

Public Comments

<p>THE CONFEDERATED TRIBES THE COLVILLE OF RESERVATION POST OFFICE BOX 140, NEZPERCE, WASHINGTON 99115 PHONE (208) 634-2260</p> <p>April 1, 2002</p> <p>Bonneville Power Administration Communications- K.C.T. P.O. Box 12999 Portland, OR 97212</p> <p>Re: Comment on DEIS for Schultz-Hanford Transmission Line Project</p> <p>To Whom It May Concern:</p> <p>This letter presents the comments of the Tribal Historic Preservation Officer (THPO) of the Confederated Tribes of the Colville Reservation (CTR) on the Draft Environmental Impact Statement (DEIS) for the Schultz-Hanford Transmission Line Project.</p> <p>Of principal concern is that the agency has not initiated or maintained appropriate consultation with the CCTT on this project as required by the National Historic Preservation Act. This has not occurred despite a request by the CCT THPO for formal consultation.</p> <p>The CCT conducted a Phase I record research project for this DEIS. Our technical report has been used selectively in developing the Cultural Resources section of the DEIS. Incomplete information or interpretations of the content of our technical report have led to incorrect statements or representations. In particular, Map 11 depicts "cultural areas" rather than sensitive areas, the latter of which included areas with high potential for cultural resources, an important distinction especially since this map could be misused to vandalize sites and potential site areas. The potential for vandalism also is a concern and we ask that this map not be included in the Final EIS. Federal law specifically exempts site location information from public presentations, even in the face of Freedom of Information Act requests.</p> <p>27-2</p> <p>The definition of "lithic" is inaccurate: lithic is Latin for stone and therefore refers to anything stone, not just tools. The sentence where "debitage" is defined in a side-bar has an extra "the." The table of contents references incorrect page numbers for this section of the DEIS. The Appendix H technical report references a map of the different alternatives and segments which we expected would be included by Parsons-Brinckerhoff, but no map has been included or referenced to Volume I.</p> <p>27-3</p> <p>27-4</p>
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Public Comments

Chapter 6 — Comments and Responses

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 South Avenue
Seattle, Washington 98101
PHONE: 206-553-8561 FAX: 206-553-8561
RECEIPT DATE: APR 2 2 2012
APRIL 19, 2002

Ref ID: 01061-10PA

Re: ECO-088

Nancy Witteman
Bonneville Power Administration (KEC-4)
P.O. Box 3621
Portland, OR 97208

Dear Ms. Witteman:

Thank you for the opportunity to provide comments on the draft EIS. I urge you to contact Bill Ryan of my staff at (206) 553-8561 at your earliest opportunity to discuss our comments and how they might best be addressed for the project.

Sincerely,

Judith Leckrone Lee, Manager
Geographic Implementation Unit

/s/

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 South Avenue
Seattle, Washington 98101
PHONE: 206-553-8561 FAX: 206-553-8561
RECEIPT DATE: APR 2 2 2012
APRIL 19, 2002

Ref ID: 01061-10PA

Re: ECO-088

Nancy Witteman
Bonneville Power Administration (KEC-4)
P.O. Box 3621
Portland, OR 97208

Dear Ms. Witteman:

The Environmental Protection Agency (EPA) has completed its review of the draft Environmental Impact Statement (EIS) for the proposed **Schultz-Hanford Area Transmission Line Project** (CEQ No. 020049) in accordance with our authorities and responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS has been prepared by the Bonneville Power Administration (BPA) to evaluate options to resolve the current and projected lack of transmission capacity in the region. The EIS evaluates four transmission line alignment alternatives as well as the No Action alternative. The draft EIS identifies Alternative 2 as the agency-preferred alternative.

Based on our review and evaluation, we have assigned a rating of E-C-2 (Environmental Concerns -Insufficient Information) to the draft EIS. This rating, and a summary of our comments, will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference.

Our concerns are related to the following topics:

- Purpose and need for the project;
- Range of alternatives evaluated in the EIS;
- Rationale for development and assessment of certain project segments (Segment A, B, C, and Segment B);
- Characterization of Expected Effects;
- Proposed Mitigation Measures;
- Monitoring and Evaluation Plan; and
- Rationale for development and assessment of certain project segments (Segment A, B, C, and Segment B).

These issues are discussed in greater detail in the enclosure to this letter.

 Printed on Recycled Paper

Public Comments

<p>28-1</p> <p>Purpose and Need and Range of Alternatives</p> <p>We are concerned that the cursory manner in which the need for the proposed project is presented in the EIS leads the reader to the conclusion that the only solution to the lack of carrying capacity of the existing transmission lines is the construction of additional transmission lines (and specifically the proposed Schultz-Hanford transmission line). Additionally, by including “near energization date of late 2004” as a project purpose, the EIS suggests that the solution must include the construction of a transmission line that will be operational in 2004. While we have no reason to disagree with the underlying need to resolve the current and projected lack of transmission capacity in the region, we do have concerns that the manner in which project purpose and need is presented appears to result in no assessment of alternatives that could be employed to address the underlying need without constructing additional transmission lines in general and the proposed project specifically (so called nonwires solutions). The National Environmental Policy Act (NEPA) implementing regulations direct Federal agencies to “use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize any possible adverse effects upon the human environment” and to “use all practicable means...to...avoid or minimize any possible adverse effects of their actions on the human environment” (see 40 CFR 1500.1(e) and (f)). In order to meet that direction, we believe that the EIS must include an evaluation of nonwires alternatives that could meet (or contribute to meeting) the underlying need and achieve the project purposes of maintaining transmission system reliability, optimize transmission system usage, minimize environmental impacts and minimize overall costs. We recommend that the EIS be revised to include an assessment of alternatives such as demand management, distributed generation, interruptible/curtailable rates and transmission pricing solutions.</p>
<p>28-2</p> <p>Characterization of Expected Effects</p> <p>We are concerned with the manner in which expected impacts related to the proposed project have been characterized in the draft EIS, particularly with respect to the effectiveness of recommended mitigation measures. The EIS is very vague in its presentation of expected impacts from the proposed project. Many of the characterizations are described in a manner such as “If impacts to these species cannot be avoided, it would be a moderate level of impact. Impacts could be reduced to low level if successful mitigation is implemented.” Such characterizations suggest the following:</p> <ul style="list-style-type: none"> - Insufficient baseline data have been collected to truly understand where specific project impacts would occur and where appropriate mitigation should be applied. - A strategy to define and implement meaningful measures to avoid, minimize, or compensate for project-related effects has not been developed. <p>Ultimately, the effects analysis in the EIS should reflect an understanding of the resources</p>
<p>28-3</p> <p>Proposed Mitigation Measures</p> <p>We have concerns with the mitigation measures recommended for implementation in the EIS, as presented below:</p> <p>Many of the mitigation measures contain phrases such as “if possible,” “in the event possible,” “as needed”, and “if necessary.” We recommend removing such phrases from the mitigation measures as we believe that mitigation measures should reflect clear direction and commitment related to what will be done to mitigate effects. If certain conditions exist where exceptions would need to be made, those conditions should be explicitly identified as part of the measure.</p> <p>The EIS indicates that site-specific surveys for plants and wildlife (only for the preferred alternative) would be conducted to identify areas where rare plants occur and areas of listed, candidate, or species of concern exist. We do not view surveys of this type as mitigation. As described in the EIS, they appear to be necessary to define the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA, to “insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR 1500.1(b)) and to “include appropriate mitigation measures not already included in the propose action or alternatives” (40 CFR 1502.14(f)). We also believe that such surveys should be conducted for all alternatives to ensure that appropriate environmental information is available to the public and the decision maker prior to decisions being</p>
<p>28-4</p> <p>Additional Mitigation Measures</p> <p>We recommend that the EIS be revised to include characterizations of effects that reflect sufficient site-specific knowledge of the specific resources at risk and the implementation of mitigation measures that would be used with project implementation.</p>
<p>28-5</p> <p>Additional Mitigation Measures</p> <p>We have concerns with the mitigation measures recommended for implementation in the EIS, as presented below:</p> <p>Many of the mitigation measures contain phrases such as “if possible,” “in the event possible,” “as needed”, and “if necessary.” We recommend removing such phrases from the mitigation measures as we believe that mitigation measures should reflect clear direction and commitment related to what will be done to mitigate effects. If certain conditions exist where exceptions would need to be made, those conditions should be explicitly identified as part of the measure.</p> <p>The EIS indicates that site-specific surveys for plants and wildlife (only for the preferred alternative) would be conducted to identify areas where rare plants occur and areas of listed, candidate, or species of concern exist. We do not view surveys of this type as mitigation. As described in the EIS, they appear to be necessary to define the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA, to “insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR 1500.1(b)) and to “include appropriate mitigation measures not already included in the propose action or alternatives” (40 CFR 1502.14(f)). We also believe that such surveys should be conducted for all alternatives to ensure that appropriate environmental information is available to the public and the decision maker prior to decisions being</p>
<p>28-6</p> <p>Additional Mitigation Measures</p> <p>We have concerns with the mitigation measures recommended for implementation in the EIS, as presented below:</p> <p>Many of the mitigation measures contain phrases such as “if possible,” “in the event possible,” “as needed”, and “if necessary.” We recommend removing such phrases from the mitigation measures as we believe that mitigation measures should reflect clear direction and commitment related to what will be done to mitigate effects. If certain conditions exist where exceptions would need to be made, those conditions should be explicitly identified as part of the measure.</p> <p>The EIS indicates that site-specific surveys for plants and wildlife (only for the preferred alternative) would be conducted to identify areas where rare plants occur and areas of listed, candidate, or species of concern exist. We do not view surveys of this type as mitigation. As described in the EIS, they appear to be necessary to define the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA, to “insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR 1500.1(b)) and to “include appropriate mitigation measures not already included in the propose action or alternatives” (40 CFR 1502.14(f)). We also believe that such surveys should be conducted for all alternatives to ensure that appropriate environmental information is available to the public and the decision maker prior to decisions being</p>

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EPA Comments

on the Schultz-Hanford Area Transmission Line Project Draft Environmental Impact Statement (EIS)

Purpose and Need and Range of Alternatives

We are concerned that the cursory manner in which the need for the proposed project is presented in the EIS leads the reader to the conclusion that the only solution to the lack of carrying capacity of the existing transmission lines is the construction of additional transmission lines (and specifically the proposed Schultz-Hanford transmission line). Additionally, by including “near energization date of late 2004” as a project purpose, the EIS suggests that the solution must include the construction of a transmission line that will be operational in 2004. While we have no reason to disagree with the underlying need to resolve the current and projected lack of transmission capacity in the region, we do have concerns that the manner in which project purpose and need is presented appears to result in no assessment of alternatives that could be employed to address the underlying need without constructing additional transmission lines in general and the proposed project specifically (so called nonwires solutions). The National Environmental Policy Act (NEPA) implementing regulations direct Federal agencies to “use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize any possible adverse effects upon the human environment” and to “use all practicable means...to...avoid or minimize any possible adverse effects of their actions on the human environment” (see 40 CFR 1500.1(e) and (f)). In order to meet that direction, we believe that the EIS must include an evaluation of nonwires alternatives that could meet (or contribute to meeting) the underlying need and achieve the project purposes of maintaining transmission system reliability, optimize transmission system usage, minimize environmental impacts and minimize overall costs. We recommend that the EIS be revised to include an assessment of alternatives such as demand management, distributed generation, interruptible/curtailable rates and transmission pricing solutions.

Characterization of Expected Effects

We are concerned with the manner in which expected impacts related to the proposed project have been characterized in the draft EIS, particularly with respect to the effectiveness of recommended mitigation measures. The EIS is very vague in its presentation of expected impacts from the proposed project. Many of the characterizations are described in a manner such as “If impacts to these species cannot be avoided, it would be a moderate level of impact. Impacts could be reduced to low level if successful mitigation is implemented.” Such characterizations suggest the following:

- Insufficient baseline data have been collected to truly understand where specific project impacts would occur and where appropriate mitigation should be applied.
- A strategy to define and implement meaningful measures to avoid, minimize, or compensate for project-related effects has not been developed.

Ultimately, the effects analysis in the EIS should reflect an understanding of the resources

that would be affected by the project (the affected environment), an assessment of the potential impacts to identified resources, and a reflection of effects that would be expected with the application of necessary mitigation measures. As presently written, information related to the affected environment needed to define expected impacts, does not appear to be adequate to support a meaningful effects analysis. For example, the draft EIS indicates that additional plant and wildlife surveys will be undertaken to better define the existence and locations of rare plants or high value plant communities as well as endangered, threatened, candidate or sensitive wildlife species within the project area. Until these surveys are completed (for all alternatives) we do not believe that effects relative to the criteria identified on pages 4-22 and 4-23 (for vegetation) and page 4-36 and 4-37 (for wildlife).

Additionally, the EIS does not present 1) identified mitigation measures in a manner than indicates that they would be implemented, 2) the locations where they would be applied, or 3) information related to their expected effectiveness. The clear identification of mitigation measures that would be employed with project implementation, the identification of locations where they would be applied, and a discussion (citing applicable reports, papers, etc.) of their effectiveness in avoiding or reducing effects, are needed to establish the project-related impacts that are to be reported in the EIS.

We recommend that the EIS be revised to include characterizations of effects that reflect sufficient site-specific knowledge of the specific resources at risk and the implementation of mitigation measures that would be used with project implementation.

Proposed Mitigation Measures

We have concerns with the mitigation measures recommended for implementation in the EIS, as presented below:

Many of the mitigation measures contain phrases such as “if possible,” “in the event possible,” “as needed”, and “if necessary.” We recommend removing such phrases from the mitigation measures as we believe that mitigation measures should reflect clear direction and commitment related to what will be done to mitigate effects. If certain conditions exist where exceptions would need to be made, those conditions should be explicitly identified as part of the measure.

The EIS indicates that site-specific surveys for plants and wildlife (only for the preferred alternative) would be conducted to identify areas where rare plants occur and areas of listed, candidate, or species of concern exist. We do not view surveys of this type as mitigation. As described in the EIS, they appear to be necessary to define the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA, to “insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR 1500.1(b)) and to “include appropriate mitigation measures not already included in the propose action or alternatives” (40 CFR 1502.14(f)). We also believe that such surveys should be conducted for all alternatives to ensure that appropriate environmental information is available to the public and the decision maker prior to decisions being

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28-6
cont.

The EIS indicates that a spill prevention/spill response plan would be developed prior to construction of the project. Like the proposed plant and wildlife surveys, the development of this plan is necessary for defining the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA to "ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken" (40 CFR 150.1(b)) and to "include appropriate mitigation measures not already included in the proposed action or alternatives" (40 CFR 150.2, 14(d)).

The EIS should clearly present the mitigation measures that would be applied and ultimately committed to in the Record of Decision (ROD) for the project.

Monitoring and Evaluation Plan

We believe that it is extremely important that project-level monitoring be designed and conducted to determine whether mitigation measures are achieving their desired/expected resource protection outcomes. To ensure that such efforts would be undertaken for the proposed project and that they would be conducted in a systematic and predictable fashion, we recommend the development of a monitoring and evaluation plan for the proposed project (for inclusion in the EIS). This plan would include the design of appropriate monitoring methods, establishment of evaluation and reporting mechanisms, and include a framework for making appropriate changes based on the results of the monitoring. Such a plan would ensure the evaluation of whether mitigation measures committed to in the ROD for the project have actually been implemented (implementation monitoring) and the effectiveness of those measures in offsetting or reducing impacts (effectiveness monitoring). We ultimately see that the development and implementation of a monitoring and evaluation plan will provide the Bonneville Power Administration with useful information related to project implementation that will also aid in future planning efforts.

Segment A Reroute

Page 2-2 of the draft EIS indicates that Segment A may require a small (approximately 1 mile) reroute of the proposed and existing transmission lines approximately 7 miles southeast of the Schiltz Substation. As presently written, the EIS does not discuss why this reroute is being considered or how it was developed/determined. We recommend that the EIS be revised to clearly describe the reason(s) that the reroute is presently being evaluated and how the particular alignment for the reroute (as opposed to other potential routes) was determined. This information will provide the public and the decision maker with a clear understanding of the rationale for the development of that particular component of the preferred alternative.

Additionally, the EIS presents no information related to the affected environment (land ownership, natural resources) associated with the "reroute" portion of Segment A nor does it include an assessment of effects along that stretch of the proposed transmission line. We recommend that the EIS be revised to include information related to the affected environment along with an assessment of effects for the "reroute" segment of Alternative A, consistent with

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28-10
cont.

the direction of the NEPA implementing regulations (see 40 CFR 1500.1, 1502.15, and 1502.16).

Segment B

The EIS presents distinctly different alignments for Segment B (entitled B_{low} and B_{high}) but, as with the Segment A Reroute, the EIS does not discuss why these different routes are being considered or how they were developed/determined. We presume that B_{low} was selected for evaluation because it would parallel an existing transmission line. However, we are unable to determine why the B_{high} route is being evaluated or potentially necessary, particularly when the affected environment and project effects are characterized as being essentially the same for both alignments. We recommend that the EIS be revised to clearly describe the reason(s) why these "subalternatives" are being evaluated and how those particular alignments (as opposed to other potential routes) were determined. This information will provide the public and the decision maker with a clear understanding of the rationale for the development of a particular component of the preferred alternative (B_{low}).

28-11

The EIS indicates that a spill prevention/spill response plan would be developed prior to construction of the project. Like the proposed plant and wildlife surveys, the development of this plan is necessary for defining the effects from the proposed project and identify necessary mitigation measures. We believe that such information should be reflected in the EIS, per the direction of the implementing regulations for NEPA to "ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken" (40 CFR 150.1(b)) and to "include appropriate mitigation measures not already included in the proposed action or alternatives" (40 CFR 150.2, 14(d)).

The EIS should clearly present the mitigation measures that would be applied and ultimately committed to in the Record of Decision (ROD) for the project.

Monitoring and Evaluation Plan

We believe that it is extremely important that project-level monitoring be designed and conducted to determine whether mitigation measures are achieving their desired/expected resource protection outcomes. To ensure that such efforts would be undertaken for the proposed project and that they would be conducted in a systematic and predictable fashion, we recommend the development of a monitoring and evaluation plan for the proposed project (for inclusion in the EIS). This plan would include the design of appropriate monitoring methods, establishment of evaluation and reporting mechanisms, and include a framework for making appropriate changes based on the results of the monitoring. Such a plan would ensure the evaluation of whether mitigation measures committed to in the ROD for the project have actually been implemented (implementation monitoring) and the effectiveness of those measures in offsetting or reducing impacts (effectiveness monitoring). We ultimately see that the development and implementation of a monitoring and evaluation plan will provide the Bonneville Power Administration with useful information related to project implementation that will also aid in future planning efforts.

Segment A Reroute

Page 2-2 of the draft EIS indicates that Segment A may require a small (approximately 1 mile) reroute of the proposed and existing transmission lines approximately 7 miles southeast of the Schiltz Substation. As presently written, the EIS does not discuss why this reroute is being considered or how it was developed/determined. We recommend that the EIS be revised to clearly describe the reason(s) that the reroute is presently being evaluated and how the particular alignment for the reroute (as opposed to other potential routes) was determined. This information will provide the public and the decision maker with a clear understanding of the rationale for the development of that particular component of the preferred alternative.

28-9
28-10

Additionally, the EIS presents no information related to the affected environment (land ownership, natural resources) associated with the "reroute" portion of Segment A nor does it include an assessment of effects along that stretch of the proposed transmission line. We recommend that the EIS be revised to include information related to the affected environment along with an assessment of effects for the "reroute" segment of Alternative A, consistent with

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U.S. Environmental Protection Agency Rating System for
On-Environmental Impact
Definitions and Follow-up Actions

Environmental Impact of the Action

KD - Lack of objections

The environmental protection agency (epa) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have diverse opportunities for incorporation of mitigation measures that could be accomplished with no environmental concerns.

KC - Environmental concerns

The epa review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - Environmental objectives

The epa review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project by the lead agency to reduce these impacts. EPA intends to work with the lead agency to resolve these impacts.

EA - Environmentally unsatisfactory

The epa review has identified significant environmental impacts that are of sufficient magnitude that the epa recommends that the environmental impact statement or environmental quality statement be revised to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final eis stage, this proposal will be recommended for referral to the council on environmental quality (coo).

Category 1 - Adequate

EPA believes the draft eis adequately sets forth the environmental impacts of the preferred alternative and analysis of the alternatives reasonably available to the project are action, no further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - Insufficient information

The draft eis does not contain sufficient information for epa to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the information is insufficient to allow for reasonable alternatives that are within the spectrum of alternatives. EPA may request new information, available alternatives that are within the spectrum of alternatives, and/or additional information, data analysis or discussion should be included in the final eis.

Category 3 - Inadequate

EPA does not believe that the draft eis adequately assesses potentially significant environmental impacts of the action, or the epa reviewer has identified new reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft eis, which the epa reviewer has identified additional information, data analysis or discussion should be included in the final eis. I believe that they should have full public review at a draft stage. EPA does not believe that the draft eis is adequate for the purposes of the national environmental policy act, and section 304 review, and thus should be formally revised and made available for public comment. This supplemental document is revised and contains on the basis of potential significant impacts involved in this proposal could be a candidate for referral to the coo.

* From EPA Manual 1640. Policy and Procedures for the Review of Federal Actions Affecting the Environment, February, 1991.

Kuehn, Ginny -KC-7

From: Whitten, Nancy A - KIC-4

Sent: Monday, April 22, 2002 12:39 PM

To: Kuehn, Ginny -KC-7

Subject: FW: Schulte-Hanford Transmission Project Comments



schulte-hanford@epa.gov

4 see below. Can you log this in and route. Thanks. They sent it in Word Perfect but I have also include a WORD version.

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

From: Ryan.William@panair.epa.gov [mailto:Ryan.William@panair.epa.gov]

Sent: Friday, April 19, 2002 3:46 PM

To: nwh@epa.gov

Subject: Schulte-Hanford Transmission Project Comments

Hi Nancy-

Attached are our comments on the draft eis prepared for the Schulte-Hanford Transmission Area Transmission Line project. I appreciate your willingness to accept these beyond the close of comments date. I hope that they are timely enough for you to include and address in the final eis. The file is a WordPerfect document. Hope you can read it. If not, let me know and I will send it in a format that will work for you. A signed, hard copy will be sent to you thru the mail, though it probably won't leave here until Monday.

Please feel free to call if you have any questions.

Thanks for your patience.

Bill Ryan

(202) 505-8561

[See attached file: schulte-hanford.sig.wpd]

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installation... In fact the pipe has been buried into the river for over six years. I also do not believe Ms Dotson had ever been on the property. To date I have not received a response from either.

You are asking for comments to build a 500-kV transmission line... I am asking permission to use an underground withdrawal pipe on 30 to 40 feet of PUD property that has been buried underground and underwater for over six years.

IS THE GRANT COUNTY PUD GOING TO APPLY THE SAME STANDARDS AND GUIDELINES TO YOUR TRANSMISSION LINE REQUEST AS THEY APPLY TO MY REQUEST?

If they are you, better look for another way to transfer power.

Ben Jacobson
810 Wanapum Beaches
P.O. Box 36
Richland, WA 99303
(425) - 694-2683

29-1

-----Original Message-----
From: Ben Jacobson [mailto:benj@liberty.seasnet.com]
Sent: Tuesday, April 30, 2002 5:21 PM
To: Lou Driessens / Project Manager-Bethells-Banford Transmission Line
Cc: Senator Harold Roachstein
Subject: TIP-TFP-3; (Schultz-Hanford) Public Comment

REVIEWED BY BPA
PUBLIC INVESTMENT
LOM: SCHED 15-C12-9
RECEIVED: MAY 0 2 2002

Dear Mr. Driessens:

April 30, 2002

I own five and a half acres on the Columbia River approx. one

mile south and east of the Wanapum Dam in the grueling political process of trying to build a permanent home on the site. The Grant County PUD enjoys an above ground power line easement across the northern portion of my property to

run a power line underwater westernly to the park on the other side of the river.

When I purchased the property I was assured I had the right to take water from the Columbia because I could and did transfer a

Department of Ecology Surface Water Permit #S-28784.

Recently I was denied an easement per my Land Use Permit

Application.

The reason cited by Sherry Dotson, a Grant County PUD Lands

Specialist was... .

"Land use permits may be issued if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project."

"District staff will not be approving your request to place the irrigation structure across shoreline properties. The District believes the recreation user and the scenic and environmental value of the shoreline adjacent to the Wanapum Beaches residential subdivision would be diminished by placement of an irrigation structure."

Ms Dotson further stated she had initially rejected my plan with her supervisor Nancy Craig. I asked Ms Craig and Ms Dotson to review their decision (in a letter dated Feb. 4, 2002) because of "erroneous conclusions in Ms Dotson letter. I did not ask for an "above ground"

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