

BLM: Mountain States Transmission Intertie (MSTI) Local Outreach Meeting

The BLM held a meeting with local agencies in Pocatello, Idaho, on May 17, 2011. Below are the questions raised and agency responses. Questions are in **bold** font.

Have the concerns with Power County farmland been resolved?

The alternative was originally placed parallel to an existing line. Based on concerns by landowners, the alternative was moved west, close to the Craters of the Moon boundary, to avoid conflicts with irrigated cropland to the maximum extent possible.

I have concerns about the cumulative impacts of this project with other, subsequent transmission lines. What is the status of the Chinook Transmission Line Project?

Chinook is an inactive project for the BLM; the application for right-of-way has been withdrawn. Impacts from other known foreseeable actions are addressed in the EIS cumulative impacts analysis.

Why is there a 90-day comment period for the Draft Environmental Impact Statement?

The Draft EIS includes as part of the proposed action and alternatives the potential for a land use plan amendment to several existing BLM land use plans to resolve conflicts with visual resource classifications. As set forth in 43 CFR 1610.2(e) a 90-day public comment period is required for draft environmental impact statements that include the potential for amendments to land use plan decisions.

If land use plans can be amended, then why not amend the Craters of the Moon plan to accommodate the "Shoot the Gap" alternative?

The "Shoot the Gap" alternative, sited through the Craters of the Moon National Monument, was considered but eliminated from detailed analysis. BLM land use plans allocate resources on BLM lands, but the Craters of the Moon National Monument was designated by the President to protect specific values. It would take an act of Congress to modify the values. Although the management plan for Craters of the Moon can be modified, it cannot be done in a manner that degrades the values for which the Monument was designated. BLM consulted with the National Park Service and the Department of Interior Solicitor's Office in writing the rationale for eliminating this alternative from further consideration.

What is the difference between a Wilderness Study Area designation and the designation of the Monument?

A Wilderness Study Area (WSA) is a BLM designation and those lands are managed to protect wilderness characteristics until Congress takes action to designate as Wilderness or release those lands back to multiple use. Monuments are designated by a President and modifications require Congressional action.

Why was the Carey Route dropped from detailed consideration in the analysis?

The route was considered early in the process. Difficult terrain and the potential effects to the Monument and the highway were among the many constraints that resulted in elimination of this route from detailed analysis.

How big a role does the Environmental Justice analysis play in the decision?

Executive Order 12898 (signed by President Clinton on February 11, 1994) is to assure that economically disadvantaged or minority populations are not subjected to a disproportionate level of impact from federal actions. Environmental justice will be analyzed but does not appear to be a major issue for the MSTI project.

Why doesn't the Endangered Species Act (ESA) apply to private property?

NEPA mandates consideration of impacts regardless of land ownership. Because of federal permitting requirements for the MSTI project, the ESA does apply to privately owned lands.

What types of mitigation will apply and will existing permits (e.g., grazing) be affected by mitigation?

Various types of mitigation including best management practices identified in land use plans or other policy specific to the impact would apply. Additionally, pre- and post-construction studies would be conducted to determine actual impacts and subsequent mitigation determined. Habitat enhancements, modification to existing structures or acquisition of lands from a willing landowner are examples of possible mitigation.

Can congressional delegates address why Congress is not involved with the Wilderness Study Area issue?

The congressional representatives attending the session explained that western congressional delegates have a difficult time obtaining the votes for designation/release of WSAs.

I am not convinced that the transmission line cannot be placed in the Monument; the management plan does not exclude transmission lines.

It has been determined by BLM and NPS that placement of the MSTI line through the Craters of the Moon Monument would be counter to the purpose of the designation of the Monument. Further, a review of the management plan states that discretionary land actions must meet the objectives and goals for which the monument was designated.

How will the EIS address adjustments to the alternatives?

As long as any adjustments or new alternative falls within the spectrum of alternatives already analyzed, supplemental or additional analysis would not be required

Will agricultural use or industrial use be used for determining land value on private property?

NorthWestern Energy (NWE) representatives indicated that they want to negotiate an easement with private landowners, not purchase the property. The landowner retains title to the land and use of that land. Each piece of property is unique and certified appraisers will be used to determine land use and land values as a basis of private negotiation with each individual landowner.

What are the modifications to Midpoint substation?

If permitted, minor additions to the existing substation would be made to add equipment to the existing substation to allow connection of the MSTI line. NorthWestern will work with Idaho Power to determine what specific equipment is needed.

Has NorthWestern made offers to landowners?

NorthWestern has started some easement negotiations in some instances but is limited in what they can negotiate until the agencies make a decision on whether to permit and if so, which alternative is selected.

Do federal agencies get rent and is it paid yearly?

Northwestern would be required to pay rental fees for permits granted on federal lands. The rental amount is determined by each federal agency for lands they administer. Rentals are usually paid in 10-year increments.

Would the tax base of counties be affected?

Counties receive property tax revenue for NWE's infrastructure investment in that county. Utilities in Idaho are typically taxed as centrally assessed property in Idaho. The state then allocates each county's assessed portion of those collected taxes to the individual counties where that investment is constructed.

Is MSTI a public or private utility?

MSTI is a federally regulated utility since it crosses two states and engages in interstate commerce. Property tax assessments in Idaho are expected to be in the form of centrally assessed taxes.

Is Montana Department of Environmental Quality (MDEQ) consulting with Jefferson County, MT?

MDEQ filed an appeal to a court decision ruling centering on what constitutes consultation with Jefferson County, Montana. Montana's Supreme Court will hear the matter in August. Because MDEQ is a co-lead for the environmental analysis in Montana, MDEQ and BLM are waiting resolution of the appeal before releasing the EIS. **Update:** Montana's Supreme Court ruled in MDEQ's favor. The EIS is being updated.

What happens if NWE/BLM cannot meet landowner needs?

The agency as well as NWE would try to accommodate the needs of the landowner to the extent possible and practical