regional plans. If the agencies have chosen not to participate in the past, that is their fault. Don't fix what is not broken

This proposed action appears to be taking States rights and local control away from the States and Citizens and appears to have the Federal Government shoving industry mandated, chosen, and developed corridors down the states and public's and private owners' throats. A misguided project of this size appears to be just more of promises and

results guaranteed with campaign contributions by corporate energy promoters and producers rather than a concern for what is best for America.

With the Increased Utilization Alternative one must remember that many existing so called corridors were in place before present National Environmental Policy Act regulations were in place. Just because a pipeline or an electric line is in place doesn't mean that this is the best or even a suitable location for such lines. This is important in designating a corridor for additional future lines in the same location and each and every location has to be addressed, studied, and evaluated with the input of local property owners, local governments, and local agencies.

Congress through Section 368 of the energy Policy Act of 2005, Public Law 109-58 (H. R.6) enacted August 8, 2005 has placed the Office of Electricity Delivery and Energy Reliability, the Department of Energy, and the Bureau of Land Management as well as the Forest Service and Department of Transportation along with others in an extremely uncomfortable and possibly illegal position in mandating this action of designating corridors. I would suggest that criteria for designation of corridors throughout the West could be developed for application and use in the future designation of corridors as they come up individually in the future. To take a blanket approach and create West wide grids of corridors is probably illegal at this time and should not be done.

If pipelines and electric transmission lines are to go into a joint corridor, they can be overlapped with proper cathodic protection. When more than one pipeline is placed in a corridor, they have to be required to have overlapping easements with the pipe placement approximately 10 feet apart. To allow the industry 50 feet or more of new surface for each pipeline destroys the surface use on private and federal lands and is more environmentally destructive. A 50 foot easement requires only 10 to 12 feet of additional new land when laid next to existing lines.

The private surface owner should be allowed the right to dictate routing and conditions with any line or lines which cross his land.

It is important that a statement similar to and as is found in the new Gold Book by Bureau of Land Management posted on the Internet be included in any final EIS on this project. This sentence is "BLM will offer the surface owner the same level of surface protection BLM provides on Federal surface." Suggested wording for such a statement is "At the non federal surface owner's discretion and determination, any protections, requirements, or other conditions applied or afforded to federal lands, rights-of-way, easements, permits, or other uses can be required by the private owner on his lands. These would not preclude the private owner from negotiating any standards or conditions that may exceed federal requirements."

Visual impacts and erosion control in the Southwestern United States are very important and have to be dealt with accordingly with corridors.

If question should arise regarding my comments please feel free to contact me for clarification or further discussion.

Jack W. Scott

Questions about submitting comments over the Web? Contact us at:
corridoreiswebmaster@anl.gov or call the Energy Corridor Programmatic EIS
Webmaster at (630)252-6182.

From: corridoreiswebmaster@anl.gov
To: [Corridoreisarchives;](#)
CC:
Subject: Energy Corridor Programmatic EIS Comment 80057
Date: Monday, November 28, 2005 4:29:02 PM
Attachments:

Thank you for your comment, .

The comment tracking number that has been assigned to your comment is 80057. Please refer to the tracking number in all correspondence relating to this comment.

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Energy Corridor Programmatic EIS Scoping Comment: 80057

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Privacy Preference: Withhold address only from public record

Comment Submitted:

This is a duplication of what was e-mailed yesterday as it came back to me with a wrong date entered as far as e-mail sent so this should correct the date.

Thanks,

Jack W. Scott

FURTHER COMMENTS by JACK W. SCOTT