

PUBLIC COMMENT FORM
TROPIC TO HATCH 138 kV TRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
DIXIE NATIONAL FOREST

Informed decisions are better decisions: The Dixie National Forest believes that extensive public involvement will serve to improve communication, develop enhanced understanding of different perspectives, and identify solutions to issues and problems. We look forward to hearing from you!

If you would like to make a comment, please fill out this form and insert it into a comment box or fold in half and mail it to the address on the back of the form. Additional comments, questions or concerns can either be e-mailed to: tropic_to_hatch_transmission_line_eis_comments@fs.fed.us or mailed to: Susan Baughman, Dixie National Forest, 1789 N. Wedgewood Lane, Cedar City, Utah 84720 - Attn: Tropic to Hatch Transmission Line Project. Comments should be received by **March 11, 2010**.

COMMENT (please use additional sheets if necessary):

I believe the preferred alternative route offers the best solution to the problems presented by putting a new line (an extremely necessary line for the supplying the power needs of Cedar Mt/Hatch area) through a very scenic area with a diversity of wildlife. It will permit the removal of the line in Red Canyon, the avoidance of any new construction in the Park. The line parallels existing lines where possible, it follows Forest boundaries to minimize interference with either the Forest or the private land holdings. The human environment in western Garfield depends on the line being built, & Garkare has invested a long time & much money in trying to get the best route approved, & this proposed route is an excellent one that should be approved (quickly)!

ALT

NAME: Carl Boyd DATE: 1-28-10

TITLE: Board President ORGANIZATION (if any): Garkare Energy

STREET ADDRESS: Box 88 (41 N 500 W)

CITY, COUNTY, STATE: Tropic UT

Comments, including names and street addresses of respondents will be available for public review at the DNF Supervisor's Office and will be subject to disclosure under the Freedom of Information Act (FOIA). All submissions from organizations or businesses will be made available for public inspection in their entirety. They will be published as part of the Final EIS and other related documents. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. *While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Where to provide comments: You can hand this form in at a public meeting or mail it in using the address on reverse. Additional comments and information can be sent separately to the address provided on this form, or e-mailed to tropic_to_hatch_transmission_line_eis_comments@fs.fed.us.

I-3

Rocky.Magee2.txt

From: Tom Hale [thale@jbrenv.com]
Sent: Wednesday, February 17, 2010 11:01 AM
To: Steve Knox; Elisha Hornung
Subject: FW: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)

From: Rocky Magee [mailto:rocky@sierraairconditioning.com]
Posted At: Friday, January 22, 2010 9:25 AM
Posted To: Garkane_EIS
Conversation: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)
Subject: FW: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)

To Whom It May Concern:

I am the current President of the Lions Head Property Owners Association located within (Bryce Woodlands Estates) just south east of Hatch, Utah. We have several year around residents that are older and have health issues. We experience regular black outs on a daily/weekly basis. We have had extreme weather conditions this winter season and we are very concerned about life safety. This study has no bearing on life safety. I would ask that you stop this study for the safety of the residence in our community and go forward with the transmission line to help eliminate the black outs

PHS

that are continually accruing. /
Thank you,
R

Rocky Magee
Sierra Air Conditioning
Sierra Mechanical Services (Reno)
O 702.798.1055 ext.202
F 702.798.1761
M 702.498.7601

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G-4



State of Utah

GARY R. HERBERT
GovernorGREG BELL
Lieutenant GovernorOffice of the Governor
PUBLIC LANDS POLICY COORDINATIONJOHN HARJA
Director

March 11, 2010

Susan Baughman
Dixie National Forest
Tropic to Hatch 138 kV Transmission Line Project
1789 N. Wedgewood Lane
Cedar City, Utah 84720

Subject: Tropic to Hatch 138 kV Transmission Line Draft EIS
RDCC Project No. 09-11051

Dear Ms. Baughman:

The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed the *Tropic to Hatch 138 kV Transmission Line Draft Environmental Impacts Statement and Draft Grand Staircase-Escalante National Monument Management Plan Amendment*. Utah Code (Section 63J-4-601, *et. seq.*) designates PLPCO as the entity responsible to coordinate the review of technical and policy actions that may affect the physical resources of the state, and to facilitate the exchange of information on those actions among federal, state, and local government agencies. As part of this process, PLPCO makes use of the Resource Development Coordinating Committee (RDCC). The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management. The State of Utah provides the following comments on this proposal:

General Comments

The state supports the selection of the preferred alternative (Alternative C) by the Forest Service for the proposed Tropic to Hatch transmission line. The preferred alternative is "consistent with the land use management policies of the Dixie National Forest" (4.10.2.1), and "would not conflict the BLM Kanab Field Office Resource Management Plan" (4.10.2.2). In addition, the state appreciates the flexibility demonstrated by the BLM by favoring an amendment to the GSENM Management Plan to allow a 300-foot-wide, 3.68 mile stretch of the Primitive Zone to be reclassified into the Passage Zone, and changing the existing VRM Management Class designation to Class III, in order to facilitate the corridor required for the powerline. Finally, the state believes the preferred alternative accommodates the state's concerns about the close proximity of the proposed action to active greater sage-grouse leks, by following the recommendations in Utah's Plan for Sage Grouse and Development and keeping the powerline away from sage-grouse leks.

ALT

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Wildlife Resources

Big Game

Large permanent landscape structures, such as transmission lines, have long-term impacts on big game populations. The final EIS should address potential impacts to big game and provide mitigation strategies that compensate for losses of habitat. To protect wintering animals, no surface-disturbing activities should be allowed from December 1 through April 15 within crucial winter habitat for big game. Also, no surface-disturbing activities should be allowed from May 15 through July 15 within identified fawning or calving habitat. The Utah Division of Wildlife Resources (UDWR) recommends utilizing available GIS data to identify big game habitat along the project's path. These data are available on the UDWR web site:

WL

<http://dwr.cdc.nr.utah.gov/ucdc/DownloadGIS/disclaim.htm> /

Greater Sage-grouse

The proposed transmission line passes through significant amounts of greater sage-grouse brood-rearing habitat. One of the proposed alternative routes passes within 0.5 miles of an active sage-grouse lek. Utah's Plan for Sage-Grouse and Development specifically states that surface occupancy is prohibited within a minimum of 0.5 miles of active sage-grouse leks. Portions of the proposed route are also within 2 miles of one active lek and four historic primary leks. Research indicates that suitable sagebrush habitat within 2 miles of an active lek is of utmost importance to the viability of sage-grouse populations. UDWR recommends carefully designed Controlled Surface Use stipulations within the zone of 0.5 mile to 2 miles of active leks. These stipulations should include seasonal and time of day restrictions. Specifically, UDWR recommends no construction activity in these areas from 8:00 pm to 9:00 am between February 1 and June 15. /

WL

Access to high perches in sage-grouse habitat can greatly increase raptor predation rates. As such, anti-perching structures should be installed on any potential structure which might allow for perching built in habitat used by sage-grouse at any time of year. Also, any new structures which might allow perching should be built outside of the line-of-sight of any known leks. Analysis of impacts should consider recent research (e.g. Connelly et al. 2004, Crawford et al. 2004, Doherty et al. 2008) on sage-grouse and a thorough evaluation of available (and protected) habitat in proximity to this development. This analysis should recommend appropriate buffers that will reduce the probability that this development and any perpetual activity associated with it will affect the sage-grouse population. UDWR recommends the final EIS reference the most recent Utah plan, the "Utah Greater Sage Grouse Management Plan 2009." /

WL

Utah Prairie-dog

The proposed transmission line route will pass near and possibly through occupied and historic habitat for the Utah prairie-dog. This species is federally protected and any potential impacts (direct or indirect) to their habitat will require consultation with the U.S. Fish and Wildlife Service. /

WL

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Raptors/ Other Avian species

The draft EIS adequately identifies perceived threats to raptors as a result of this project. UDWR requests that all surveys for raptors (including owls) and migratory birds follow guidelines that are approved by the land management agency in consultation with UDWR. UDWR also requests copies of all avian monitoring data collected during this project to incorporate into our database.

WL

Aquatic Species

The draft EIS identifies many fish species that could be impacted by increased sedimentation from erodible soils due to construction. Construction and placement of structures and equipment should be at least 50 feet from flowing channels and drainages. The draft EIS identifies the southern leatherside chub as a native fish in the project area. A draft Conservation Agreement for this species is available and should be utilized when identifying impacts in the final EIS.

WL

Monitoring

This project will incorporate various survey techniques for numerous species and habitat. Wildlife survey protocols should be adopted that are consistent with the land management agency's resource plans and draw from the most current research. Revegetation or reseeding efforts should incorporate a specific monitoring plan that is designed to ensure the effectiveness of these efforts after they are implemented. Revegetation efforts should be monitored annually for a minimum of three years.

WL

As the State's wildlife management agency, UDWR is expressly interested in all forms of data collected for aquatic and terrestrial wildlife within Utah. Information gathered from this project could be used to more accurately assess wildlife population trends in the area. UDWR requests copies of all wildlife or habitat survey results and protocols that are related to this project.

WL

Mitigation

UDWR strongly encourages the USFS to require off-site compensatory mitigation for unavoidable surface impacts on projects that are expected to have long-term impacts to crucial wildlife habitats. Mitigation alternatives could include rangeland and habitat restoration, noxious weed control, prescribed fire, or compensatory mitigation arrangements which are likely to improve or protect important wildlife habitats.

WL

Mitigation of any actions could be coordinated cooperatively within the framework of the Utah Partners for Conservation Development (UPCD), which includes partnerships with UDWR, Bureau of Land Management (BLM), U.S. Forest Service, Utah School and Institutional Trust Lands Administration, Natural Resources Conservation Service, and other governmental entities. The UPCD has identified high-priority areas in need of restoration in habitats across the state of Utah.

Palaeontological Resources

The PFYC (Potential Fossil Yield Classification) for the Sevier River Formation should be upgraded to Class 4. The report states that "although not much is known locality about the

PAL

G-4

paleontology of this rock unit, its age and composition suggest that it does have the potential to contain significant Neogene age fossils (BLM 2008b)", and the PFYC has been rated as Class 3 indicating unknown potential. However, recent discoveries that include new vertebrate taxa demonstrate that the potential for the discovery of vertebrate fossils is significant, and the office of the State Paleontologist therefore recommends that the PFYC for the Sevier River Formation be upgraded to Class 4 - High, indicating a high occurrence of significant fossils.

The following link contains an article that includes a discussion about the paleontological significance of this formation:

http://www.nature.nps.gov/GEOLOGY/paleontology/pub/fossil_conference_7/10%20Kirkland%20et%20al.pdf

Air Quality

The draft EIS describes plans for land clearing and construction activities to build the transmission line over a significant number of miles. The draft EIS also identifies resource protection measures throughout the draft EIS. However, it appears this evaluation did not include air quality. Land clearing and construction activities are sources of fugitive dust, thus this project is subject to R307-205-5; Fugitive Dust, of the Utah Air Quality Rules. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at:

AQ

www.rules.utah.gov/publicat/code/r307/r307.htm

The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you on future projects. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address above, or call Judy Edwards at (801) 537-9023.

Sincerely,



John Harja
Director

cc: Carmen Bailey, Division of Wildlife Resources
Kimm Harty, Utah Geological Survey
Joel Karmazyn, Division of Air Quality

I-5

Heidi.Bretthauer1.txt

From: Tom Hale [thale@jbrenv.com]
Sent: Wednesday, February 17, 2010 11:01 AM
To: Steve Knox; Elisha Hornung
Subject: FW: FORWARDED FROM FS: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)

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

From: FS Application Development [mailto:fsdevelopment@fs.fed.us] Posted At: Tuesday, January 19, 2010 6:55 PM Posted To: Garkane_EIS
Conversation: FORWARDED FROM FS: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)
Subject: FORWARDED FROM FS: Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)

Heidi Bretthauer <hbretthauer@gate
wayequities.com> To <tropic_to_hatch_transmission_line_eis_comments@fs.fed.us>
01/19/2010 18:52 cc
bcc
Subject
Tropic to Hatch 138kv Transmission Line Project and Draft Environmental Impact Statement (EIS)

I own a home located in Section 10, Township 38 S, Range 5 W (Bryce woodlands Estates). Reliable power is a priority to the wellbeing of the people (HUMAN BEINGS) in our area. The frequent blackouts we have been experiencing jeopardize human life, especially in extreme weather conditions. These studies have ZERO benefit, in fact they could pose more harm to our own well being. Not to mention the additional cost we as the members are going to have to pay. I would plead that you move forward with the transmission line immediately and forgo all studies for our own safety! /

PHS

Heidi M. Bretthauer
Bryce Woodlands Estates (See attached file: January-2010-PM-Garkane-Flyer.pdf)

0-6

[REDACTED]

From: KevinCMueller [mailto:kevin@uec-utah.org]
Posted At: Thursday, March 11, 2010 3:07 PM



Posted To: Garkane_EIS
Conversation: Tropic To Hatch Transmission Line Proposed Action comments
Subject: Tropic To Hatch Transmission Line Proposed Action comments

March 10, 2010

Ms. Susan Baughman
Dixie National forest
1789 Wedgewood Lane
Cedar City, Utah 84720

Dear Susan,

Thank you for this second opportunity to provide comments on the Tropic to Hatch transmission line proposed action. UEC remains an interested party with recommendations, concerns and objections relating to the proposed action.

[We are impressed with the organization and overall detail of the DEIS. However we do not believe that the environmental analysis accurately compares and contrasts the different environmental impacts among alternatives. This is particularly so when looking closer at presentation of impacts in alternative B (current alignments) with alternatives A or C. The impacts of using existing roads for example in alternative B is overestimated when compared to what is said to be lesser impacts from new roads needed for alternatives A or C. /

TR

This shows up in many ways in the analysis. One of the clearer, we believe, was raised in scoping (comments enclosed). In scoping we commented that alternative A would involve significant permanent losses of potential wilderness area on the Dixie National Forest. This is what the EIS is calling unroaded/undeveloped area inventory. The concern is acute for Red Canyon South potential wilderness area. The EIS accounts for only the

SD

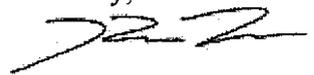
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losses along the immediate footprint inside the potential wilderness area while not accurately disclosing that there will be much more extensive additional permanent loss of potential wilderness area by splitting one potential wilderness into two smaller halves. The smaller half would not qualify on its own, if one is to use the Dixie's current unroaded/undeveloped area boundaries. The DEIS even indicates on page 4-123 and elsewhere that the impacts of splitting such potential wilderness area in half would be equivalent to not splitting an IRA in half. /

Similarly, we believe the wildlife impacts analysis is not consistently applied across alternatives, giving the appearance that alternative B (stay in current developed corridors with existing roads) is more damaging than any alternative to build additional corridors in unroaded/undeveloped potential wilderness areas. / WL

We maintain our position from earlier comments (enclosed) that alternative B should be chosen in the ROD, and that it would result in lesser environmental impacts than the other actions proposed. Short of that, alternative C is preferable to A, due to the lesser impacts to potential wilderness area involved. / ALT

Sincerely,



Kevin Mueller,
Program Director

Kevin Mueller
Utah Environmental Congress
1817 South Main, suite 10
Salt Lake City, Utah 84115
www.uec-utah.org
kevin@uec-utah.org
(801) 466-4055

0-6

We speak for the Trees



March 31, 2008

Ms. Susan Baughman, Project Manager
Dixie National Forest
1789 North Wedgewood lane
Cedar City, Utah 84720

Attachment 1: UEC
Scoping Comment
Letter

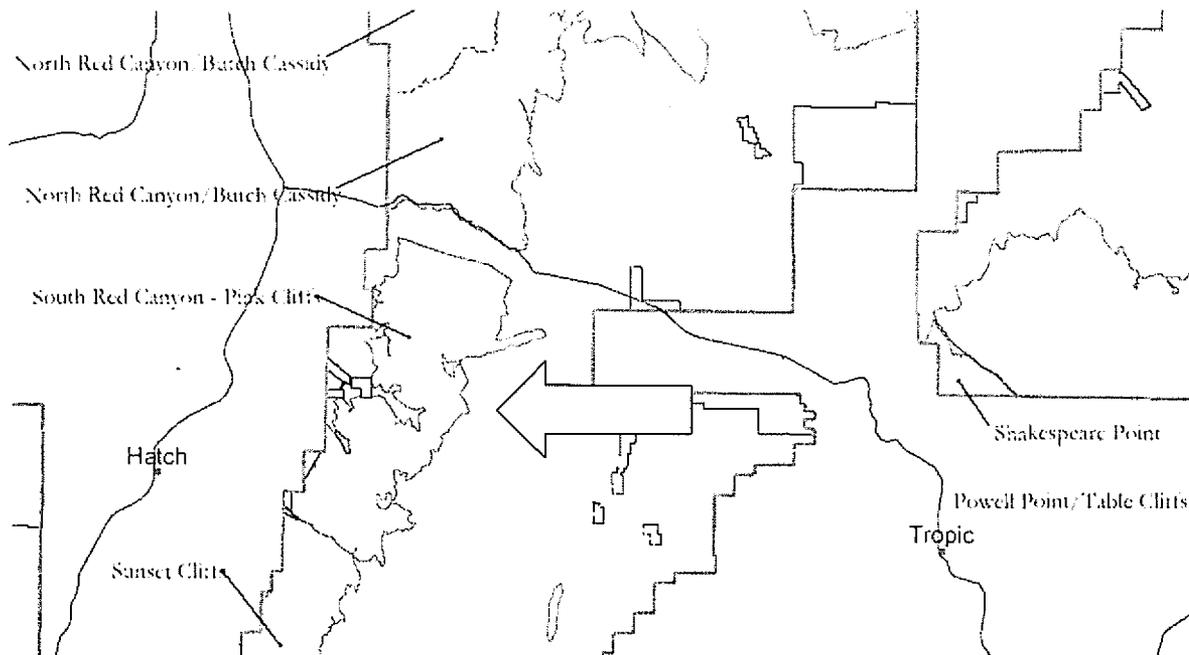
Dear Susan,

The Utah Environmental Congress (UEC) appreciates this opportunity to provide scoping comments in response to Supervisor Macwhorter's letter of February 26 concerning the Tropic to Hatch Transmission Line project and proposed action. UEC is an interested party with some concerns, objections, and alternative recommendations related to the proposed action. Thank you for maintaining UEC on the contact and mailing lists associated with this proposed action.

We understand and appreciate the need to upgrade the transmission system from a 69 kV capacity to a 138kV line. There already is a power line that services this area which follows the highway, so on its face this is a mundane and completely un-controversial project. However, much of the proposed action is to leave the current line where it is and locate the line in a new alignment where no facilities currently exist. However, on the Dixie National Forest the proposed action has a brand new power line alignment that would cut across or damage many things otherwise not harmed. See attached media on this controversy. Two examples are that the new alignment bisects a proposed wilderness area and cuts through prairie dog colony country.

Proposed wilderness

The proposed action would cut the South Red Canyon – Pink Cliffs citizen proposed wilderness area. Located to the south of the current power line alignment and south of Red Canyon, the area of concern is circled in red on the attached scan of the Forest's scoping comment solicitation letter map. The map close-up below also points to the area of concern; look to the proposed wilderness area that the white arrow points to.



This is a close-up of a PDF map of our wilderness proposal included on the attached CD. GIS files for the boundaries are also included in these comments. (See zipped file folder on the attached CD.) Please also take a minute to read the enclosure titled "Why We Need Wilderness." It provides brief but needed context and background for this significant issue. The impacts to proposed wilderness in the Shakespeare Point and Powell Point/Table Cliffs proposed wilderness areas are less extensive due to the proposed alignment following an existing power line there.

TES/MIS plants and wildlife, and other issues

It's clear that the proposed new alignments will cause significantly increased impacts to the listed Utah prairie dog populations and habitats in the area. This needs to be treated as a significant and alternative-driving issue. All action alternatives should be designed to fully avoid impacts to active prairie dog populations, and to fully mitigate all unavoidable impacts to prairie dog habitats.

Avoidance of all direct, indirect and cumulative negative impacts of proposed activities on other TES and MIS plants and animals should be driving issues. Dana milkvetch and *A. henrimontanensis* are known to be located in similar soil types. TES plants of potential concern that should also be considered which may not automatically come to mind include: penstemon parvus, table cliff milkvetch, yellow-eyed catseye¹, cedar breaks biscuitroot (8000-10000 feet elevation), Podunk groundsel², and Maguire Campion.

¹ Horse creek top – clay limestone, bristlecone, 5600-9000 feet elevation, but no township and range information.

² 5000-10000 feet elevation range, Dixie NF monitoring noted "one small population found 8-99 at Powell Point on precarious talus slope"

Impacts to these other species must also be avoided: Mexican Spotted owl suitable habitat is at least in the affected area for this proposed action, most likely on the west side. Northern goshawk, flamulated owl, spotted bat, western big eared bat, three toed woodpecker (thrives post fire) and other primary and secondary cavity nesters must be studied closely as the proposed action, as it stands now, will cause substantial negative impacts to all of their habitats. The proposed action looks like it will damage peregrine falcon foraging and nesting habitats, such as where the proposed new alignment cuts across the pink cliffs escarpments.

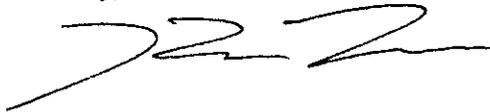
How much additional logging will be associated with the proposed action? The scoping letter doesn't say there will be any, but we guess that's not the case. The line will need a path of forest cleared for construction. Future maintenance and fire risk mitigation will also require suppression of forest re-growth along the new alignment indefinitely into the foreseeable future. Following the existing power line will avoid those additional impacts and costs, because the decision has already been made to install and maintain the power line at that spot.

The company's increased profits or it's personal economic expenses associated with the alternatives is not within the scope of the project or the purpose and need. It shouldn't be weighed as heavily as the Forest Service is now doing.

We believe that the proposed action should be dropped, or at least abandoned as the Forest Service's proposed action. The proposed action should use and follow the present power line alignment.

We thank you for this opportunity to respond to your scoping solicitation letter. Please add and keep UEC on all of the contact and mailing lists associated with this project and power line. Please mail UEC a hard copy of the DEIS when it is available, and give us a call anytime for follow-up or clarification relating to these comments.

Sincerely,



Kevin Mueller,
Executive Director

New power line sought in Grand Staircase

Garkane Cooperative says it can't keep up with energy demand in southern part of state

By Robert Gehrke
The Salt Lake Tribune

Article Last Updated:03/13/2008 11:45:38 AM MDT

A power cooperative that provides electricity to southern Utah towns of Tropic, Panguitch and others is seeking approval to build a transmission line through the Grand Staircase-Escalante National Monument to help keep up with electric demands.

The 138-kilovolt power line, which would be built by Garkane Energy Cooperative, would run alongside an existing Rocky Mountain Power line through the national monument, then split off and cross through the Dixie National Forest.

It would replace an old, inadequate line that now runs through Bryce Canyon National Park, said Bryant Shakespear, planning engineer for Garkane.

"Our new line would be much more visible. There will be larger poles, and that's why we propose to follow an existing transmission line that would be similar and that way wouldn't have as large impacts on the visual integrity" in the area, he said.

Building alongside the Rocky Mountain Power line through the monument would minimize the need for new roads and the disturbance inside the monument, he said.

But building a new corridor through the Dixie National Forest would mean traversing undeveloped forest land, redrock cliffs in Red Canyon and a prairie dog town, said Kevin Mueller of the Utah Environmental Congress. It would make more sense, he said, to just build the line in the existing corridor that has already been disturbed.

"There's no reason to have parallel corridors crisscrossing" the backcountry, Mueller said. "In terms of the quality of the backcountry, in terms of the wildlife habitat, having the utility corridor follow an existing road has less impact."

Shakespear said that, because of the growth in communities like Hatch, Panguitch, and Cedar Mountain, the existing power line is inadequate to meet the needs during peak power usage in the winter months and Garkane has had to use diesel generators.

"Based on our forecasts that will meet our needs for the foreseeable future, for the design life of the line," he said. Parts or all of the old line could be torn down and the land reclaimed.

The U.S. Forest Service announced last month that it would conduct an environmental impact study on the proposed power line construction. Public meetings on the power line proposal were scheduled for Wednesday in Panguitch and tonight in Cannonville.

An alternative route would be to run the power line parallel to the existing line and go through the national park instead of the forest.



*Without enough wilderness America will change. Democracy, with its myriad personalities and increasing sophistication, must be fibred and vitalized by the regular contact with outdoor growths – animals, trees, sun warmth, and free skies – or it will dwindle and pale. **Ralph Waldo Emerson***

Why we need Wilderness

The National Forests of Utah are as diverse as they are wild and beautiful. Functioning as classic sky-islands with rich glades, and cool, wet high-elevation forests, these lands provide wildlife with essential habitat and refuge from the less forgiving deserts of the Great Basin, Mojave, and Colorado Plateau. From the virgin stands of Douglas fir on the flanks of Swan Creek Mountain in the Bear River Range, to the expansive, wild Bolies of the eastern Uinta Mountains, you find everything that is wild in our wilderness proposal. In the remote Tushar Mountains of central Utah, the deep stands of old growth spruce in Bullion Canyon stand ready to protect the wilderness traveler from violent mid-summer hail storms. To the southeast, in what seems to be the real heart of the Colorado Plateau, crimson-bellied Ponderosa sentinels stand guard above Native American ruins in the canyons that open on either side of the aptly named Elk Ridge. Up high and farther west in south-central Utah, in the deep solitude of the fairytale-stands of Limber and Bristlecone, the stout ancients relentlessly grab hold of the peach soils on the southern cusp of the Table Cliffs and Paunsaugunt Plateaus. These are special ... even sacred places. Sacred because without words, they patiently prod the foolish traveler to sit and listen to their grand story. They encourage each traveler to reach deep into her soul. Deep enough so that she discovers newer and more richly textured tapestries of thought and emotion that are needed to mirror, embrace, and ultimately exhort this vast and un-defining landscape. This is real wilderness, and it is difficult to hold. It resides in the poet's heart, yet slips from the logician's fingers whenever he sets out to define it. Real wilderness is that un-definable, fleeting state; that elusive value. It's that scarce opportunity or moment that's requisite for the maintenance of our culture; that's requisite for the maintenance of that which makes us human.



Tushar Mountains proposed Wilderness, Fishlake NF



Additions to the High Uintas Wilderness, Uinta Mountains



Ancient Ponderosa groves and slickrock in our proposed National Forest wilderness, Dixie National Forest

The Utah Environmental Congress (UEC) citizen's wilderness proposal, the fruit of our four-year, statewide inventory of Forest Service roadless areas, is the most thoroughly ground-truthed citizen inventory ever completed by a public interest group. We comprehensively documented the on-the-ground conditions of all of the human impacts along the boundaries of every Forest Service roadless area, state wide.¹ The Forest Service regulations² explain that roadless areas are literally, portions of National Forest land that possess wilderness characteristics and must be evaluated for wilderness recommendation when Forest Plans are revised, which is about once every 15 years. National Forests across the Nation are currently revising their Forest Plans, so now is a generational opportunity to affect positive change.

In developing our wilderness proposal, the UEC used a process that in many ways mirrors that which National Forests must follow. We first conducted our comprehensive roadless area inventory relying on the agency's criteria, but using our more intensive methodology of ground-truthing impacts. Out of 8.2 million acres of National Forest lands, we found 243 roadless areas totaling 5.2 million acres, almost two thirds of the National Forest land in the state. This puts the state of Utah in fourth place for total unprotected Forest Service roadless acreage. Only Montana, Idaho, and Alaska have identified more National Forest roadless acres.³ The roadless areas range in size from small, hundred-acre Forest Service additions to BLM WSA/WIAs, to some 473,000 acres of prime roadless lands circling the already-designated High Uintas wilderness. Wilderness is a finite resource. Since the wilderness quality landscapes of today are only a fraction of what we had one hundred years ago - or even twenty years ago, there's a strong argument to be made that every single acre that's left be designated wilderness. Following that logic would make our wilderness proposal 5.2 million acres. In theory, the UEC wholeheartedly agrees with this concept. However, we made a deliberate decision not to take that route. Why? Because in this region of the country we have found that:

1) Not all National Forest roadless areas are substantially threatened with impacts that wilderness designation would address.

¹ The Ashley, Dixie, Fishlake, Manti-La Sal, Wasatch-Cache and Uinta National Forests

² FSM 1920, chapter 7 of FSH 1909, 36 CFR part 219, and the National Forest Management Act (NFMA)

³ The National Roadless Area Conservation FEIS (2000) listed 14.8, 9.3, and 6.4 million acres of roadless lands in Alaska, Idaho, and Montana, respectively.

2) Many qualifying roadless areas have significant management conflicts for wilderness, such as well engineered and designated ATV trails, popular dispersed camping areas, and heavily used snowmobile playgrounds.

From the beginning, we have also maintained a deliberate intent to develop a wilderness proposal that reinforces the integrity of the Wilderness Act, and that is based on a full range of core wilderness values. Traditionally, Americans have protected wilderness landscapes for the primary reason of assuring that present and future generations will have the opportunity to commune with the wild, rejuvenate their spirit and refresh their soul ... which is fundamentally important. Unfortunately, with this approach to wilderness designation we have established a tradition of 'protecting' the most aesthetically dramatic displays of nature: cliffs, rocks, mountain crags, and improbable land forms ...only to leave the lower elevation forests, rivers and winter range under continued threat of exploitation. With UEC's wilderness proposal, we intend to rectify this situation while acknowledging the vital importance of staying true to the meaning of real wilderness – for both people and the critters. In addition to staying true to core wilderness values, we evaluated the attributes of each potential wilderness area from the perspective that we need to protect threatened wildlife and their habitat with wilderness designation whenever it's an appropriate and effective tool.

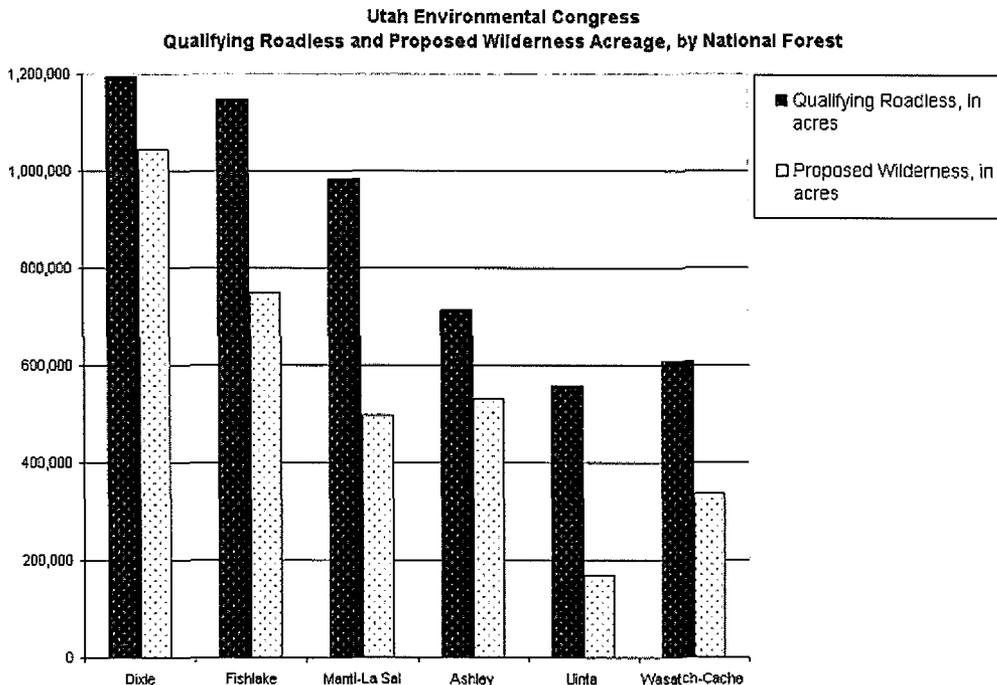
However, it's important to note that simply adding to the National Wilderness Preservation System will not solve the complex problems of wildlife conservation. Additional wilderness designation is not the ultimate fix; it's not the 'silver bullet' through which we can solve the problems of conservation on America's public lands. *But it is a vital part of a much larger conservation puzzle.* The UEC wilderness proposal was crafted with a primary objective of protecting watersheds and important wildlife habitat that's truly threatened while remaining faithful to the greater intent of wilderness. Providing increased opportunities to heal the weary human soul and increased non-motorized recreation are important, but we now need to focus on ensuring that the other large wild landscapes that wildlife need are protected as well.

So we ran our inventory of roadless areas through a second, finer filter that resulted in an inventory of National Forest lands that qualify for wilderness, are threatened and in need of protection, and provide important wild habitat ... our citizen's National Forest Wilderness Proposal. In that process, we modified the boundary of every roadless area in the base roadless area inventory to create proposed wilderness areas that are much more manageable, with boundaries that are easily identifiable. We made every effort to focus on protecting the most valuable roadless wildlife habitats that are threatened while retaining the integrity of the proposal. In this process, we reduced the wilderness acreage in our proposal from a potential 5.2 million acres of roadless lands (that qualify for wilderness consideration) to a respectful, finely crafted wilderness proposal of 3.3 million acres ... only 6.1% of the state, or 7.5% when added to already-designated wilderness. Make no mistakes about it, this was a difficult compromise. We deliberately left almost 2 million acres of qualifying roadless land out of our wilderness proposal. This decision was not taken lightly. Every wilderness boundary adjustment decision was made with sound logic, and often involved vigorous debate for hours over minor details. Often, it meant returning to the field for a second or third time, when a wealth of data had already been collected.

From start to finish, our process of wilderness evaluation has been an open and transparent process. Our doors have remained open, and we've heard from a wide range of voices. We advertised and held wilderness review meetings that were open to the public, not just a small clique of environmental groups. All input was seriously considered. In the end, we relied heavily on a balance of several primary questions:

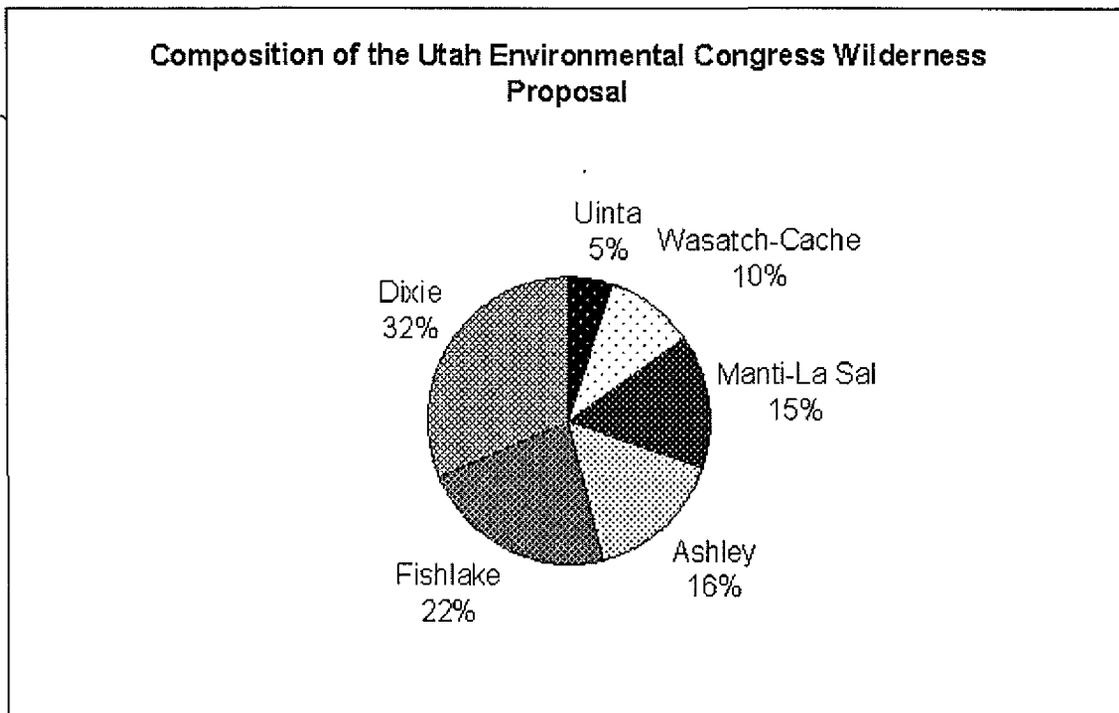
- Are we maintaining the integrity of the wilderness act and associated values?
- Are the habitats in this roadless area highly valuable to a variety of wildlife?
- Is that habitat actually threatened by impacts that wilderness management would prevent?
- From the perspective of the agency or officer managing the wilderness area, where are the best boundary locations that eliminate the most conflicts for wilderness, simplifying enforcement for the agency?
- In each area, how permanent and significant are the contractual obligations that the agency has entered into which are in conflict with wilderness designation?
- We also considered the presence and quality of classic wilderness values such as opportunities for solitude or primitive recreation. For example, how aesthetically pleasing or unique are the special locations in each area?

The most striking feature of the landscapes across UEC's wilderness proposal is the diversity - diversity of landforms, diversity of geology, and diversity of the biological systems. Our citizen's proposal will protect large wildlands in the Middle Rocky Mountains, Utah High Plateaus, Colorado Plateau, Great Basin, and the edges of the Mojave Desert ecosystems.



Composition of our Citizen's National Forest Wilderness Proposal

National Forest	Roadless* Acres	number of roadless* areas	UEC Proposed Wilderness, acres	Number of UEC Proposed Wilderness Areas
Uinta	557,864	36	170,555	12
Wasatch-Cache	608,477	36	352,413	16
Ashley	712,769	25	531,322	16
Manti-La Sal	983,873	49	528,089	34
Fishlake	1,146,303	43	748,970	32
Dixie	1,195,819	55	1,014,311	48
Total:	5,205,103	238	3,345,665	155



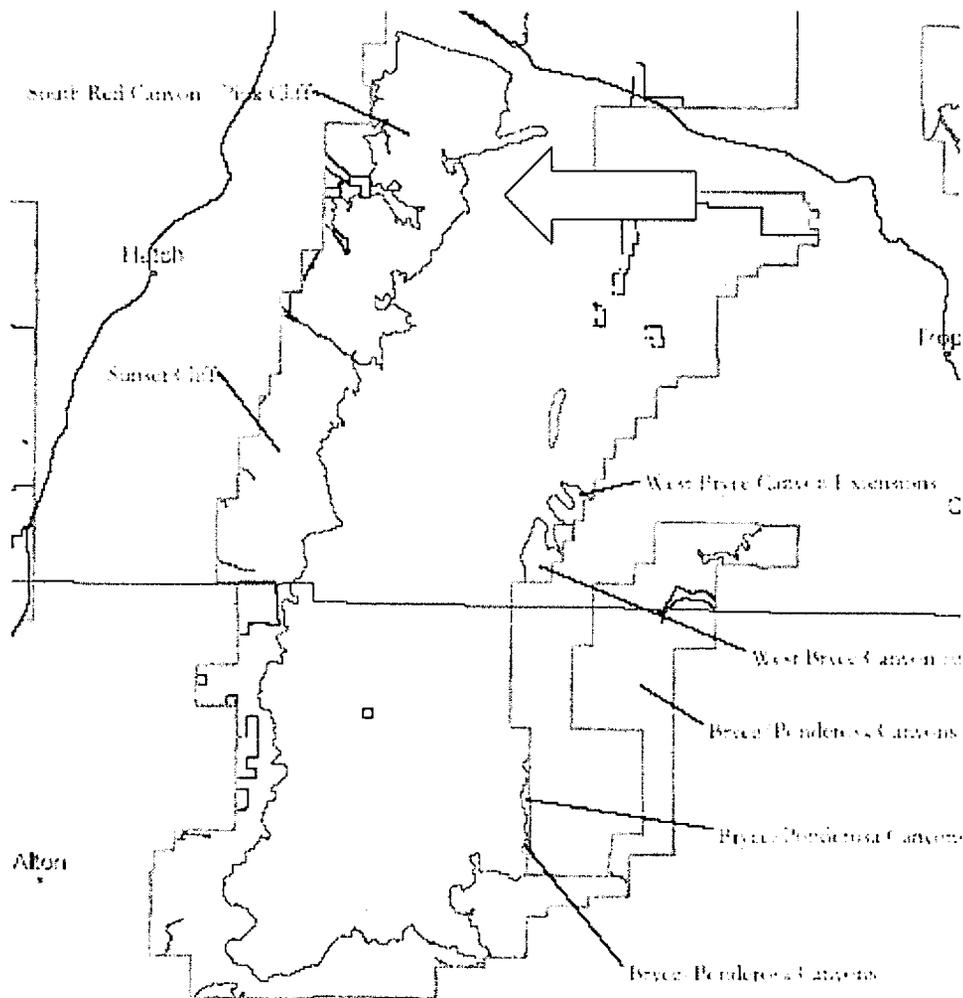
* 'Roadless' means land that meets the Forest Service's requirements for wilderness consideration.

The Sunset Cliffs and the Paunsaugunt Plateau

Dixie National Forest

Four proposed Wilderness Areas:

- *South Red Canyon-Pink Cliffs (divided in half by this proposed action)*
- **Sunset Cliffs**
- **Bryce/Ponderosa Canyons**
- **West Bryce Canyon Extensions**





The proposed Sunset Cliffs Wilderness



The proposed Sunset Cliffs Wilderness

Located entirely on the Paunsaugunt Plateau, this region is home to the fairytale landscapes characteristics of the Pink Cliffs made famous by Bryce Canyon National Park, established in 1928. Surrounded by these Forest Service lands, Bryce Canyon National Park is sandwiched between the Wilderness areas of the region. The National Park consists primarily of just the eastern escarpment of the Paunsaugunt. The rest of this region resides in the control of the Dixie National Forest, and the middle elevation forests on top of the plateau have largely been cut-over and roaded. Decades ago the valuable Ponderosa Pine and Douglas fir forests were the primary

target of the timber program. Because so many were removed, today the softer firs are more dominant and the habitat quality is not as good in the second growth areas.

Being such a small National Park as drawn on the map, biologists believe that the park can not sustain itself as a healthy ecosystem. More land is needed and all of the surrounding wild (as well as degraded) lands on the Paunsaugunt are vital components of the larger Bryce Canyon or Paunsaugunt Plateau ecosystem. The proposed Bryce/Ponderosa Canyons and West Bryce Canyon Extension Wilderness areas are the remaining uncut wild forested country located on top of and below the rim of the plateau on each side of the park, and are fundamental biological components of the area. To the west and north you'll find the Proposed Sunset Cliffs and the South Red Canyon-Pink Cliffs Wilderness areas. Similar to Bryce, these wilderness areas consist of the continuing cliff band of the Pink Cliffs, with some large wild forested tracts below the escarpment and some forests on top of the plateau.

This is vital habitat for a surprising number of rare and endemic plants. Also home to the Utah Prairie Dog, mountain lions and fox as well as legendary populations of deer, elk and antelope, the remaining wild portions of this region will benefit from Wilderness protections. This is critical summer range and fawning habitat for the Paunsaugunt deer herd. Many sage grouse leks are also present.

This is a region of mind-blowing scenery, a magical land of rock goblins and hoodoos mixed with wild forests of Bristlecone, Limber, Douglas fir and Ponderosa. All this, set in solitude-rich locations such as Big Hollow, Water Canyon, Ponderosa and Wilson Canyons ... it's clear that these are unique additions to our National Wilderness Preservation System.

UEC Citizen's National Forest Wilderness Proposal

Dixie National Forest

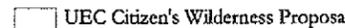
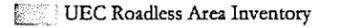
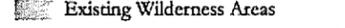
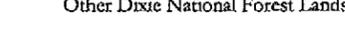
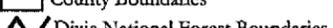
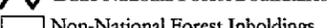
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BEAVER

PIUTE

WAYNE

LEGEND

-  UEC Citizen's Wilderness Proposal
-  UEC Roadless Area Inventory
-  Existing Wilderness Areas
-  Other Dixie National Forest Lands
-  County Boundaries
-  Dixie National Forest Boundaries
-  Non-National Forest Inholdings

5 0 5 10 Miles

Scale 1:600,000

January, 2004

©Utah Environmental Congress original work
(No claim on government material)

GARFIELD

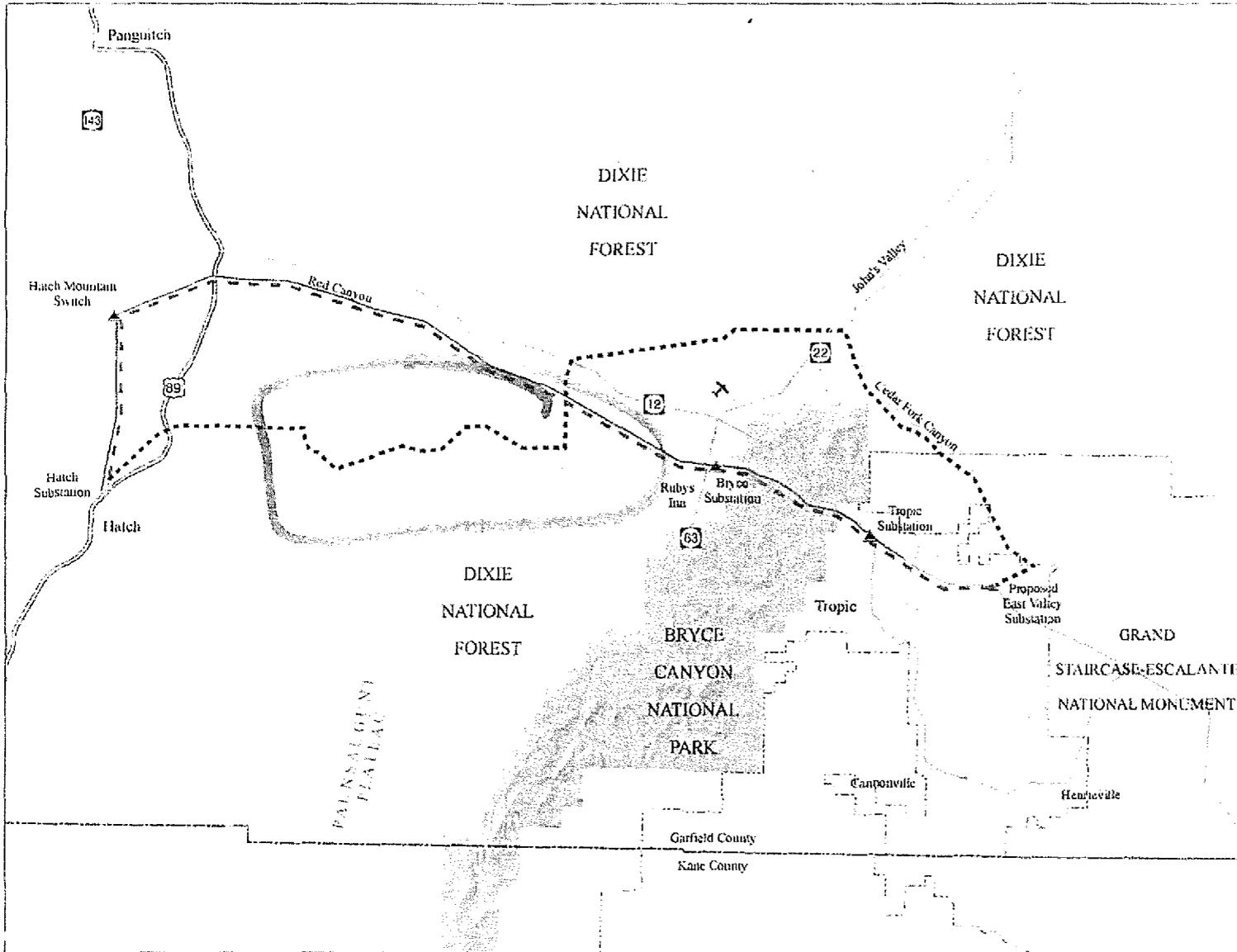
IRON

WASHINGTON

KANE

Key to Proposed Wilderness Areas on Map:

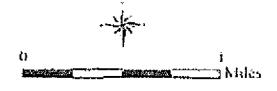
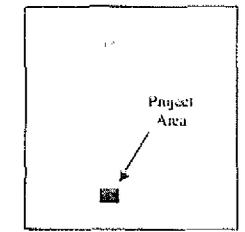
- | | |
|---|---------------------------------------|
| 17 Antimony Creek | 41 Horse Spring Canyon Additions |
| 18 Aquarius Plateau | 42 Horse Valley |
| 19 Ashdown Gorge | 43 Impossible Peak - Oak Creek |
| 20 Atchinson Mountain | 44 Kane Mountain |
| 21 Blind Spring Mountain | 45 Little Creek Peak |
| 22 Boulder Mountain | 46 Lost Peak/Slaughter Creek |
| 23 Box-Death Hollow Extensions | 47 Navajo Peak/Pink Cliffs |
| 24 Bryce/Ponderosa Canyons | 48 North Hills |
| 25 Canaan Peak | 49 North Red Canyon/Butch Cassidy |
| 26 Casto Bluff | 50 Pine Park/Rock Canyon |
| 27 Cave Canyon | 51 Pine Valley Mountains |
| 28 Cedar Bench | 52 Powell Point/Table Cliffs Plateau |
| 29 Cottonwood Canyon | 53 Pretty Tree Bench |
| 30 Cottonwood Mountain - Hurricane Cliffs | 54 Racer Canyon/Bull Valley Mountains |
| 31 Cove Mountain | 55 Sandy Peak |
| 32 Deer Creek | 56 Shakespeare Hollow |
| 33 East Lava Beds | 57 Shakespeare Point |
| 34 Escalante Mountains | 58 South Red Canyon - Pink Cliffs |
| 35 Fremont Gorge | 59 Stout Canyon - Pink Cliffs |
| 36 Griffin Point/Jake Hollow | 60 Sunset Cliffs |
| 37 Hancock Peak | 61 Twin Peaks/Cove Mountain |
| 38 Happy Valley | 62 West Bryce Canyon Extensions |
| 39 Harmony Mountains | 63 West Lava Beds |
| 40 Heaps Canyon Extension | 64 Wide Hollow/Skull Peak |



Tropic to Hatch
138kV Transmission Line Project

Legend

- Proposed Action Corridor
- Alternative Corridor Parallel Existing 69kV Line
- ▲ Existing Substation
- △ Proposed Substation
- Existing Substation to be Modified
- Rocky Mountain Power 230kV Transmission Line
- Existing Garkane 69kV Transmission Line
- Existing Garkane 138kV Transmission Line
- Bureau of Land Management
- Forest Service
- National Park Service
- Private
- State Trust Land
- State Wildlife Reserve or Management Area



Rev. 2/19/08

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United States
Department of
Agriculture

Forest
Service

Dixie National Forest

1789 N. Wedgewood Ln
Cedar City, UT 84720
435-865-3700

File Code: 1950-3/2710

Date: February 26, 2008

Dear Interested Citizens:

The Dixie National Forest intends to prepare an Environmental Impact Statement (EIS) for a proposed project by Garkane Energy Cooperative (Garkane) to construct, operate, and maintain a 138 kilovolt (kV) electric transmission line requiring a Special Use Authorization, Grant of Right-of-Way, and/or Special Use Permit for a Right-of-Way. The Dixie National Forest will serve as the lead agency. The National Park Service (NPS) and the Bureau of Land Management (BLM) Kanab Field Office and Grand Staircase-Escalante National Monument (GSENM) will participate as cooperating agencies. The State of Utah has been invited to participate as a cooperating agency.

Proposed Action

The proposed project would include the construction of a single 138kV circuit wood H-frame transmission line; construction of a new substation; expansion of an existing substation; construction of access roads and temporary use areas; and removal and reclamation of a portion of the existing transmission line. The proposed action is located in Garfield County, Utah and would cross lands administered by the Forest Service, BLM, State, and private (see enclosed map). A more detailed description is available at <http://fs.fed.us/r4/dixie/>.

If approved, the proposed project would require amending the GSENM Management Plan to allow a utility right-of-way in the primitive management zone adjacent to an existing utility right-of-way. Dependant upon the final location of the transmission line alignment, the Dixie National Forest Plan may need to be amended to adjust or modify the scenic integrity objectives.

Background

Garkane Energy, which owns, operates, and maintains the electrical delivery systems in the Tropic and Hatch areas of Garfield County, has found that the existing 69kV transmission system that provides service to Hatch and the surrounding region is operating at capacity and cannot be modified to carry higher voltages due to physical limitations of the pole structures. Growth in Garfield and Kane counties has caused a 66% increase in electrical demand over the past five years which has resulted in overloading the transmission lines and decreasing the reliability of the electrical system. The proposed project is needed to bring available energy from the Tropic area to meet the increased demand in the Hatch area. Garkane has filed applications with the Dixie National Forest and the BLM requesting special use authorizations and rights-of-way to implement the proposed action.

The EIS will address environmental and related impacts that may result from the implementation of the proposed action and a range of reasonable alternatives. The National Environmental Policy Act encourages Federal agencies to involve interested parties through a process referred to as scoping. Scoping allows interested parties an opportunity to identify issues, alternatives, and relevant information early in the planning process.

Decision Framework

The responsible officials will use the EIS to decide whether to adopt and implement the proposed action or an alternative to the proposed action, or to take no action. Specifically those decisions may include:

- The Dixie National Forest Supervisor will decide whether to issue a Special Use Authorization for the construction, operation, and maintenance of a 138kV transmission line from Tropic to Hatch, Utah. The Forest Service may propose to amend the Forest Plan to adjust the scenic



integrity objective if necessary, depending on route alignment and impact analysis.

- The BLM State Director will decide whether to approve an amendment to the GSENM Management Plan necessary to issue a right-of-way for the construction operation and maintenance of a 138kV transmission line from Tropic to Hatch, Utah.
- If an alternative through the Park is considered, The NPS Regional Director will decide whether to issue a Special Use Permit for a right-of-way for the construction, operation and maintenance of a 138kV transmission line through Bryce Canyon National Park.

Providing Comments

The Forest Service requests comments on the nature and scope of the environmental, social, and economic issues to be evaluated and on possible alternatives related to the proposed transmission line project. To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments should be as specific as possible so they can be effectively addressed. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3.

For your convenience, the enclosed comment form may be used. Alternately, written comments may be sent to: Ms. Susan Baughman, Project Manager, Dixie National Forest, 1789 N. Wedgewood Lane, Cedar City, Utah 84720; phone: (435) 865-3703; fax: (435) 865-3791; e-mail: tropic_to_hatch_transmission_line_eis_comment@fs.fed.us.

Public comments should be received by March 31, 2008 to be most useful. Please include "Tropic to Hatch Transmission Line" on the subject line. E-mailed comments must be submitted in MS Word (*.doc) or rich text format (*.rtf). An electronic copy of the Draft EIS will be available on the Dixie National Forest website <http://www.fs.fed.us/r4/dixie/>. If you would like to receive an electronic copy (CD) of the Draft EIS, please check the appropriate box on the comment form. If you are not providing comments but would like to remain on the project mailing list, please provide your name and address on the enclosed comment form and mail it to the address provided. Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

Public Meetings

You are also invited to meet with us at Public Open House meetings scheduled at the following locations and times:

- o March 12, 2008: 6:00 to 8:00 PM, Panguitch Library, 25 South 200 East, Panguitch, Utah.
- o March 13, 2008: 6:00 to 8:00 PM, GSENM Cannonville Visitor Center, 10 Center Street, Cannonville, Utah.

These meetings will provide the interested agencies and the public the opportunity to receive information and register comments about the proposed project.

Sincerely,

ROBERT G. MACWHORTER
Forest Supervisor

*conflicting ave dates
called susan 3/6/08
won't be in office until 3/10
left message*

Enclosures:

- Map
- Comment Form

9-7

Brenda.Johnson.txt
From: Tom Hale [thale@jbrenv.com]
Sent: Wednesday, February 17, 2010 10:49 AM
To: Steve Knox; Elisha Hornung
Subject: FW: Tropic to Hatch 138 kV Transmission Line

Tom
From: Susan Baughman [mailto:sbaughman@fs.fed.us]
Sent: Friday, January 15, 2010 9:05 AM
To: Tom Hale
Subject: Fw: Tropic to Hatch 138 kV Transmission Line

Please enter this as a comment for the record.

Susan Baughman
Dixie NF Oil and Gas Leasing EIS Project Manager
1789 N. Wedgewood Lane
Cedar City, UT 84720

(435) 865-3703
----- Forwarded by Susan Baughman/R4/USDAFS on 01/15/2010 09:03 AM -----
Brenda J Johnson/WRD/USGS/DOI@USGS
01/15/2010 08:54 AM
To
Susan Baughman/R4/USDAFS@FSNOTES
CC
Gary D Lecain/WRD/USGS/DOI@USGS
Subject
Tropic to Hatch 138 kV Transmission Line

Susan,

The USGS has reviewed the Draft Environmental Impact Statement for the Tropic to Hatch 138 kV Transmission Line and the Draft Grand Staircase Escalante National Monument Management Plan. We do not have substantive comments at this time. /

MS

Thanks

Brenda

Brenda Johnson
Office of Management Services (OMS)
Environmental Management Branch
U.S. Geological Survey Mail Stop 423
12201 Sunrise Valley Dr.
Reston, VA 20192
Tele (703) 648-6832
Fax (703) 648-5644
bjjohnso@usgs.gov

B-8

Loa Business Office



www.garkaneenergy.com

March 4, 2010

CERTIFIED MAIL – Return Receipt Requested

Ms. Sue Baughman, Project Manager
1789 N Wedgewood Lane
Cedar City, Utah 84720

RE: Tropic to Hatch 138 kV Transmission Line DEIS Comments

Dear Sue:

Garkane Energy appreciates the opportunity to comment on the Draft Environment Impact Statement for our proposed 138 kV transmission line from Tropic to Hatch. We appreciate the cooperating agencies efforts to process our applications for the proposed project, and complete the NEPA required analysis for the project area. We understand that it has been a substantial and at times difficult undertaking for all parties. Thank you for your efforts.

While completing the NEPA process for the project Garkane has continued to track the demand for electrical power and our capacity to supply sufficient power. In February 2010 Garkane completed a comprehensive study of our entire system to identify required system improvements within a 5 to 10 year planning horizon for the development of a Construction Work Plan. We have submitted portions of the plan to provide updated information on the need for the project.

Our analysis indicates that while development of the private lands within our service area has slowed over the last two years with the down turn in the economy, the demand for electrical power has continued to grow. Figure 1 depicts amount of power metered to our system at the Glen Canyon Dam connection point over the last 14 years. Garkane's base and peak loads continue to grow at approximately 5 percent annually. This growth is further demonstrated by our system experiencing an all time peak load in December 2009 near 40 Megawatts (MW).

As part of the study we modeled our existing transmission system using computer modeling software under various loading and scenarios. The results of the modeling showed that under the peak of December 2009 (40 MW) and expected 2014 peak (45 MW) the communities at Bryce,

Ms. Sue Baughman, cont.

March 4, 2010

Page 2

Hatch, Spry, Long Valley, and Cedar Mountain experienced, and will continue to experience insufficient electrical capacity and voltage to meet industry power quality requirements even with 5 MW of diesel generation online. **It is clear that peak demands now exceed the capacity of the existing line and that the need for the proposed line is extreme, and urgent.** Poor power quality causes customers electrical equipment to fail, increases outages and makes restoring power after an outage more time consuming and difficult. When these conditions exist federal regulations require utilities to implement load shedding (rolling blackouts) procedures which cut power to non-essential users in order to restore power quality.

Modeling of our transmission system with the proposed Tropic to Hatch 138 kV line in place indicates the system could sustain loads of 60 MW while maintaining sufficient power quality throughout the system. This represents an approximate 33% increase to total system capacity, excluding other planned system improvements. Our existing line from Tropic to Hatch is the bottle neck in this area's transmission system and until we are able to build a higher capacity line from Tropic to Hatch electrical service will continue to deteriorate.

Based on our understanding of the project and the effected environment, it is our opinion that the Agency Preferred Alternative is the best of the range of alternatives identified. It utilizes existing utility corridors and planning windows to the greatest extent, minimizes disturbance to the habitat of sensitive, threatened, and endangered species, and keeps the new line out of the resource areas of Bryce Canyon National Park and Red Canyon which are highly valued and utilized by the public for their visual quality. /

ALT

We expect the major point of controversy with respect to the proposed project and Agency Preferred Alternative is the 3.7 miles of right of way which will cross the Grand Staircase Escalante National Monument (GSENM) in an area designated as a Primitive Zone with a VRM Management Class II. In answer to these potential issues Garkane requests that the agencies decision makers consider:

1. Analysis based on sound science and site specific data reviewed by agency resource specialists, indicates the agency preferred alternative is the best alternative.
2. The proposed line on the GSENM will be built adjacent to a larger existing Rocky Mountain Power/PacifiCorp 230 kV transmission line (RMP 230 kV). Locating the proposed 138 kV line adjacent to the existing RMP 230 kV significantly reduces the

Ms. Sue Baughman, cont.

March 4, 2010

Page 3

permanent disturbance caused by the proposed project by allowing the collocation of access roads. In addition, paralleling the two transmission lines reduces the impact the new line will have on visual resources by reducing the visual contrast created on the existing landscape by placing the proposed line next to a similar existing line.

3. The alternatives identified in the DEIS provide two routes out of the Tropic Valley. Alternatives A, C and the Agency Preferred Alternative cross the GSENM as described above. The route for Alternative B generally follows an existing smaller single pole line through Bryce Canyon National Park (BRCA). Because of the topography and associated engineering constraints the two lines must diverge for over a mile within the park as demonstrated by Photo Exhibit 1. The divergence of the routes greatly reduces any benefit of collocating access, and will not reduce the visual contrast created by the project on the existing landscape.
4. The permits authorizing the RMP 230 kV predate the Presidential Proclamation creating the GSENM. Garkane also holds similar permits for our existing Buckskin to Tropic 138 kV transmission line. These transmission facilities are valid existing rights as defined by the Monument Management Plan (MMP). Both transmission lines cross Primitive Zones, and it is clear that the portions of the GSENM containing these two transmission lines do not meet the criteria for Primitive Zone designation as defined in the MMP in Chapter 2, Pages 9 and 50. An amendment to the MMP zoning designation is currently needed to correct these MMP primitive zoning designation. Selection of the agency preferred alternative provides the BLM with the appropriate level NEPA documents to make a plan amendment for this portion of the existing RMP 230 kV line. /
5. The area surrounding the RMP 230 kV is currently identified as VRM Class II in the MMP. However, "The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities should not attract attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape."(BLM 1992) Given the form, line, color, and texture of the existing RMP 230 kV line the designation of a VRM Class II is inappropriate for the area surrounding the line. An amendment to the MMP is currently needed to correct the designation of the area as VRM Class II to Class III. The

ALT

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Ms. Sue Baughman, cont.
March 4, 2010
Page 4

designation of the area the VRM-III is appropriate. Selection of the agency preferred alternative provides the BLM with the appropriate level NEPA documents to make the plan amendment for the area surrounding this portion of the RMP 230 kV. /

6. [The MMP states in regards to utility rights-of-way, "Monument managers are committed to working with nearby communities and other land management agencies to pursue management activities which cooperatively accomplish the objectives of each agency within the constraints of Federal law." "Land-1 – The BLM will work with local communities and utility providers to identify short and long term community needs for infrastructure which could affect Monument lands and resources." "Land-2 – Community Projects which require public lands access or use will be subject to necessary project level NEPA analysis." (MMP Chapter 2, Page 49) The proposed project will serve local communities in and around the GSENM, including GSENM facilities. Failure to permit the project will significantly harm the citizens of the local communities' access to electrical power for the foreseeable future. /

PN

7. While it remains Garkane's opinion that the designation of the area surrounding the RMP 230 kV transmission line as a Primitive Zone does not meet the criteria for the designation defined by the MMP. The MMP does state "In the Primitive Zone, utility rights-of-way will not be permitted. In cases of extreme need for local (not regional) needs and where other alternatives are not available, a plan amendment could be considered for these facilities in the Primitive Zone." (MMP Chapter 2, Page 50, emphasis add) The proposed line will serve the local need and is **not** a regional utility line. The results of our recent transmission system study again demonstrate the need is extreme and urgent. This leaves only the criteria concerning the availability of another alternative outside the Primitive Zone.

The topography of the land, and the size and scope of GSENM Primitive Zone and BRCA preclude any possible route from Tropic to Hatch that will not cross the GSENM Primitive Zone or BRCA administered lands. Alternative B was developed and studied to determine the possibility of a buildable, legally defensible alternative through BRAC. Based on the results of the analysis detailed on Page 4-117 of the DEIS, National Park Service Management Policies preclude BRAC from issuing a utility right-of-way for the proposed project leaving no other alternative outside the GSENM Primitive Zone.

Ms. Sue Baughman, cont.
March 4, 2010
Page 5

8. The MMP and the National Park Service Management Policies both contain similar and in this case competing statements to the effect "where other alternative are not available" utility rights of way may be issued. (MMP Chapter 2, Page 50) As such it is our contention that the route that avoids the resources the citizens of the nation value most should be selected. A simple and honest test of resource value is what people spend their time and money to see. Both BRCA and GSENM have highly valued resources areas; however an honest analysis shows that the area within the GSENM that will be impacted by the selection of the agency preferred alternative is not a highly valued resource area. /
To illustrate this point:

ALT

- a. Alternative B would place a new larger transmission line parallel to the All American Highway 12 within ¼ mile for 2 to 3 miles and in sight of the highway for roughly 10 to 15 additional miles. Additionally it will route the project through 2 to 3 miles of the clarion rock formation that is Bryce Canyon National Park and will be within view of the Mossy Cave Trailhead in BRCA. On the West end of the project the route will run on top of the ridges of Red Canyon and directly over the Golden Wall Trail. Alternative B will place the project in the clear view of millions of recreationist seeking to experience the grand vistas of the area over the design life of the proposed line. Please see Photo Exhibits 2 through 7
- b. The Agency Preferred Alternative would place the new line next to an existing larger transmission line through 3.7 miles of the GSENM in area that is an unremarkable mudstone formation in view of a gravel county road used occasionally by cattlemen and hunters. Please see Photo Exhibits 7 through 10.

It is clear to Garkane that the public would be better served by not selecting Alternative B.

The need for the Tropic to Hatch 138 kV transmission is real and demonstrable. Garkane is a small local electrical cooperative and has no agenda beyond meeting its obligations to its members/customers to provide reliable electrical power at a reasonable rate. Garkane has been actively pursuing permitting for this project for over six years and in that time the demand for power has continued to grow. Garkane has expended \$1.47 million in environmental studies and agency costs thus far on this project. We urge the decision makers to complete the NEPA

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Ms. Sue Baughman, cont.

March 4, 2010

Page 6

process in a timely manner and provide the Records of Decision permitting the construction of this project.

Respectively yours,

GARKANE ENERGY COOPERATIVE, INC.



Carl R. Albrecht
CEO

Enclosures (15)

cc: Mike Avant, Engineering Manager, Kanab Office
 , Bryant Shakespear, Project Engineer, Kanab Office

ATT 1; *Chart of* Glen Canyon Jem Meter Peak kW / MS

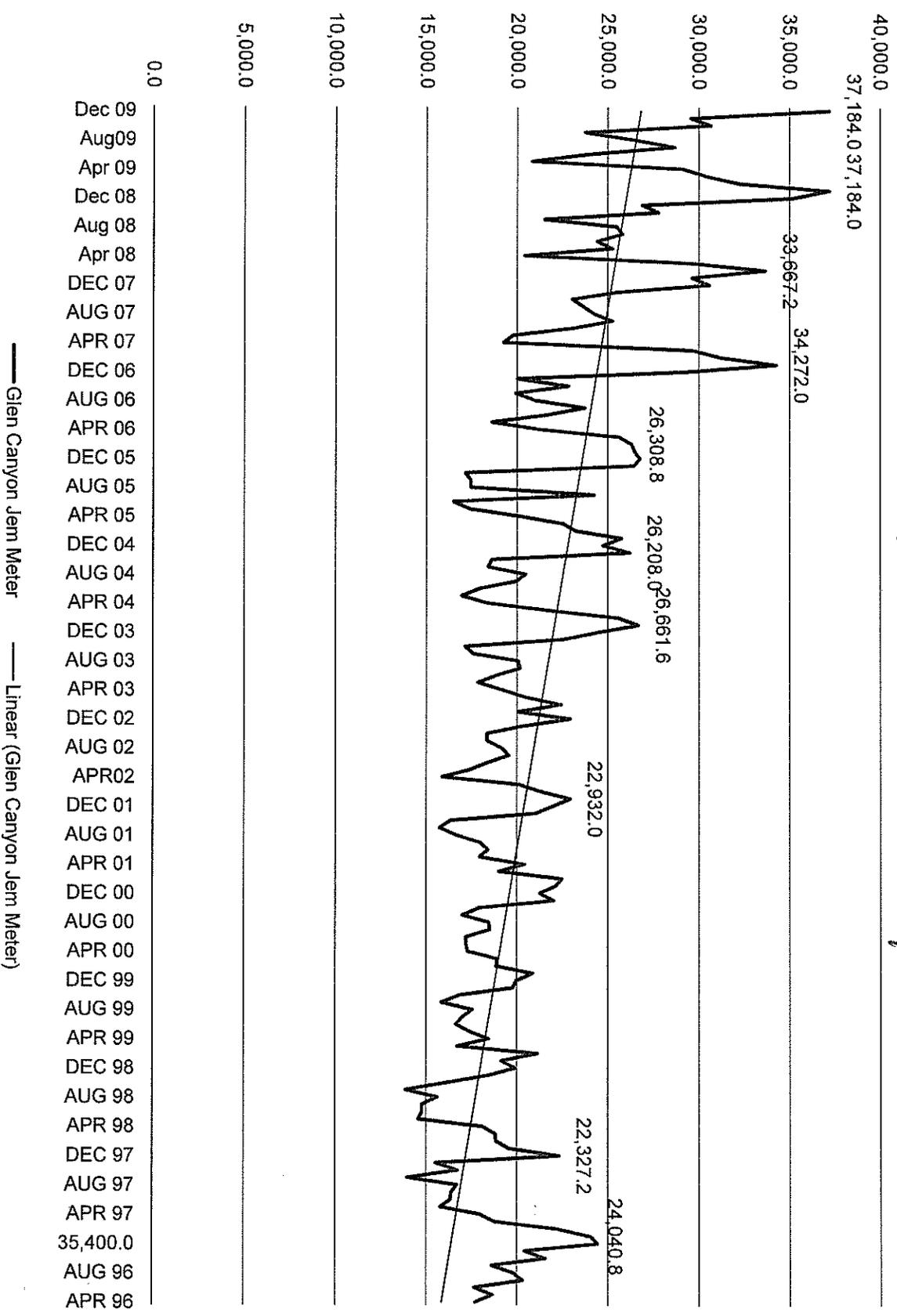
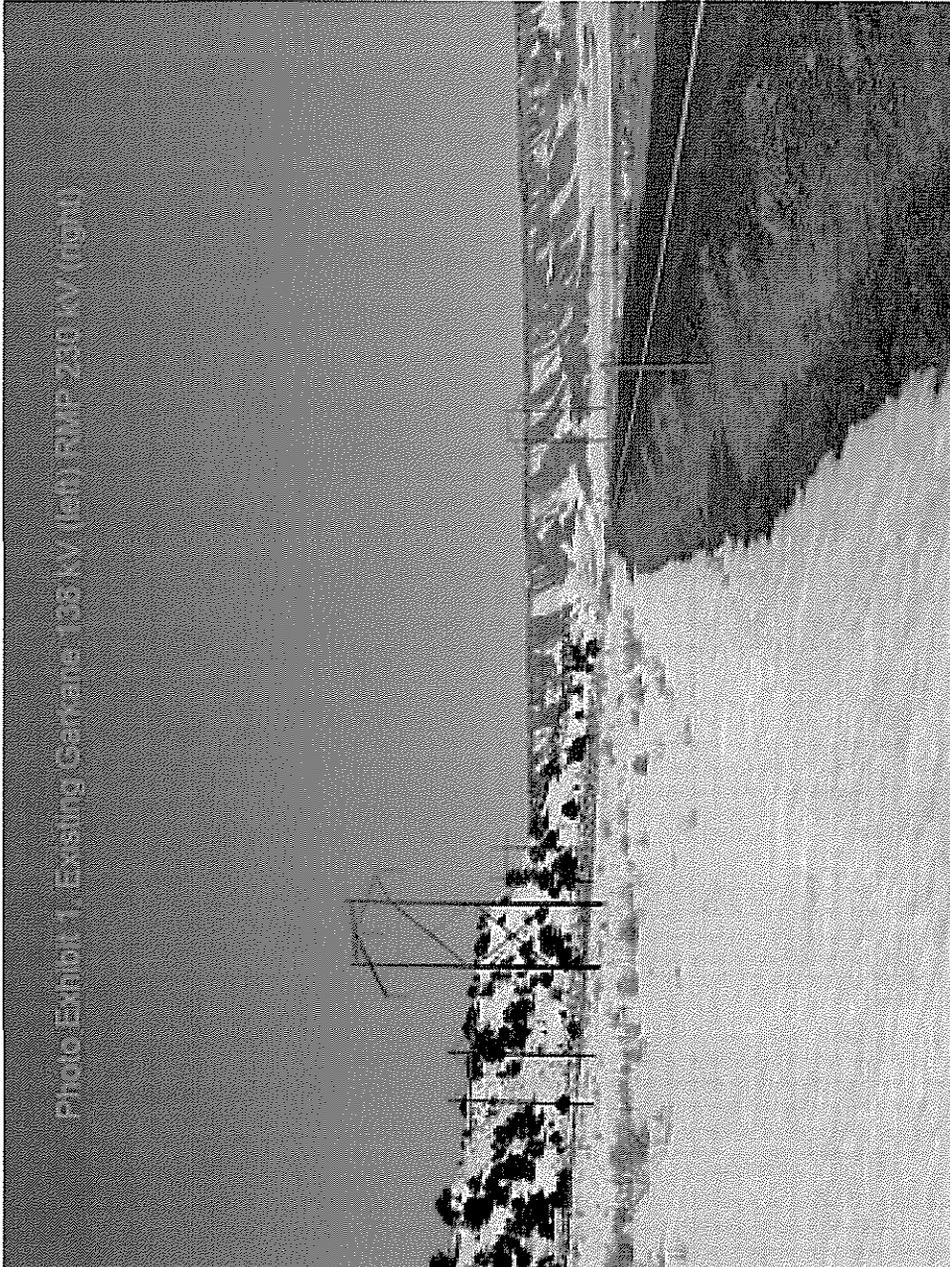


Figure 1

— Glen Canyon Jem Meter — Linear (Glen Canyon Jem Meter)

ATT 2: photos / MS



B-8

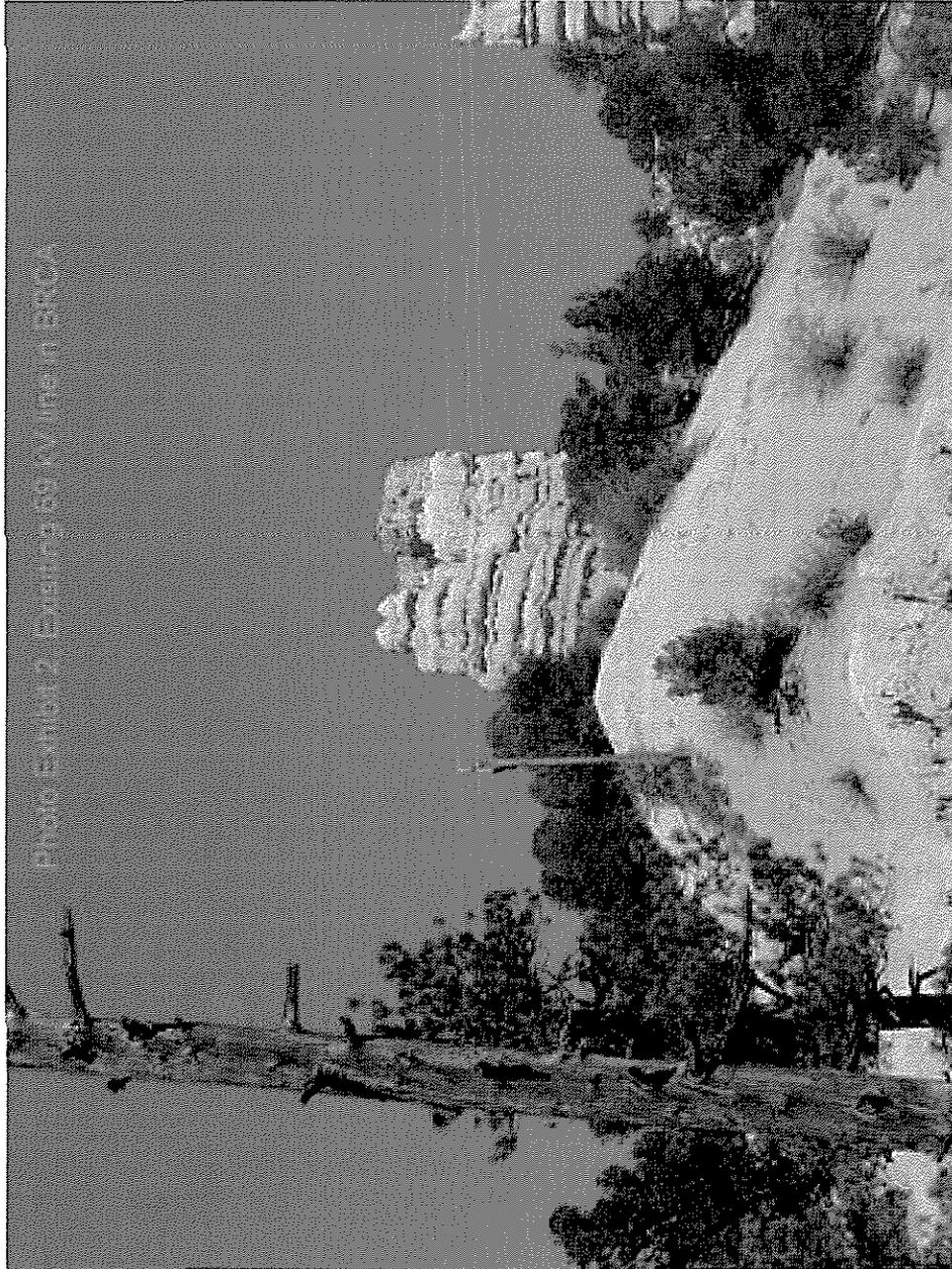


Photo Exhibit 2 - Boring 80 Kv line in BC CA

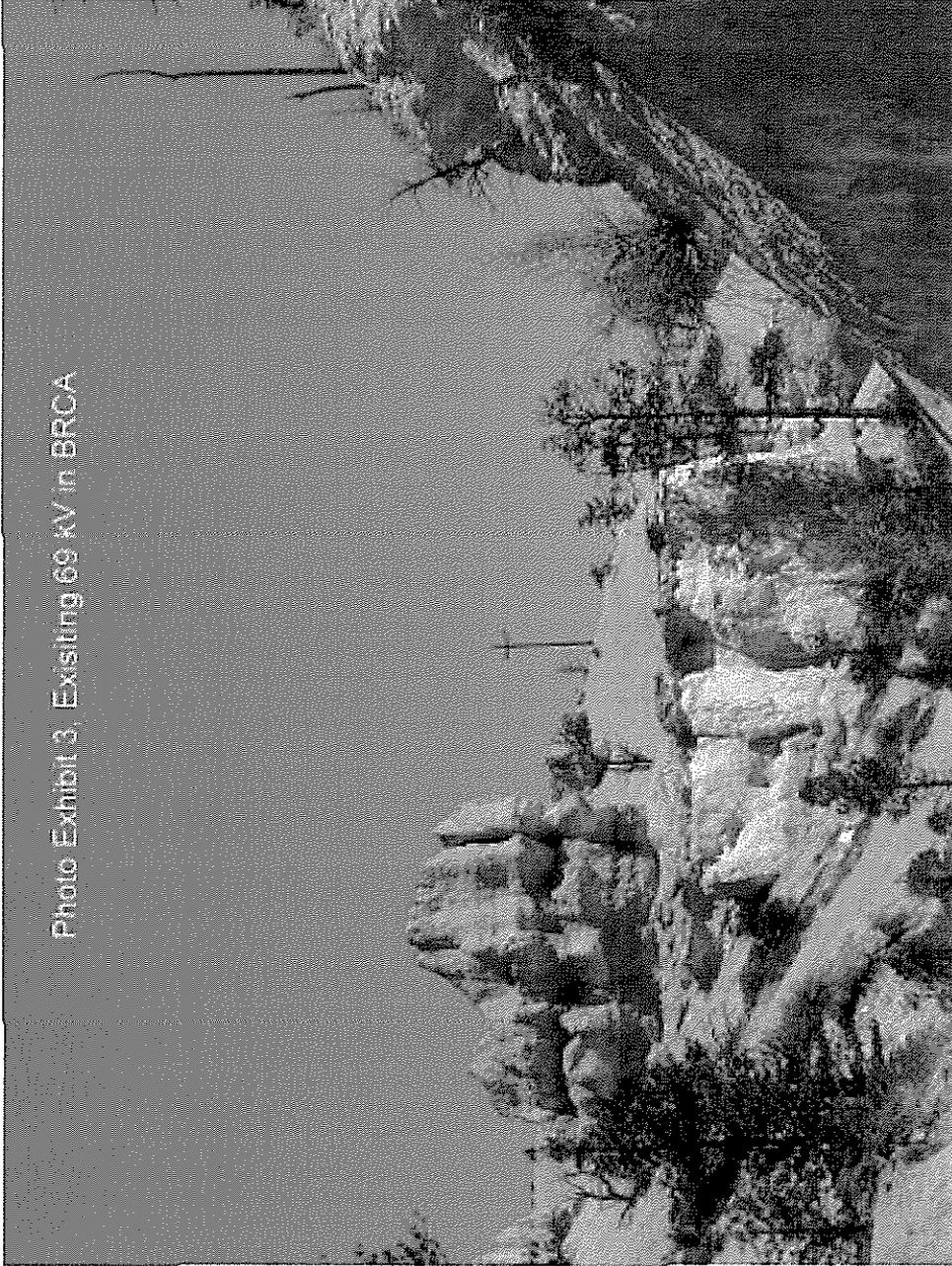


Photo Exhibit 3, Existing 69 kV in BRCA

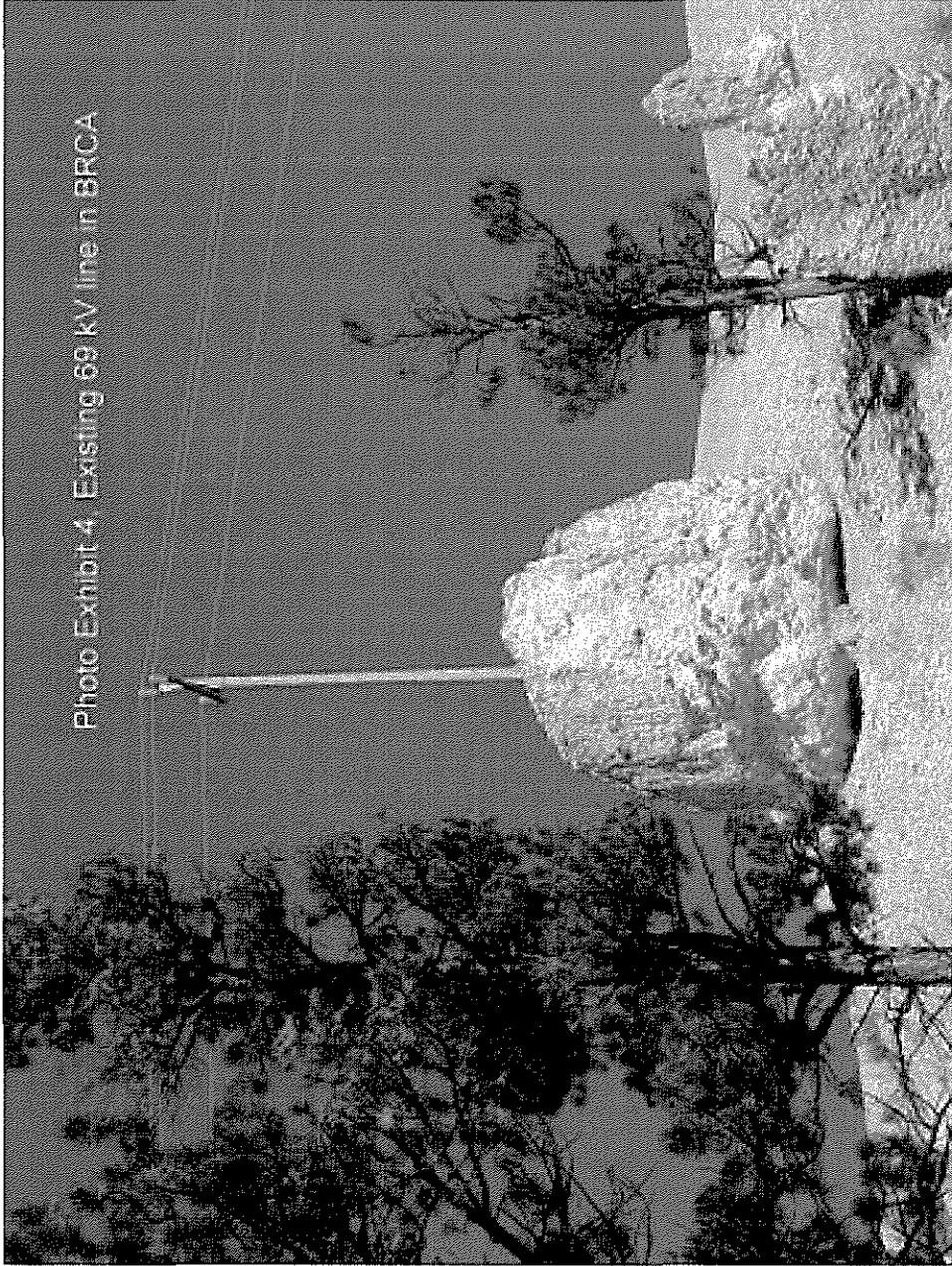


Photo Exhibit 4 Existing 69 kV line in BRCA

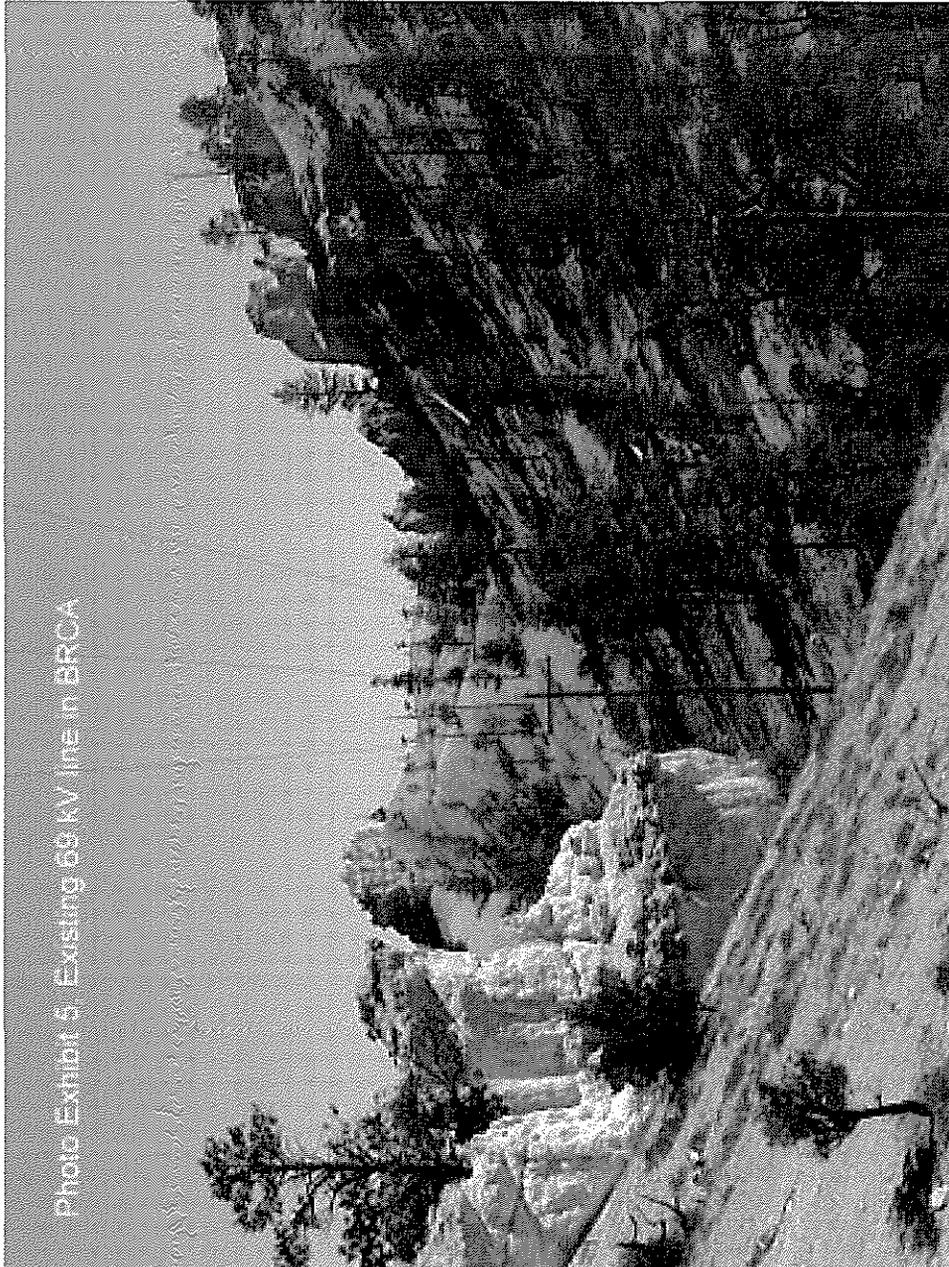


Photo Exhibit 5. Existing 59 kV line in BRCA



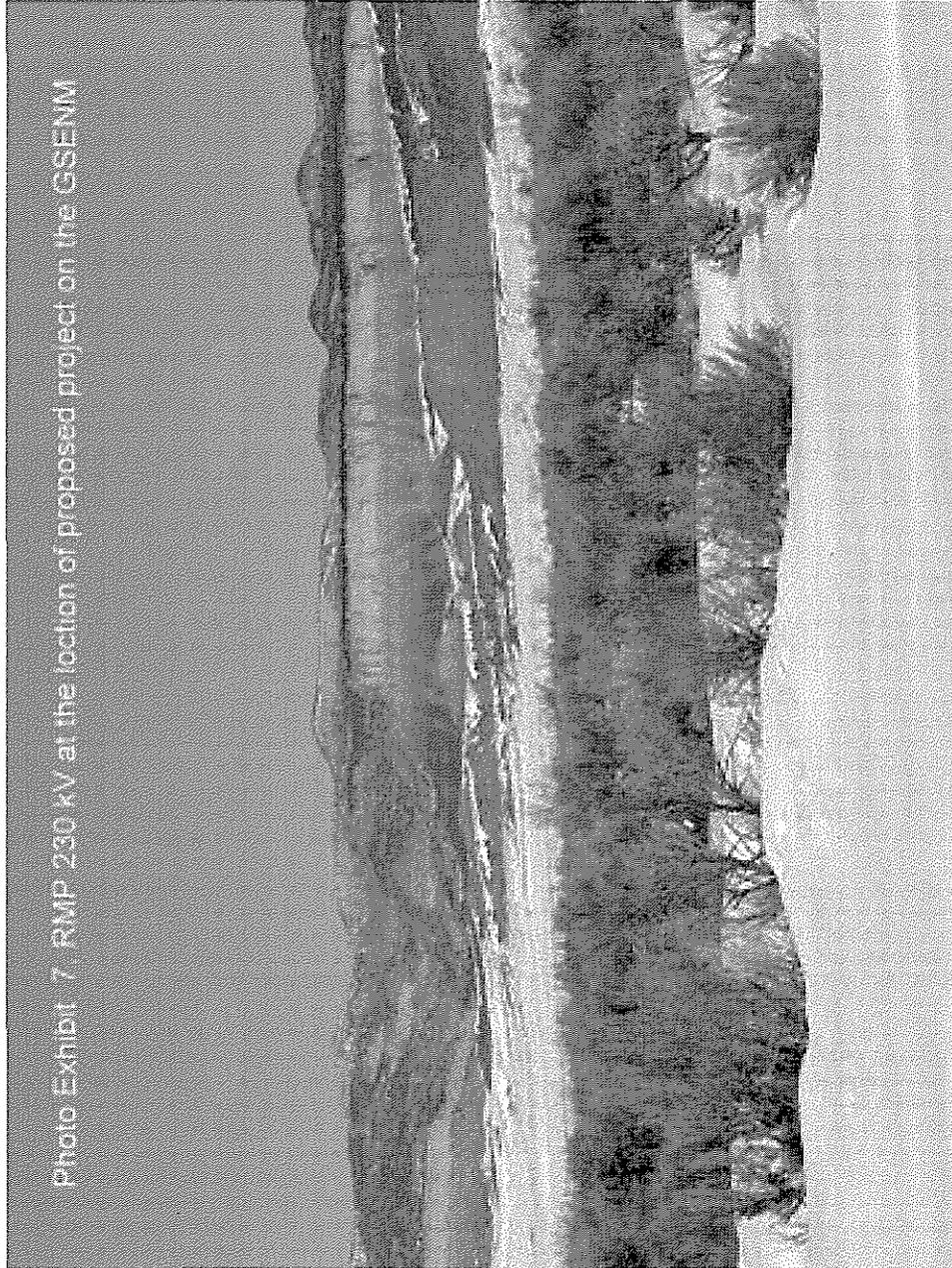


Photo Exhibit 7 RMP 230 kV at the location of proposed project on the GSENM

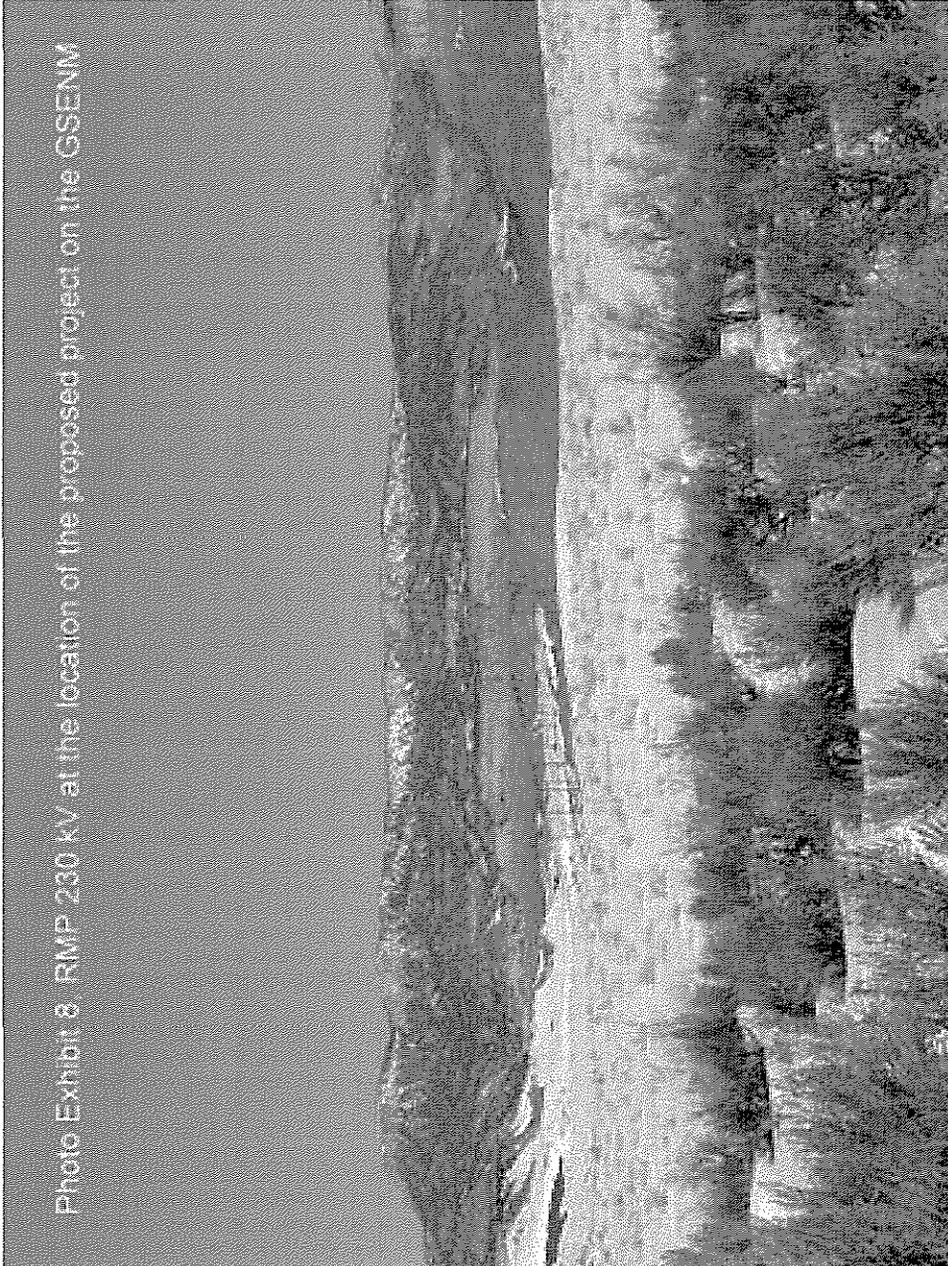


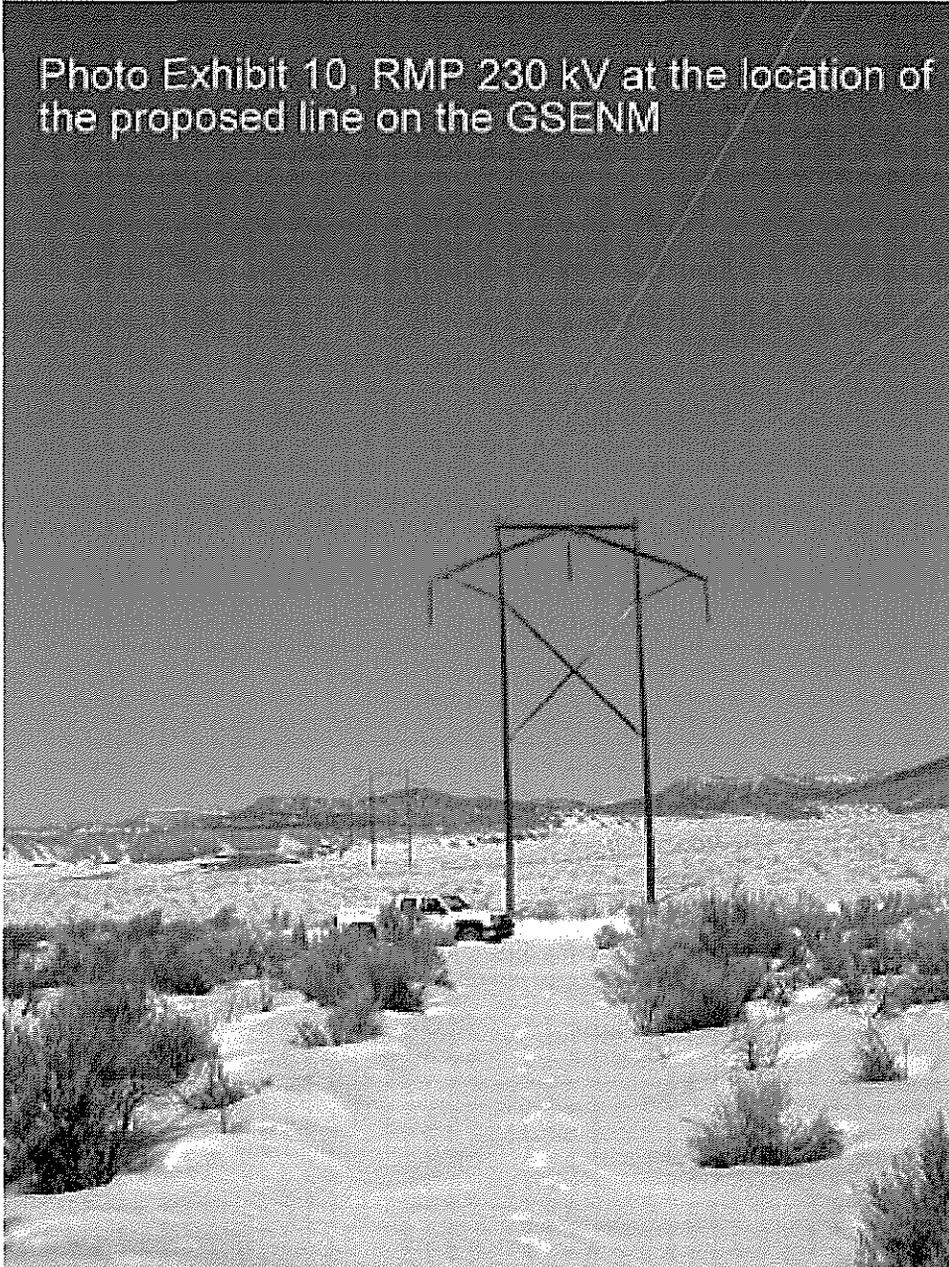
Photo Exhibit 8. RMP 230 kV at the location of the proposed project on the GSENM



Photo Exhibit 9. RMP 230 kV at the location of the proposed project on the GSENM

B-8

Photo Exhibit 10, RMP 230 kV at the location of the proposed line on the GSENM



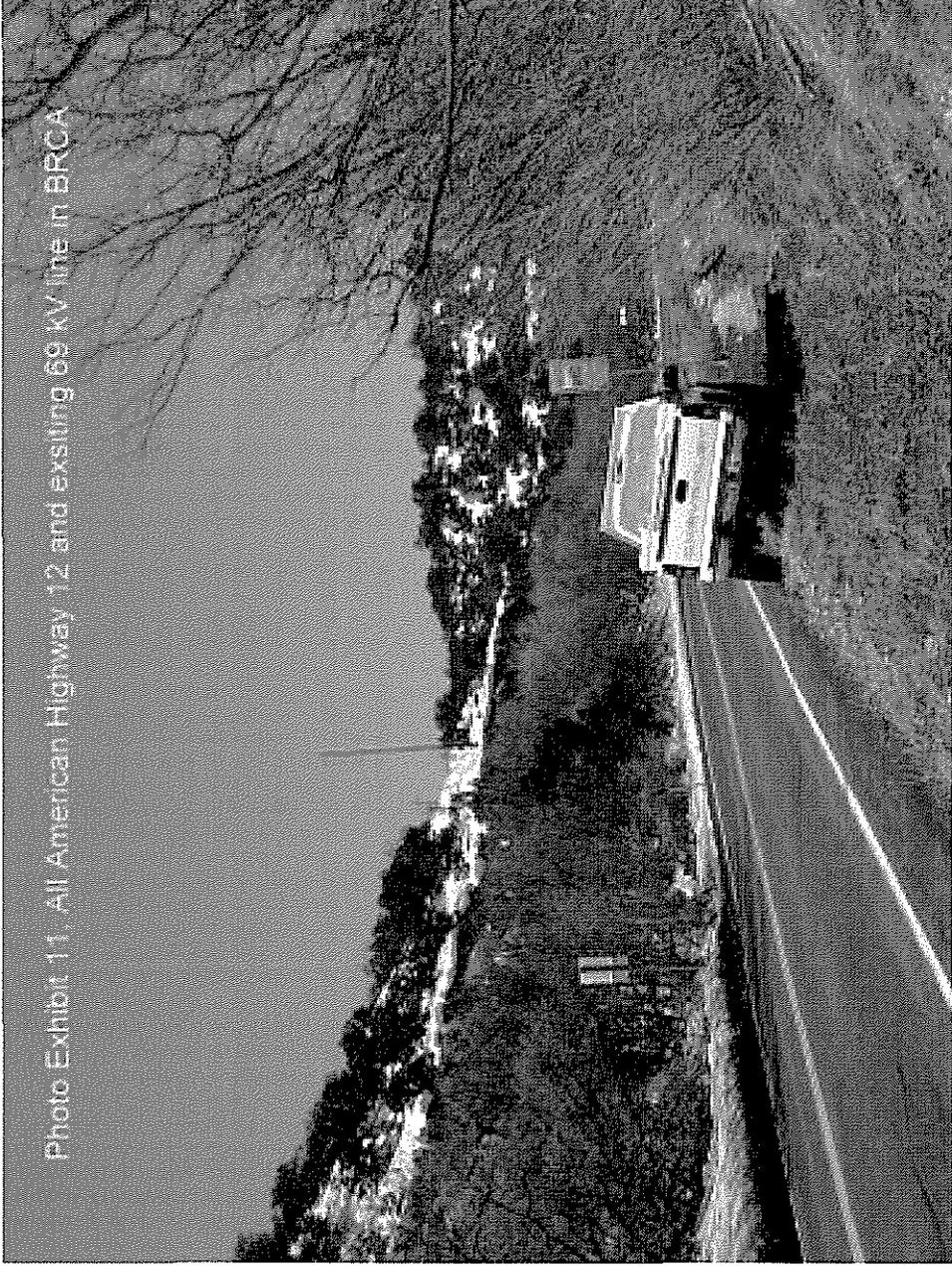


Photo Exhibit 11. All American Highway 12 and existing 69 kV line in BRCA

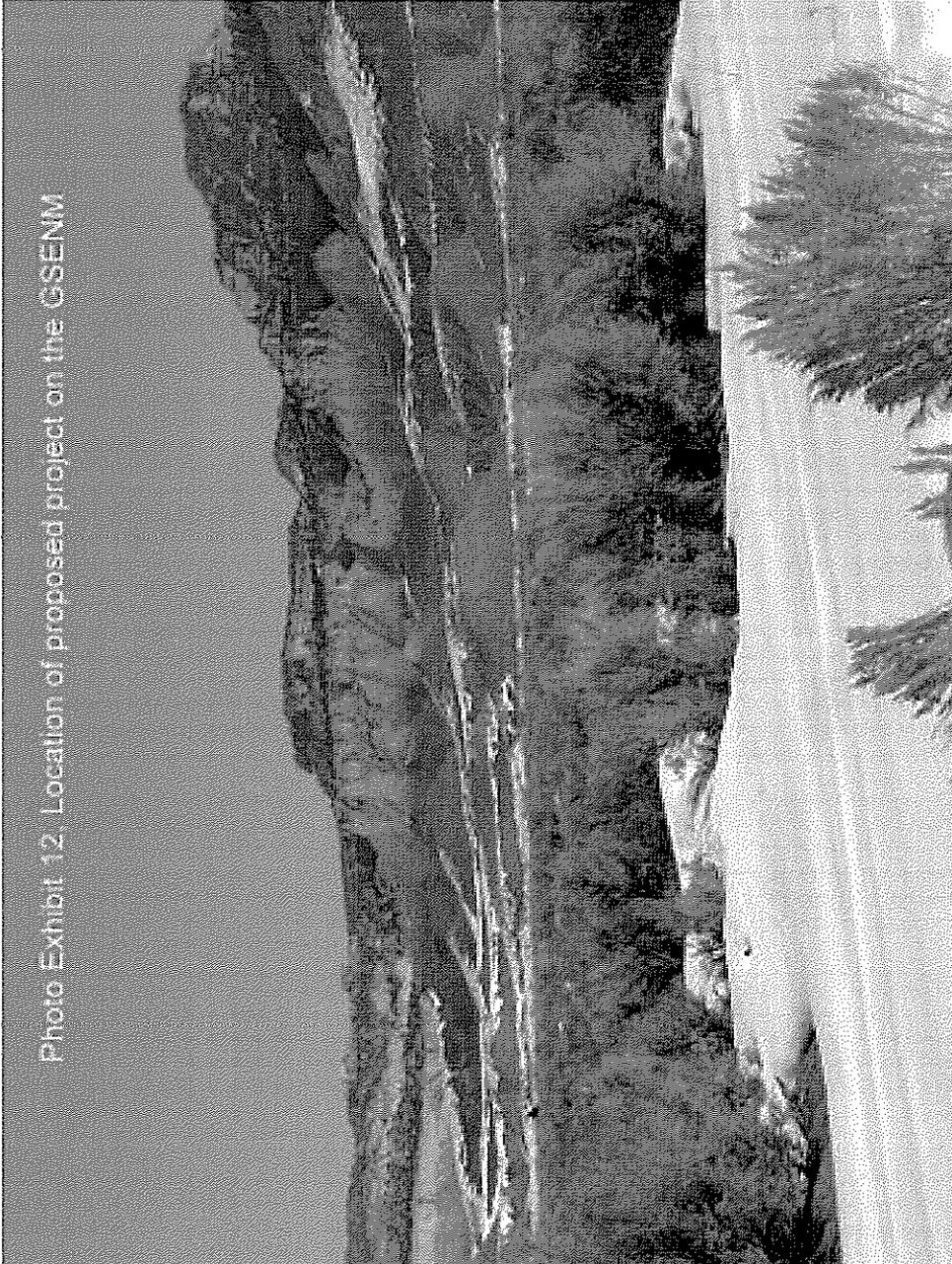
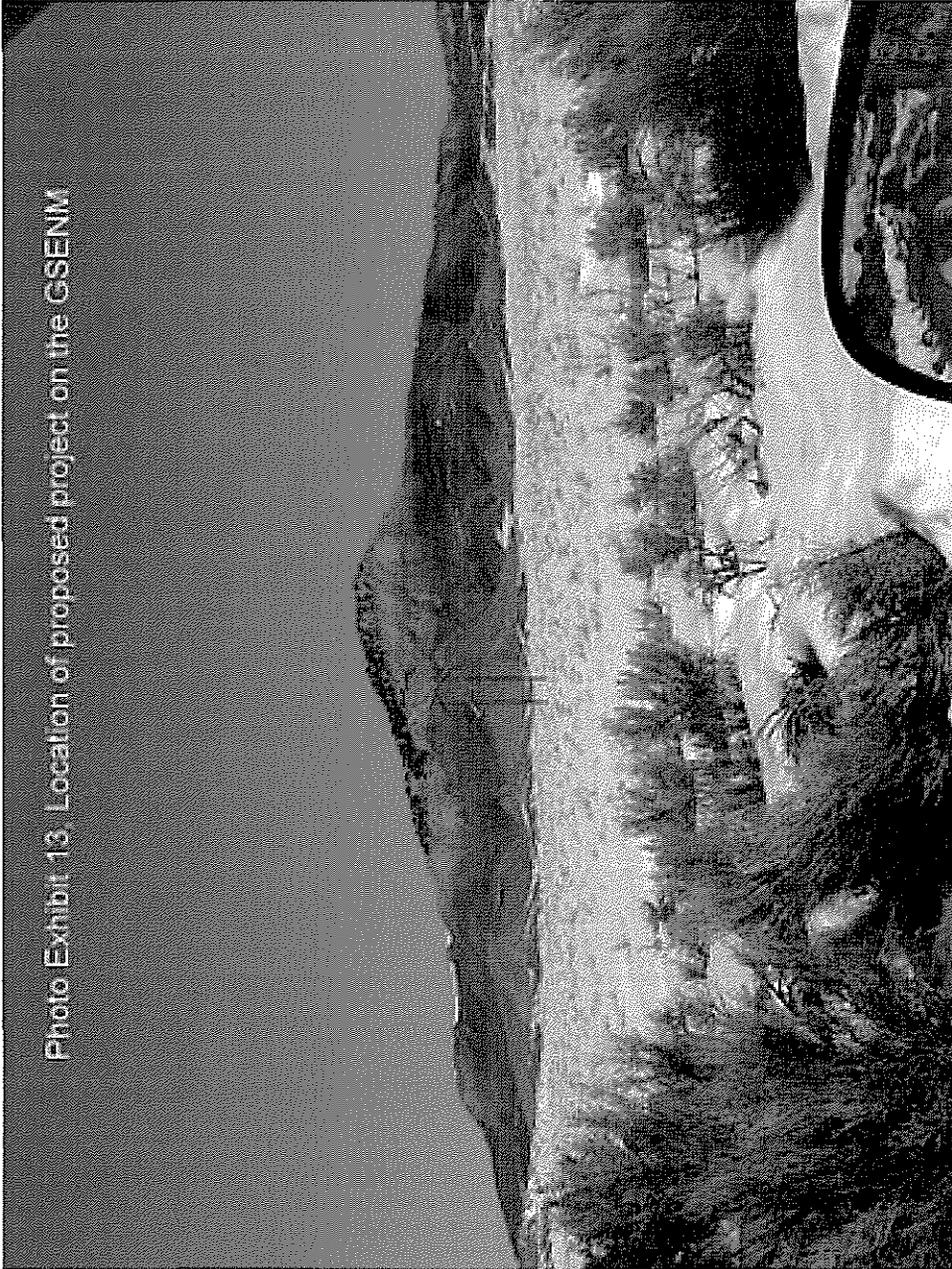
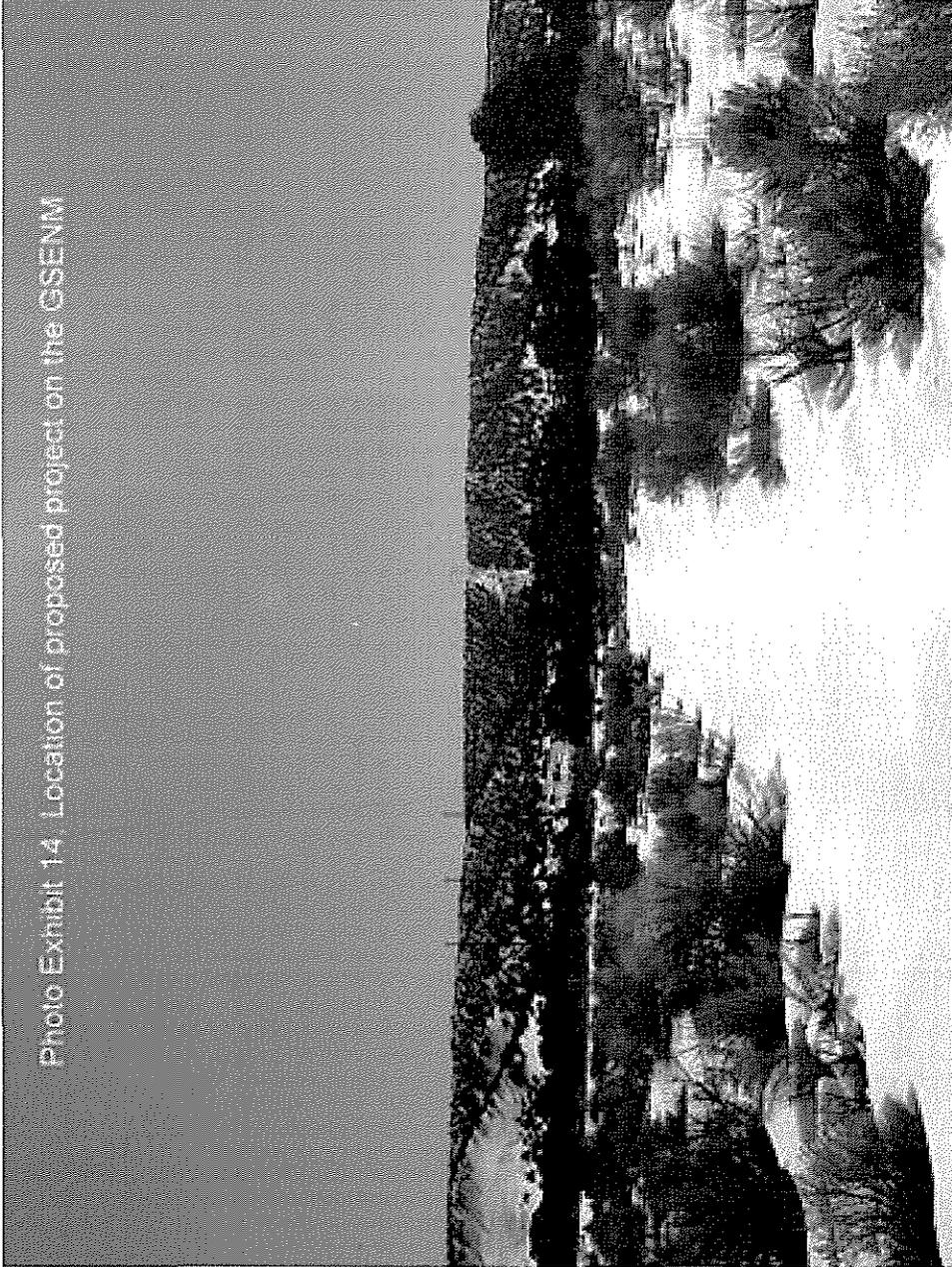


Photo Exhibit 12. Location of proposed project on the GSENM

Photo Exhibit 13. Location of proposed project on the GSENM





PUBLIC COMMENT FORM
TROPIC TO HATCH 138 kV TRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
DIXIE NATIONAL FOREST

I-9

Informed decisions are better decisions: The Dixie National Forest believes that extensive public involvement will serve to improve communication, develop enhanced understanding of different perspectives, and identify solutions to issues and problems. We look forward to hearing from you!

If you would like to make a comment, please fill out this form and insert it into a comment box or fold in half and mail it to the address on the back of the form. Additional comments, questions or concerns can either be e-mailed to: tropic_to_hatch_transmission_line_eis_comments@fs.fed.us or mailed to: Susan Baughman, Dixie National Forest, 1789 N. Wedgewood Lane, Cedar City, Utah 84720 - Attn: Tropic to Hatch Transmission Line Project. Comments should be received by **March 11, 2010**.

COMMENT (please use additional sheets if necessary):

ALT

MY SUGGESTION: PROCEED WITH ALL DILIGENCE. THOSE THAT WORK WITH ELECTRIC POWER DISTRIBUTION UNDERSTAND THE CHALLENGES. CHOOSE THE ROUTE BASED ON LONG TERM IMPACTS. EX. IS IT POSSIBLE THAT IN THE NEXT 50 TO 100 YEARS A HIGHER OR HIGHER VOLTAGE LINE ^{MAY} REQUIRE GREATER DISTANCES OF SEPARATION MAY BE REQUIRED. CAN THE RIGHT OF WAY BE USED FOR OTHER UTILITIES OR COMMERCIAL USES IN THE FUTURE. AN EXCESSIVE SCORE TODAY WILL REQUIRE MITIGATION TODAY, BUT THAT WOULD BE BETTER THAN A SECOND SCORE IN THE FUTURE. OUR POPULATION IS INCREASING. PRESSURE ON ECOLOGY WILL ALSO INCREASE. DO IT ONCE. DO IT RIGHT. AND WHEN PRACTICAL DO IT FAST SO RESOURCES ARE NOT WASTED.

NAME: Guy Hammer Sr. DATE: 2-5-10

TITLE: INDIVIDUAL ORGANIZATION (if any): GRAND STAIRCASE LARK

STREET ADDRESS: _____

CITY, COUNTY, STATE: CANNONVILLE UTAH

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PLEASE SEND FOLLOW UP INFORMATION TO ME AT P.O. BOX 234 HENRIEVILLE UTAH 84736 OR CHARFELDMECHANICAL@YAHOO.COM

THANKS GUY

PUBLIC COMMENT FORM
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DRAFT ENVIRONMENTAL IMPACT STATEMENT
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B-10

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COMMENT (please use additional sheets if necessary):

ALT

I am a local electrician who works with the area businesses with their electrical problems. The most common complaint is low voltage. The loads in the area have been constantly rising, which makes the need to increase the capacity of the transmission lines in the area. I encourage you to allow the construction of the Tropic-to-Hatch Transmission Line, to better the lives of the people in the area and make the electrical requirements keep up with the needs of the residents & businesses.

NAME: JEFF VAUGHN DATE: 2-19-2010

TITLE: OWNER ORGANIZATION (if any): VAUGHN ELECTRIC

STREET ADDRESS: 159 E. 100 S.

CITY, COUNTY, STATE: KANAB, UT. 84741

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DRAFT ENVIRONMENTAL IMPACT STATEMENT
DIXIE NATIONAL FOREST

I-11

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COMMENT (please use additional sheets if necessary):

ALT

I support the approval of Garkane Energy's right of way. The construction of this transmission line is badly needed to ensure residents of rural Garfield and Kane County communities will have reliable electric service. Additionally any future growth will only be possible by continuing to upgrade Garkane Energy's infrastructure. Holding residents of these communities hostage to ultra environmental views is wrong and should not be given precedence over the needs of residents. Please record my support of the approval of right of way and construction of this project. / Thank you

NAME: Thomas J. Barton DATE: 19 FEB 2010

TITLE: _____ ORGANIZATION (if any): _____

STREET ADDRESS: 499 W. Rawhide

CITY, COUNTY, STATE: Kanab Kane Utah

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COMMENT (please use additional sheets if necessary):

I believe we need transmission ROW to provide the power need & supply electricity for future growth to sustain our productivity & way of life. Power is the blood supply for our economy. In these times it becomes ever more important that we keep this supply abundant. I would encourage you to permit the building of the newly required lines to keep pace with our needs. MS

NAME: Rob Wolfley DATE: 2-19-10

TITLE: _____ ORGANIZATION (if any): _____

STREET ADDRESS: P.O. Box 452

CITY, COUNTY, STATE: Panguitch UT 84752

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United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 67, Room 118
Post Office Box 25007 (D-108)
Denver, Colorado 80225-0007

G-13



February 23, 2010

9043.1
ER 10/12

Robert G. MacWhorter, Forest Supervisor
Dixie National Forest
1789 N Wedgewood Ln
Cedar City, Utah 84720

Dear Mr. MacWhorter:

The Department of the Interior has reviewed the Draft Environmental Impact Statement (DEIS) for the Tropic to Hatch 138kV Transmission Line and Draft Grand Staircase-Escalante National Monument Plan Amendment, Dixie National Forest, Garfield County, Utah, and offers the following comments provided by the U.S. Fish and Wildlife Service (FWS).

General Comments

The DEIS states (page 3-56) that the Forest Service (USFS) and Bureau of Land Management (BLM) will be considered "compliant with the Migratory Bird Treaty Act" (MBTA) if the agencies follow the direction provided in their respective migratory bird memoranda. This statement is problematic, as it is not possible to absolve individuals, companies, or agencies from MBTA liability even if they implement avian mortality avoidance or similar conservation measures. We realize that some birds may be killed during project construction even if all reasonable measures to protect them are used. We recommend, therefore, that the FEIS remove language stating that the agencies are compliant with the MBTA and instead state that the USFS and BLM are considered compliant with the direction and intent of Executive Order 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds). The E.O. directs federal agencies to avoid or minimize adverse impacts on migratory bird resources when conducting agency actions and to restore and enhance the habitats of migratory birds. The DEIS describes numerous practices to avoid or minimize adverse impacts on migratory birds; therefore, the agencies are adhering to the E.O. /

WL

A national MOU was signed between the USFS and FWS in 2008 which, among other things, encourages the USFS to "pursue opportunities to enhance the composition, structure, and juxtaposition of migratory bird habitats in the project area." BLM's Instructional Memorandum

WL

provides similar direction to “promote the maintenance and improvement of habitat quantity and quality. The DEIS identifies (page 4-68) long-term impacts that the project will have to habitats important for many migratory bird species, including raptors and species of concern. We recommend the FEIS describe specific measures that are being or will be implemented to benefit the quantity and quality of specific habitats that will be impacted by this project. ~~We~~ recommend selecting habitat types most impacted by the project across the entire project area (e.g., sagebrush, riparian/wetland, pinyon-juniper, and/or ponderosa pine) and collaborating with the other landowners and land management agencies to determine effective habitat improvement projects. Partnerships such as the Utah Partners for Conservation and Development may be useful to leveraging funding and increase the benefits to bird habitats.

WL

⌈ The term “Sensitive Raptors” is used throughout the document and may confuse readers into thinking that the EIS is only concerned with a subset of raptors rather than all raptor species; however, the measures described in Appendix A under the “Sensitive Raptor” heading identify measures that can be taken to protect all raptor species, not just sensitive species. While the USFS and BLM have identified certain species of raptors as “sensitive species” because they may be considered more at-risk than other species, we recommend that all raptors receive the basic protective measures identified in the Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances (Romin and Muck 2002). Raptor species identified as “sensitive” may receive additional protective measures, as described for example on page A-14 for burrowing owls. /

WL

Specific Comments

⌈ Page 2-22, Sec. 2.3.6, Resource Protection Measures, Wildlife and Sensitive Species – We recommend a measure to preclude unauthorized motorized use within the right-of-way and on access roads following construction completion. /

WL

⌈ Page 2-22, Sec. 2.3.6.3, Resource Protection Measures, Wildlife and Sensitive Species – To avoid “take” of migratory birds, including raptors, we recommend the following resource protection measures:

- Ground-disturbing activities will be conducted outside the prime migratory bird breeding season (April 15-August 15) to avoid the take of active nests with eggs and young. If activities must be completed during the breeding season, land-clearing activities (e.g., vegetation removal, grubbing) will be conducted prior to the breeding season so that the habitat is less suitable for nesting. If activities must be completed during the breeding season and land-clearing cannot be completed prior to the nesting season, biological monitors will search for and locate any active nests. Activities at and near the nests that would result in take of birds will be avoided until the young have fledged.
- Between January 1 and August 31, active raptor nests will be protected per the Utah Raptor Guidelines. Prior to construction, raptor surveys will be completed within 1 mile of the construction area to determine if nests are present. Particular consideration will be given to bald and golden eagle nests within one mile of the project footprint as loss of an eagle nest by removal, exclusion, or disturbance would require a permit under the Bald and Golden Eagle Protection Act.

WL

- Any site-specific modifications of the Raptor Guidelines’ seasonal or spatial buffers will be made in coordination with the FWS and/or UDWR.
- A one-half mile buffer will be provided to protect bald eagle winter roost sites (approximately November – March). Any construction activities within the buffer will occur after 9:00 am and at least one hour prior to official sunset to avoid disturbing night roosting. /

Page 3-56, Sec. 3.7.2.1, Migratory Birds (line 8) – Delete “most” from the sentence “Most raptors are protected under the Migratory Bird Treaty Act...” / WL

Page 3-56, Sec. 3.7.2.1, Migratory Birds (3rd paragraph) – The Birds of Conservation Concern list was updated in 2008 and any changes should be incorporated into the FEIS. / WL

Page 3-67, Table 3.8-3, Ute ladies’-tresses – “No known occurrences” is insufficient for determining absence of this species, as many areas have never been surveyed. We recommend surveys be conducted during the species’ flowering season if you determine that suitable habitat exists in the project area. More information on habitat suitability will be needed for the Section 7 Endangered Species Act consultation. / VEG

Page 3-67, Table 3.8-3 – Southern leatherside chub is a State sensitive species (and therefore also a BLM sensitive species) and should be included in this table. Because it is present in the Sevier River, a more complete description of the affected environment relative to this species is warranted in section 3.8.2. / WL

Page 3-71, Table 3.8-3, Boreal Toad – “No known occurrences” is insufficient to determine absence of this species. There are many areas where surveys have never been conducted for boreal toads, and their presence simply is not known. We recommend surveys be conducted in wetland, stream, and spring habitats, in coordination with the Utah Division of Wildlife Resources (UDWR). / WL

Page 3-76, Sec. 3.8.2.2, Mexican Spotted Owl (2nd sentence) – Nest sites for this species in Utah are typically not located in Douglas fir, ponderosa pine, or Gambel’s oak, but are found in steep to vertical rock cliff areas. / WL

Page 4-69, Sec. 4.7.2.2, Removal of 69 kV Transmission Line – We recommend poles containing raptor nests be retained (without electrical line connections) as “alternative nest structures” unless other resource concerns (e.g., Greater sage-grouse habitat) exist that outweigh the potential benefit to raptors. / WL

Page 4-72, Sec. 4.7.2.4, Removal of 69 kV Transmission Line – We recommend poles containing raptor nests be retained (without electrical line connections) as “alternative nest structures” unless other resource concerns (e.g., Greater sage-grouse habitat) exist that outweigh the potential benefit to raptors. / WL

G-13

Mr. Robert G. MacWhorter, Forest Supervisor

4

Page 4-76, Sec. 4.8.1, Indicator (1) – Acres of indirect habitat loss were apparently part of the analysis, but are not mentioned in any later section. It is unclear how they were quantified or used in the evaluation. /

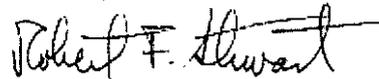
WL

Page 4-85, Table 4.8-3 – We recommend that all raptor species (not only “Sensitive Raptors”) with the potential for nests in the project area be included in this table. /

WL

If you have any questions regarding these comments, please contact Betsy Herrmann in the FWS Utah Ecological Services Office at (801) 975-3330, ext. 139.

Sincerely,



Robert F. Stewart
Regional Environmental Officer

Reference

Romin, L.A., and J.A. Muck. 2002. U.S. Fish and Wildlife Service. Utah field office guidelines for raptor protection from human and land use disturbances.

cc: Susan Baughman, EIS Project Manager

B-14

PUBLIC COMMENT FORM
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COMMENT (please use additional sheets if necessary):

AS A MEMBER OF THE GOVERNING BOARD I HAVE A FINANCIAL STEWARDSHIP AS WELL AS A FIDUCIARY RESPONSIBILITY TO THE MEMBER-OWNERS OF THE CO-OPERATIVE. AS SUCH IT BECOMES MY DUTY TO PLAN, IMPLEMENT, AND ANALYZE THE COSTS RELATING TO ENERGY TRANSMISSION, DISTRIBUTION AND USE OF THAT ENERGY. AS OUR MEMBERSHIP CONTINUES TO GROW AND THEIR DEMAND FOR ENERGY INCREASES OUR OBLIGATION TO ADEQUATELY RESPOND WITH INFRA-STRUCTURED CAPACITY BECOME SIGNIFICANT. AS WE ASSESS OUR DUTY OF BUSINESS - WE DESIRE TO SURVIVE, NOT TO MAXIMIZE PROFITS, BUT, SIMPLY TO AVOID LOSS. OUR GOAL HAS ALWAYS BEEN TO PROVIDE RELIABLE, AFFORDABLE ELECTRICAL ENERGY TO OUR CUSTOMERS. SUSTAINABLE GROWTH MUST HAVE RELIABLE, AFFORDABLE ENERGY SUPPLY! MS

NAME: M. Adon Torgersen DATE: 2-26-10

TITLE: DIRECTOR ORGANIZATION (if any): GARICANE ENERGY

STREET ADDRESS: 995 N. 400 E

CITY, COUNTY, STATE: KODIAK, UTAH - SENIOR COUNTY

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COMMENT (please use additional sheets if necessary):

Wayside Robin
I would like to comment on the Tropic to Hatch power line. The BGE has would like and need to construct.
1) The power line is needed for continued service in the area of Hatch, Cedar Mt. and the long valley area.
2) The line will solve running lines toward Comertons
3) In case of outages in the southern area of Garkane Service area (Kanab, Fredonia, Colorado City) could the be served from the northern area.
4) The longer it takes the more expensive the project becomes
5) Garkane Energy is planning for future growth and this power line is needed.
6) please consider and more forward in making this project more forward.

MS

NAME: Wayside Robin DATE: 3-23-2010

TITLE: _____ ORGANIZATION (if any): _____

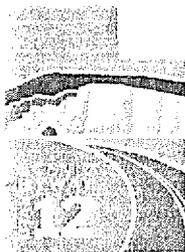
STREET ADDRESS: 108 South 800 East

CITY, COUNTY, STATE: Kanab, Utah 84741

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0-16



SCENIC BYWAY 12
Utah's Only All-American Road

P.O. Box 132

Tropic, UT 84776

(435) 679-8987

Ms. Susan Baughman
Dixie National Forest, USDA Forest Service
Tropic to Hatch 138 kV Transmission Line Project
1789 N. Wedgewood Lane,
Cedar City, Utah 84721

February 22, 2010

Dear Susan,

On February 16, 2010 the Scenic Byway 12 Committee passed a resolution in support of the Preferred Alternative identified in the Draft EIS and Draft Grand Staircase-Escalante National Monument Management Plan Amendment Document. Citing the fact that many experts have weighed in on the alternatives, the motion of support was passed by a majority of the Committee. /

ALT

I would also like to request two specific considerations with respect to the implementation of any alternative chosen. First, it is very important that non-reflective electrical cable be specified for the project. Non-reflective cable will ensure minimal disruption to view areas adjacent to Utah SR12. Garkane Energy must use non-reflective cable. /

VR

Second, with respect to ground disturbance during and following construction it is vital that the strictest measures be implemented by Garkane and their contractors to ensure minimal ground disturbance during and following construction of a new powerline. /

VR

Thank you for the opportunity to comment on the Draft EIS and Draft Grand Staircase-Escalante National Monument Management Plan Amendment.

Sincerely,

Jeff Stock
Committee Chair

0-17



southern
utah
wilderness
alliance

March 10, 2010

Drew Parkin, Manager
Escalante Field Station
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Drew_Parkin@blm.gov

Susan Baughman
Project Manager
1789 N. Wedgewood Lane
Cedar City, UT 84721
tropic-to-hatch-transmission-line-eis-comments@fs.fed.us

RE: Draft EIS for the Tropic to Hatch 138 kV Transmission Line and Draft GSENM Plan Amendment

Dear Drew and Susan

The Southern Utah Wilderness Alliance (hereafter, "SUWA") appreciates the opportunity to participate in the public decision-making process for Garkane's Tropic to Hatch Transmission Line (hereafter, "TH Line") proposal, and GSENM Plan Amendment. SUWA has a long-standing interest in Utah's public lands, and specifically the public lands that are within the Grand Staircase-Escalante National Monument (GSENM). SUWA participated in the planning process for the Monument Management Plan (MMP), and has participated in many proposed actions within the GSENM in the 12 years since the GSENM was designated a national monument. SUWA is particularly concerned that the Presidential Proclamation be upheld, in spirit and letter, such that all objects of the Monument -- including the scenic and visual values; geologic, paleontological and archaeological resources; wildlife, native plant life, and scarce water resources; and the unspoiled natural areas and ecosystem -- are *protected*, pursuant to the Proclamation.

As discussed below, ^[Tropic to Hatch Transmission Line] the TH Line proposal and Plan Amendment, which includes a proposal for a 100-foot new utility corridor in the Monument, and the agencies' preferred alternative which includes a 300-foot wide utility corridor to accommodate the TH Line, the existing PacifiCorp's line and possible future needs, do not conform to the

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Proclamation or to the MMP and thereby fail to comply with and the Federal Lands Policy and Management Act (FLPMA): Further, the Draft EIS fails to comply with the National Environmental Policy Act (NEPA). SUWA submits these comments in a timely fashion, on or before March 12, 2010, pursuant the Draft EIS at unnumbered page 3. /

A. BLM Must Comply with the Monument Management Plan

The Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 *et seq.*, is BLM's organic act and guides the agency in managing public lands, drafting and amending land use plans, and ensuring that the public has been involved in such decisions. When considering resource management authorizations and actions BLM is required under FLPMA to "conform to the approved [land use] plan." 43 C.F.R. § 1610.5-3(a).

1. The Proposed and Preferred Alternative Corridors are Inconsistent with the Monument Management Plan (MMP) Land-7

The MMP Land-7 decision states

In the Primitive Zone, utility rights-of-way will not be permitted. In cases of extreme need for local (not regional) needs and where other alternatives are not available, a plan amendment could be considered for these facilities in the Primitive Zone.

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The Draft EIS Figure 2.2-1 ("alternatives map") depicts three alternative corridors – A, B, and C. Alternatives A (the proposed action) and C (the preferred alternative) cross through the Monument in an area designated as "primitive" in the MMP and in a VRM Class II area (see MMP at 9 and 60). Alternative B parallels an existing power line, and does not cross through the Monument. /

The Draft EIS fails to include quantitative information that indicates that Alternative A and Alternative C are cases of "extreme need for local (not regional) needs." The Draft EIS merely states that the existing line is "overloaded" but does not disclose a quantitative analysis of the magnitude of the "overload." The Draft EIS fails to provide data to support the claim of extreme local need" for the proposed alignment in the Monument as depicted on the alternatives map for Alternatives A and C. /

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In addition, Alternative C proposes a 300-foot wide corridor to accommodate both the proposed right-of-way and the existing 230 kV Rocky Mountain Power/PacifiCorp transmission line, as well as provide for future utility needs; and within this area, changing the existing Visual Resource Management Class designation from Class II to Class III.

Draft EIS at ES-2.

However, according to the Draft EIS, there is no current or known future need requiring amendment to the MMP to include a 200-foot wide corridor for the existing Rocky Mountain Power/PacifiCorp right-of-way:

The existing Rocky Mountain Power/PacifiCorp right-of-way, averaging 130 feet wide, already forms the boundary of the non-WSA lands, so inclusion of this right-of-way in the Passage Zone would have no additional effect on the wilderness characteristics of Box Canyon. Development of the proposed right-of-way would occupy 100 feet of the Passage Zone adjacent to the Rocky Mountain Power/PacifiCorp right-of-way, further reducing the natural characteristics, primitive recreational setting, and size of Box Canyon non-WSA lands with wilderness characteristics by 20.48 acres. Currently, there are no proposals to develop the remaining 70 feet of the Passage Zone, so there would be no further effect on the wilderness characteristics of Box Canyon. However, in the future, if an additional utility line(s) is proposed in the Passage Zone, establishing a right-of-way and developing that right-of-way would further reduce the size and wilderness characteristics of the Box Canyon non-WSA lands with wilderness characteristics by as much as another 14.34 acres.

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Draft EIS at 4-136 (emphasis added).

This alternative adds, to the 100-foot corridor for the TH Line, a 200-foot corridor for the existing, interstate (not local) 230 kV Rocky Mountain Power/PacifiCorp transmission line, and speculative future needs. This additional 200-foot corridor through a primitive zone in the GSENM clearly does not comply with the MMP, as there is no demonstrated (or even proposed) "extreme need for local (not regional) needs." /

Comment: Alternatives A and C do not comply with the MMP as these alternatives are located in a primitive zone in the GSENM. Pursuant to MMP Land-7 decision, utility rights-of-way will not be permitted in the Primitive Zone, unless a very narrow exception is met, under which a plan amendment can be considered. A reasonable and feasible alternative exists, as depicted in Alternative B, which would comply with the MMP. Thus, the proposed TH Line of Alternative A and the expanded 300 foot corridor of Alternative C do not fall within the scope of this narrow exception, and a Plan Amendment would not comply with the MMP or FLPMA. /

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2. The Proposed Corridor is Inconsistent with the Monument Management Plan (MMP) VRM-2

The MMP states:

The BLM's objective will be to preserve these spectacular scenic assets in "this high rugged, remote region, where bold plateaus and multi-hued cliffs run for distances that defy human perspective . . ." (Proclamation 6920, 1996).

Visual Resource Management (VRM) will be used as one tool to meet this objective []. An inventory of visual resources, using the procedures specified in the BLM's Visual Resource Inventory Manual H-8410-1, was updated after the Monument was established. The updated visual inventory classes were developed using higher sensitivity ratings due to the high visibility and sensitivity of visual resources in the Monument.

MMP at 60 (emphasis added).

In addition

All proposed actions must consider the importance of visual values and must minimize the impacts the project may have on these values. While performing an environmental analysis for projects, the visual resource contrast rating system will be utilized as a guide to analyze potential visual impacts of the proposal. Projects will be designed to mitigate impacts and conform to the assigned VRM Class objective . . .

MMP VRM-2 (emphasis added).

The "spectacular scenic assets" of the GSENM are outstanding for many reasons, including the lack of large industrial developments that would mar the vistas and view sheds. The inventory of visual resources was updated in recognition of these spectacular assets after the creation of the GSENM. The proposed TH Line and corridor is in a VRM Class II area.

The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

MMP VRM-1 (emphasis added).

Comment: The proposed alternative does not comply with the MMP's VRM Class II designation – the 138 kV power line and possibly other large power lines that could be put in the proposed corridor are inconsistent with the basic elements of form, line, color and texture found in the natural landscape. As there are other reasonable alternatives for the proposed corridor that are not located in VRM Class II areas that would be more

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compatible with the MMP's VRM decisions, there is no compelling reason to amend the MMP to change the VRM to accommodate the proposed utility corridor. /

B. National Environmental Policy Act

1. Alternatives and Unnecessary and Undue Degradation Requirements

The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. *See* 40 C.F.R. §§ 1502.14(a), 1508.25(c). "An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action." *Nw. Env'tl. Defense Center v. Bonneville Power Admin.*, 117 F.3d 1520, 1538 (9th Cir. 1997). An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. *City of Tenakee Springs v. Clough*, 915 F.2d 1308, 1310 (9th Cir. 1990) (quoting 40 C.F.R. § 1502.14). ***This evaluation extends to considering more environmentally protective alternatives and mitigation measures.*** *See, e.g., Kootenai Tribe of Idaho v. Veneman*, 313 F.3d 1094, 1122-23 (9th Cir. 2002) (and cases cited therein).

NEPA requires that an actual "range" of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." *Col. Env'tl. Coal. v. Dombeck*, 185 F.3d 1162, 1174 (10th Cir. 1999), citing *Simmons v. U.S. Corps of Engineers*, 120 F.3d 664, 669 (7th Cir. 1997). This requirement prevents the environmental analysis from becoming "a foreordained formality." *City of New York v. Dep't of Transp.*, 715 F.2d 732, 743 (2nd Cir. 1983). *See also Davis v. Mineta*, 302 F.3d 1104 (10th Cir. 2002).

Further, in defining what is a "reasonable" range of alternatives, NEPA requires consideration of alternatives "that are practical or feasible" and not just "whether the proponent or applicant likes or is itself capable of carrying out a particular alternative"; in fact, "[a]n alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable." Council on Environmental Quality, *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, Questions 2A and 2B*, available at <http://ceq.hss.doe.gov/nepa/regs/40/40p3.htm>; 40 C.F.R. §§ 1502.14, 1506.2(d).

The Draft EIS fails to include a range of reasonable alternatives. The Draft EIS includes alternatives limited to various transmission line locations. By looking only at transmission line locations, the agencies are looking at an unreasonably narrow set of options. The Draft EIS must not limit the range of alternatives to only those within the legal jurisdiction of the agencies. Thus, the Draft EIS must analyze an "energy

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conservation” alternative; such an alternative is reasonable and could potentially remove the need for greater transmission capacity and a new transmission line. In addition, the Draft EIS must consider an alternative that would incorporate alternative energy sources, such as solar panels on homes and community solar storage systems.

Comment: The Draft EIS fails to comply with NEPA’s requirement that a range of reasonable alternatives be considered and analyzed. The Draft EIS’s analysis of essentially one alternative – a new transmission line in various locations – does not comply with NEPA’s “range of alternatives” requirement. The Draft EIS must be supplemented to include analyses of other reasonable alternatives, such as energy conservation measures, and alternative energy sources. /

2. Hard Look Must Be Appropriate to Proposed Action and Include Direct, Indirect, and Cumulative Impacts

NEPA dictates that BLM take a “hard look” at the environmental consequences of a proposed action and the requisite environmental analysis “must be appropriate to the action in question.” *Metcalf v. Daley*, 214 F.3d 1135, 1151 (9th Cir. 2000); *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 348 (1989). In order to take the “hard look” required by NEPA, BLM is required to assess impacts and effects that include: “ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, *whether direct, indirect, or cumulative.*” 40 C.F.R. § 1508.8. (emphasis added).

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Comment: The Draft EIS fails to take a hard look at the purported need for the greater transmission capacity. This hard look must include a quantitative analysis of the current need, the estimated future needs, and the potential to meet the need from means other than a new transmission line. /

3. BLM Must Assess Alternatives Using Quality Data and Scientifically Acceptable Methods of Analysis, Which Are Disclosed to the Public for

BLM cannot evaluate consequences to the environment, determine avoidable or excessive degradation, and assess how best to protect the resources of the GSENM including special status lands identified as non-WSAs with wilderness character without adequate data and analysis. NEPA’s hard look at environmental consequences must be based on “accurate scientific information” of “high quality.” 40 C.F.R. § 1500.1(b). Essentially, NEPA “ensures that the agency, in reaching its decision, will have available and will carefully consider detailed information concerning significant environmental impacts.” *Robertson v. Methow Valley Citizens Council*, 490 U.S. at 349. The Data Quality Act and BLM’s interpreting guidance expand on this obligation, requiring that influential scientific information use “best available science and supporting studies

conducted in accordance with sound and objective scientific practices.” Treasury and General Government Appropriations Act for Fiscal Year 2001, Pub.L. No. 106-554, § 515. See also Bureau of Land Management, Information Quality Guidelines, available at http://www.blm.gov/nhp/efoia/data_quality/guidelines.pdf.

BLM’s internal guidance also recognizes the importance of accumulation and proper analysis of data. The agency’s Land Use Planning Handbook emphasizes the importance of using sufficient, high quality data and analytical methods, and making those available to the public. Appendix H of the Land Use Planning Handbook also directs: “The data and resultant information for a land use plan must be carefully managed, documented, and applied to withstand public, scientific, and legal scrutiny.” Appendix F-1 of the Handbook emphasizes the importance of providing a clear explanation of how analysis was conducted, stating: “Regardless of its source, sufficient metadata (data about data) should be provided to clearly determine the quality of the data, along with any limitations associated with its use.” In other words, appropriate analysis of data is as important as the accumulation of sufficient data.

Further, both data and analyses must be disclosed to the public, in order to permit the “public scrutiny” that is considered “essential to implementing NEPA.” 40 C.F.R. § 1500.1(b). BLM’s guidelines for implementing the Data Quality Act also reiterate that making data and methods available to the public permits independent reanalysis by qualified member of the public. In this regard, NEPA “guarantees that the relevant information will be made available to the larger audience that may also play a role in both the decisionmaking process and the implementation of that decision.” *Robertson v. Methow Valley Citizens Council*, 490 U.S. at 349. NEPA not only requires that BLM have detailed information on significant environmental impacts, but also requires that the agency make this information available to the public for comment. *Inland Empire Public Lands Council v. U.S. Forest Service*, 88 F.3d 754, 757 (9th Cir. 1996).

Where there is scientific uncertainty, NEPA imposes three mandatory obligations on BLM: (1) a duty to disclose the scientific uncertainty; (2) a duty to complete independent research and gather information if no adequate information exists unless the costs are exorbitant or the means of obtaining the information are not known; and (3) a duty to evaluate the potential, reasonably foreseeable impacts in the absence of relevant information, using a four-step process. Unless the costs are exorbitant or the means of obtaining the information are not known, the agency must gather the information in studies or research. 40 C.F.R. § 1502.22. Courts have upheld these requirements, stating that the detailed environmental analysis must “utiliz[e] public comment and the best available scientific information.” *Colorado Environmental Coalition v. Dombeck*, 185 F.3d 1162, 1171-72 (10th Cir. 1999) (citing *Robertson v. Methow Valley Citizens’ Council*, 490 U.S. at 350); *Holy Cross Wilderness Fund v. Madigan*, 960 F.2d 1515, 1521-22 (10th Cir. 1992).

As the Supreme Court has explained, while "policymaking in a complex society must account for uncertainty," it is not "sufficient for an agency to merely recite the terms 'substantial uncertainty' as a justification for its actions." *Motor Vehicle Manufacturers Ass'n v. State Farm Mutual Automobile Ins. Co.*, 463 U.S. 29, 52 (1983). Instead, in this context, as in all other aspects of agency decision-making, "[w]hen the facts are uncertain," an agency decision-maker must, in making a decision, "identify the considerations he found persuasive." *Small Refiner Lead Phase-Down Task Force v. EPA*, 705 F.2d 506, 520 (D.C. Cir. 1983), quoting *Ind. Union Dept., AFL-CIO v. Hodgson*, 499 F.2d 467, 476 (D.C. Cir. 1974).

BLM must provide the public with an explanation of both the data used in analyzing the potential effects of management alternatives and the methods used to conduct the analysis, as well as an opportunity to provide comments and propose corrections or improvements.

Comment: BLM must scientifically and objectively evaluate the need for a new transmission line, and scientifically evaluate alternatives that include conservation measures, alternative energy sources, such as solar energy collectors for residential and business and local solar/wind energy storage and generation methods. NEPA requires BLM to gather information and complete independent research to gather the information, if the proponent fails to supply the information, in order to evaluate impacts from a range of reasonable alternatives. This evaluation must be disclosed to the public and the decision-maker in the Draft EIS. The analysis contained in the Draft EIS of impacts associated with various locations for the proposed transmission line falls short of NEPA's requirement. /

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4. BLM Must Respond to Public Comments and Specifically Address Scientific Uncertainty and/or Differing Scientific Opinions

Under Council for Environmental Quality (CEQ) regulations implementing NEPA, BLM must respond to substantive comments made during the public comment period for the EIS. 40 C.F.R. § 1503.4. An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:

1. Modify alternatives including the proposed action.
2. Develop and evaluate alternatives not previously given serious consideration by the agency.
3. Supplement, improve, or modify its analyses.
4. Make factual corrections.
5. Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's

position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.

40 C.F.R. § 1503.4(a). Importantly, while agencies must attach comments considered “substantive” to the EIS (40 C.F.R. § 1503.4(b)), a comment need not be substantive to trigger the agency’s response requirement.

NEPA requires that, in preparing a final EIS, BLM must discuss “any responsible opposing view which was not adequately discussed in the draft statement and indicate the agency’s response to the issue raised.” 40 C.F.R. § 1502.9. The Council on Environmental Quality interprets this requirement as mandating that an agency respond in a “substantive and meaningful way” to a comment that addresses the adequacy of analysis performed by the agency. Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations.¹ BLM’s NEPA Handbook elaborates upon this requirement, providing that: comments relating to inadequacies or inaccuracies in the analysis or methodologies used must be addressed; interpretations of analyses should be based on professional expertise; and where there is disagreement within a professional discipline, “a careful review of the various interpretations is warranted.” Handbook H-1790-1, Section V.B.4.a., p. V-11.

Failure to disclose and thoroughly respond to differing scientific views violates NEPA and obligates an agency to perform a compliant environmental analysis prior to approving a proposed action. *See, Robertson v. Methow Valley Citizens Council, supra* (EIS should reflect critical views of others to whom copies of draft were provided and respond to opposing views); *Sierra Club v. Bosworth*, 199 F.Supp.2d 971 (N.D.Cal. 2002) (failure to disclose and analyze scientific opinion that opposed post-fire logging violates NEPA); *Seattle Audubon Society v. Lyons*, 871 F.Supp. 1291, 1381 (W.D.Wash. 1994) (An EIS must “disclose scientific opinion in opposition to the proposed action, and make a good faith, reasoned response to it.”); *Seattle Audubon Society v. Moseley*, 798 F.Supp. 1473, 1482 (W.D.Wash. 1992) (NEPA requires that the agency candidly disclose in its EIS the risks of its proposed action, in its EIS the risks of its proposed action, and that it respond to the adverse opinions held by respected scientists.”).

Further, as discussed above, where there is scientific uncertainty, BLM cannot simply dismiss opposing scientific opinion and authority, but must provide a discussion of the support for its decision not to rely upon it. Accordingly, BLM must complete a conforming NEPA analysis that fully considers and responds to public comments, including opposing scientific opinion, and justifies any contradicting conclusions. /

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¹ The U.S. Court of Appeals for the Tenth Circuit has found that the “Forty Questions” are “persuasive authority offering interpretive guidance” on NEPA from CEQ. *Davis v. Mineta*, 302 F.3d 1104, 1125 (10th Cir. 2002).

C. Federal Land Policy and Management Act

As noted above, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 *et seq.*, is BLM's organic act and guides the agency in managing public lands, drafting land use plans, and ensuring that the public has been involved in such decisions.

1. Unnecessary or Undue Degradation Standard

FLPMA requires that: "In managing the public lands the [Secretary of Interior] shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands." 43 U.S.C. § 1732(b). In this context, because the imperative language "shall" is used, "Congress [leaves] the Secretary no discretion" in how to administer FLPMA. *Natural Resources Def. Council v. Jamison*, 815 F.Supp. 454, 468 (D.D.C. 1992). BLM's duty to prevent unnecessary or undue degradation (UUD) under FLPMA is mandatory, and BLM must, at a minimum, demonstrate compliance with the UUD standard. *See Sierra Club v. Hodel*, 848 F.2d 1068, 1075 (10th Cir. 1988) (the UUD standards provides the "law to apply" and "imposes a definite standard on the BLM").

Comment: There are reasonable alternatives that exist that would not impact the "The Box" non-wilderness study area lands with wilderness characteristics. Compliance with FLPMA's UUD standard dictates that BLM not permit the proposed alternative in the GSENM. Further, there can be little question that compliance with the UUD standard especially prohibits BLM from amending the GSENM MMP to provide for an additional 200-foot wide corridor for the existing Rocky Mountain Power/PacifiCorp power line. There is no demonstrated purpose or need for such corridor, Rocky Mountain Power/PacifiCorp has not applied for the corridor, and designating this additional corridor based on pure speculation by BLM that it might be requested at some point in the future violated FLPMA's UUD standard. /

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2. BLM Must Conduct Wilderness Character Reviews and Consider 202 WSA Designations for lands with wilderness characteristics

FLPMA section 201 requires BLM to prepare and maintain "on a continuing basis an inventory of all public lands and their resources and other values. 43 U.S.C § 1711 (a). If BLM amends the MMP, BLM must consider designating new wilderness study areas (WSAs) for all of the WIAs in the GSENM in the plan amendment process. The agency must conduct an analysis that considers the environmental impacts of managing all of the non-WSA lands with wilderness character identified in the Utah Wilderness Inventory (1999) and other areas proposed as wilderness and that are included in America's Redrock Wilderness Act that has been introduced in both the U.S. House of Representatives and the U.S. Senate as FLPMA § 202 WSAs. /

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*SUWA letter to GSENM, USFS
Garkane Tropic to Hatch Transmission Line DEIS
March 10, 2010*

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SUWA appreciates your consideration of these concerns.

Sincerely,

/s/

Liz Thomas
Attorney
SUWA

B-18
[Duplicate of]
B-8

March 4, 2010

CERTIFIED MAIL – Return Receipt Requested

Ms. Sue Baughman, Project Manager
1789 N Wedgewood Lane
Cedar City, Utah 84720

RE: Tropic to Hatch 138 kV Transmission Line DEIS Comments

Dear Sue:

Garkane Energy appreciates the opportunity to comment on the Draft Environment Impact Statement for our proposed 138 kV transmission line from Tropic to Hatch. We appreciate the cooperating agencies efforts to process our applications for the proposed project, and complete the NEPA required analysis for the project area. We understand that it has been a substantial and at times difficult undertaking for all parties. Thank you for your efforts.

While completing the NEPA process for the project Garkane has continued to track the demand for electrical power and our capacity to supply sufficient power. In February 2010 Garkane completed a comprehensive study of our entire system to identify required system improvements within a 5 to 10 year planning horizon for the development of a Construction Work Plan. We have submitted portions of the plan to provide updated information on the need for the project.

Our analysis indicates that while development of the private lands within our service area has slowed over the last two years with the down turn in the economy, the demand for electrical power has continued to grow. Figure 1 depicts amount of power metered to our system at the Glen Canyon Dam connection point over the last 14 years. Garkane's base and peak loads continue to grow at approximately 5 percent annually. This growth is further demonstrated by our system experiencing an all time peak load in December 2009 near 40 Megawatts (MW).

As part of the study we modeled our existing transmission system using computer modeling software under various loading and scenarios. The results of the modeling showed that under the peak of December 2009 (40 MW) and expected 2014 peak (45 MW) the communities at Bryce,

Ms. Sue Baughman, cont.
March 4, 2010
Page 2

Hatch, Spry, Long Valley, and Cedar Mountain experienced, and will continue to experience insufficient electrical capacity and voltage to meet industry power quality requirements even with 5 MW of diesel generation online. **It is clear that peak demands now exceed the capacity of the existing line and that the need for the proposed line is extreme, and urgent.** Poor power quality causes customers electrical equipment to fail, increases outages and makes restoring power after an outage more time consuming and difficult. When these conditions exist federal regulations require utilities to implement load shedding (rolling blackouts) procedures which cut power to non-essential users in order to restore power quality.

Modeling of our transmission system with the proposed Tropic to Hatch 138 kV line in place indicates the system could sustain loads of 60 MW while maintaining sufficient power quality throughout the system. This represents an approximate 33% increase to total system capacity, excluding other planned system improvements. Our existing line from Tropic to Hatch is the bottle neck in this area's transmission system and until we are able to build a higher capacity line from Tropic to Hatch electrical service will continue to deteriorate.

Based on our understanding of the project and the effected environment, it is our opinion that the Agency Preferred Alternative is the best of the range of alternatives identified. It utilizes existing utility corridors and planning windows to the greatest extent, minimizes disturbance to the habitat of sensitive, threatened, and endangered species, and keeps the new line out of the resource areas of Bryce Canyon National Park and Red Canyon which are highly valued and utilized by the public for their visual quality.

We expect the major point of controversy with respect to the proposed project and Agency Preferred Alternative is the 3.7 miles of right of way which will cross the Grand Staircase Escalante National Monument (GSENM) in an area designated as a Primitive Zone with a VRM Management Class II. In answer to these potential issues Garkane requests that the agencies decision makers consider:

1. Analysis based on sound science and site specific data reviewed by agency resource specialists, indicates the agency preferred alternative is the best alternative.
2. The proposed line on the GSENM will be built adjacent to a larger existing Rocky Mountain Power/PacifiCorp 230 kV transmission line (RMP 230 kV). Locating the proposed 138 kV line adjacent to the existing RMP 230 kV significantly reduces the

Ms. Sue Baughman, cont.

March 4, 2010

Page 3

permanent disturbance caused by the proposed project by allowing the collocation of access roads. In addition, paralleling the two transmission lines reduces the impact the new line will have on visual resources by reducing the visual contrast created on the existing landscape by placing the proposed line next to a similar existing line.

3. The alternatives identified in the DEIS provide two routes out of the Tropic Valley. Alternatives A, C and the Agency Preferred Alternative cross the GSENM as described above. The route for Alternative B generally follows an existing smaller single pole line through Bryce Canyon National Park (BRCA). Because of the topography and associated engineering constraints the two lines must diverge for over a mile within the park as demonstrated by Photo Exhibit 1. The divergence of the routes greatly reduces any benefit of collocating access, and will not reduce the visual contrast created by the project on the existing landscape.
4. The permits authorizing the RMP 230 kV predate the Presidential Proclamation creating the GSENM. Garkane also holds similar permits for our existing Buckskin to Tropic 138 kV transmission line. These transmission facilities are valid existing rights as defined by the Monument Management Plan (MMP). Both transmission lines cross Primitive Zones, and it is clear that the portions of the GSENM containing these two transmission lines do not meet the criteria for Primitive Zone designation as defined in the MMP in Chapter 2, Pages 9 and 50. An amendment to the MMP zoning designation is currently needed to correct these MMP primitive zoning designation. Selection of the agency preferred alternative provides the BLM with the appropriate level NEPA documents to make a plan amendment for this portion of the existing RMP 230 kV line.
5. The area surrounding the RMP 230 kV is currently identified as VRM Class II in the MMP. However, "The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities should not attract attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape."(BLM 1992) Given the form, line, color, and texture of the existing RMP 230 kV line the designation of a VRM Class II is inappropriate for the area surrounding the line. An amendment to the MMP is currently needed to correct the designation of the area as VRM Class II to Class III. The

Ms. Sue Baughman, cont.

March 4, 2010

Page 4

designation of the area the VRM-III is appropriate. Selection of the agency preferred alternative provides the BLM with the appropriate level NEPA documents to make the plan amendment for the area surrounding this portion of the RMP 230 kV.

6. The MMP states in regards to utility rights-of-way, "Monument managers are committed to working with nearby communities and other land management agencies to pursue management activities which cooperatively accomplish the objectives of each agency within the constraints of Federal law." "Land-1 – The BLM will work with local communities and utility providers to identify short and long term community needs for infrastructure which could affect Monument lands and resources." "Land-2 – Community Projects which require public lands access or use will be subject to necessary project level NEPA analysis." (MMP Chapter 2, Page 49) The proposed project will serve local communities in and around the GSENM, including GSENM facilities. Failure to permit the project will significantly harm the citizens of the local communities' access to electrical power for the foreseeable future.
7. While it remains Garkane's opinion that the designation of the area surrounding the RMP 230 kV transmission line as a Primitive Zone does not meet the criteria for the designation defined by the MMP. The MMP does state "In the Primitive Zone, utility rights-of-way will not be permitted. In cases of extreme need for local (not regional) needs and where other alternatives are not available, a plan amendment could be considered for these facilities in the Primitive Zone." (MMP Chapter 2, Page 50, emphasis add) The proposed line will serve the local need and is **not** a regional utility line. The results of our recent transmission system study again demonstrate the need is extreme and urgent. This leaves only the criteria concerning the availability of another alternative outside the Primitive Zone.

The topography of the land, and the size and scope of GSENM Primitive Zone and BRCA preclude any possible route from Tropic to Hatch that will not cross the GSENM Primitive Zone or BRCA administered lands. Alternative B was developed and studied to determine the possibility of a buildable, legally defensible alternative through BRAC. Based on the results of the analysis detailed on Page 4-117 of the DEIS, National Park Service Management Policies preclude BRAC from issuing a utility right-of-way for the proposed project leaving no other alternative outside the GSENM Primitive Zone.

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8. The MMP and the National Park Service Management Polices both contain similar and in this case competing statements to the effect “where other alternative are not available” utility rights of way may be issued. (MMP Chapter 2, Page 50) As such it is our contention that the route that avoids the resources the citizens of the nation value most should be selected. A simple and honest test of resource value is what people spend their time and money to see. Both BRCA and GSENM have highly valued resources areas; however an honest analysis shows that the area within the GSENM that will be impacted by the selection of the agency preferred alternative is not a highly valued resource area. To illustrate this point:
- a. Alternative B would place a new larger transmission line parallel to the All American Highway 12 within ¼ mile for 2 to 3 miles and in sight of the highway for roughly 10 to 15 additional miles. Additionally it will route the project through 2 to 3 miles of the clarion rock formation that is Bryce Canyon National Park and will be within view of the Mossy Cave Trailhead in BRCA. On the West end of the project the route will run on top of the ridges of Red Canyon and directly over the Golden Wall Trail. Alternative B will place the project in the clear view of millions of recreationist seeking to experience the grand vistas of the area over the design life of the proposed line. Please see Photo Exhibits 2 through 7
 - b. The Agency Preferred Alternative would place the new line next to an existing larger transmission line through 3.7 miles of the GSENM in area that is an unremarkable mudstone formation in view of a gravel county road used occasionally by cattlemen and hunters. Please see Photo Exhibits 7 through 10.

It is clear to Garkane that the public would be better served by not selecting Alternative B.

The need for the Tropic to Hatch 138 kV transmission is real and demonstrable. Garkane is a small local electrical cooperative and has no agenda beyond meeting its obligations to its members/customers to provide reliable electrical power at a reasonable rate. Garkane has been actively pursuing permitting for this project for over six years and in that time the demand for power has continued to grow. Garkane has expended \$1.47 million in environmental studies and agency costs thus far on this project. We urge the decision makers to complete the NEPA

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process in a timely manner and provide the Records of Decision permitting the construction of this project.

Respectively yours,

GARKANE ENERGY COOPERATIVE, INC.

Carl R. Albrecht
CEO

Enclosures (15)

cc: Mike Avant, Engineering Manager, Kanab Office
Bryant Shakespear, Project Engineer, Kanab Office

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

MAR 15 2010

Ref: 8EPR-N

Robert G. MacWhorter, Forest Supervisor
Dixie National Forest
1789 N. Wedgewood Lane
Cedar City, UT 84721

Re: Tropic to Hatch 138 kV Transmission Line,
Draft Environmental Impact Statement and Draft
Grand Staircase-Escalante National Monument
Management Plan Amendment. CEQ #20090414

Dear Mr. MacWhorter:

The U.S. Environmental Protection Agency (EPA) Region 8 reviewed the Tropic to Hatch 138 kV Transmission Line, Draft Environmental Impact Statement (DEIS) and Draft Grand Staircase-Escalante National Monument Management Plan Amendment in accordance with EPA's responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

The DEIS evaluates the environmental effects of Garkane Energy Cooperative's (Garkane's) proposal for the construction, operation and maintenance of a 138-kilovolt (kV) transmission line on lands currently managed by the U.S. Forest Service (USFS), Dixie National Forest; U.S. Bureau of Land Management (BLM), Grand Staircase-Escalante National Monument (GSENM); State of Utah School and Institutional Trust Lands Administration, and potentially the National Park Service (NPS), Bryce Canyon National Park (BCNP). Garkane has filed applications for special use permits and/or rights-of-way grants with the USFS, BLM, and NPS. The lead agency for the DEIS is USFS and the cooperating agencies are the BLM and NPS. The proposed project would replace some or all of an existing 69 kV transmission line and increase the capacity of Garkane's electrical delivery system between the communities of Tropic and Hatch, in Garfield County, Utah.

The DEIS analyzes a no action alternative and the following three action alternatives:

- **Alternative A** (The Proposed Action and Preferred Action Alternative) is the construction of a 138 kV transmission line from a proposed East Valley Substation east of Tropic to the Hatch Substation along a 30.41 mile route. The route crosses through sections of GSENM and DNF. The project includes removal and reclamation of a portion of the existing 69 kV transmission line west of the Bryce substation. Implementation of the Proposed Action would require the amendment of the GSENM Management Plan (MMP) (2000) to change the designation of a 100-foot wide 3.68-mile long stretch (44.58 acres) of the Primitive Zone to Passage Zone, and within this area, downgrading the existing Visual Resource Management (VRM) Management Class designation from Class II to Class III.
- **Alternative B** (the Parallel 69 kV Line Route Alternative) is the construction of a 138 kV transmission line along a 29.11 mile route roughly corresponding to the existing 69 kV transmission line rights-of-way. The route crosses BCNP and DNF.
- **Alternative C** (the Cedar Fork Southern Route Alternative) is the construction of a 138 kV transmission line along a 29.78 mile route that crosses through GSENM and DNF. This alternative would require the amendment of the GSENM Management Plan to change the designation of a 300-foot wide 3.68-mile long stretch (133.81 acres) of the Primitive Zone to Passage Zone to accommodate both the proposed right-of-way and the existing 230 kV Rocky Mountain Power/PacifiCorp transmission line, as well as provide for future utility needs; and within this area, downgrading the existing VRM Class designation from Class II to Class III.

There are many important public lands affected by the action alternatives. EPA has specific concerns about resources potentially impacted in GSENM and BCNP. Alternative A and C cross through GSENM in an area designated as "primitive" in the MMP and in a VRM Class II area (pg 1-10 DEIS). Alternative B crosses through BCNP. The GSENM's unique scenic assets are outstanding for many reasons, including the lack of large industrial developments that would mar the vistas and viewsheds. The GSENM landscape includes a wide array of scientific and historic resources. The inventory of visual resources was updated in recognition of these important assets after the creation of the GSENM. The proposed power corridor is in a VRM Class II area. The objective of this class is to retain the existing character of the landscape; consequently, the level of change to the characteristic landscape should be low. Furthermore, we understand that BLM has identified areas, including Box Canyon and the Blues Wilderness Study Area, with wilderness characteristics in portions of the GSENM where the proposed power line would be located. In order to ensure long-lasting protection for these sensitive and unique public lands, EPA recommends avoidance and the adoption of Best Management Practices in locations where the transmission corridor will be located.

VR

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EPA recommends looking at additional alternatives that do not cross sensitive and unique public lands. One suggestion we have is to develop an alternative that uses corridors that run along Highway 89 from a northern energy source. If there are constraints that led USFS to screen out such alternatives from detailed analysis, the EIS should discuss those constraints. The Final Environmental Impact Statement (FEIS) should also clarify why the DEIS does not analyze in detail the use of energy corridors identified in the Record of Decision for the "Designation of Energy Corridors on Federal Lands in Eleven Western States," signed in January of 2009 by the U.S. Department of Agriculture (ROD). The ROD's stated purpose is to "identify energy corridors to facilitate future electricity transmission and distribution facilities on Federal lands in the West to meet the region's increasing energy demands while mitigating potential harmful effects to the environment."

ALT

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The DEIS explains that in the past 5 years, Garfield and Kane Counties have experienced a 66 percent increase in the demand for electricity, and that the existing 69 kV electrical transmission system from Tropic to Hatch is operating at its capacity and cannot be modified to carry higher voltages due to physical limitations (pg 4-230). In addition to considering additional energy supply to address this need, EPA recommends that the FEIS discuss how to measure or improve energy efficiency in the service area in order to reduce demand. We recommend that the FEIS incorporate energy conservation and electric demand management as part of all the alternatives analyzed.

ALT

The DEIS does not fully discuss impacts of the proposed action on drinking water sources. EPA recommends additional information to be included on whether or not the transmission line will be constructed through any Drinking Water Source Protection Zones designated by the State of Utah. Also, we suggest the FEIS identify whether there are local drinking water protection ordinances in place or plans to implement the Best Management Practices identified in the State's Drinking Water Source Protection Plan. We recommend contacting Kate Johnson at Utah Department of Environmental Quality, (801) 536-4206 (katej@utah.gov), for more information on this matter.

WR

Pursuant to EPA policy and guidance, EPA rates the environmental impact of the preferred action and the adequacy of the NEPA analysis. EPA has rated the DEIS as "EC-2" (Environmental Concerns - Insufficient Information). The "EC" rating indicates that the EPA review has identified environmental impacts associated with the preferred action that should be avoided in order to fully protect the environment. The "2" rating indicates that EPA has identified additional information, data, analyses, alternatives or discussion that should be included in the FEIS.

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Thank you for the opportunity to provide comments on the DEIS. If you have any questions or would like to discuss our comments, please contact Sarah Hester of my staff at (303) 312-6008, or you may contact me at (303) 312-6004.

Sincerely,



Larry Svoboda
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosure: EPA's rating criteria

ATT 1:

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U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements /

MS

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - 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 disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - 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 Objections: 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 alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends 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 (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of 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 EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses 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 should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude 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 or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

**PUBLIC COMMENT FORM
TROPIC TO HATCH 138 kV TRANSMISSION LINE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
DIXIE NATIONAL FOREST**

Proj.Name Garkane EIS
Sect 30-DEIS Tab: D4-Comments/Analysis
Doc # 265 Doc.Type Public Comments

Informed decisions are better decisions: The Dixie National Forest believes that extensive public involvement will serve to improve communication, develop enhanced understanding of different perspectives, and identify solutions to issues and problems. We look forward to hearing from you!

If you would like to make a comment, please fill out this form and insert it into a comment box or fold in half and mail it to the address on the back of the form. Additional comments, questions or concerns can either be e-mailed to: tropic_to_hatch_transmission_line_eis_comments@fs.fed.us or mailed to: Susan Baughman, Dixie National Forest, 1789 N. Wedgewood Lane, Cedar City, Utah 84720 - Attn: Tropic to Hatch Transmission Line Project. Comments should be received by **March 11, 2010**.

COMMENT (please use additional sheets if necessary):

After viewing the alternatives I as a Garkane member would support the "Preferred" Alternative corridor that was presented

NAME: Joe Thompson DATE: 1-27-10

TITLE: Assessor ORGANIZATION (if any): Garfield County

STREET ADDRESS: 15 South Red Back Drive

CITY, COUNTY, STATE: Cannonville, Utah 84718

Comments, including names and street addresses of respondents will be available for public review at the DNF Supervisor's Office and will be subject to disclosure under the Freedom of Information Act (FOIA). All submissions from organizations or businesses will be made available for public inspection in their entirety. They will be published as part of the Final EIS and other related documents. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. ***While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.**

Where to provide comments: You can hand this form in at a public meeting or mail it in using the address on reverse. **Additional comments and information can be sent separately to the address provided on this form, or e-mailed to tropic_to_hatch_transmission_line_eis_comments@fs.fed.us.**