



Cassia County Board of Commissioners

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Thursday, July 12, 2012

The Board of Cassia County Commissioners met in a special session on Thursday, July 12, 2012, at 2:00 p.m. at the Power County Agricultural Extension Office in American Falls.

THOSE PRESENT:	County Commissioners:	Dennis Crane, Chairman Paul Christensen Bob Kunau
	Clerk of the Board:	Joseph W. Larsen
	Prosecuting Attorney:	Al Barrus
	County Administrator:	Kerry D. McMurray

- 1) 2:04 PM CALL TO ORDER
 - a) Doug Balfour conducted the meeting as attached
- 2) 4:35 PM ADJOURNMENT

APPROVED:

/s/ _____

Dennis Crane, Chairman of the Board

ATTEST:

/s/ _____

Joseph W. Larsen, Clerk of the Board

Am Falls
IDA#10

SIGN IN

7/12/12

GATEWAY / MSTT

Doug Balfour PO Box 490 Pocatello 233 0680

Rayma Cates 2948 Little Creek Am. Falls 226-2614

Gary Gehring 2 Topaz Point Am. Falls 705-6695

Robert Murreck 1413 W. Hoff Rd Blackfoot 680-4833

Ronda Elliott 271 S. 1300 W Pringree ID 681-1216

Jennifer Ellis 936 W. 350 N. Bluff, ID 681-6004

Chuck Wideman 107 Whitetail Rd Whitehall, MT

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Kit Hatler P.O. Box 368 Whitehall, MT

Shane Tiller 3197 Spruce Am Falls 681-9948

~~Brent Vaz~~ 59 S. 520 W. St Bluff ID 681-0689

Wade Povey 2479 Povey Rd. Am. Falls 243-3191

Bill Funk 3252 NPVR Am Falls 221-5842

Kerry McMurray 1459 Overland Ave
Burley ID 83318 878-7302

Doug Pickett 625 W. 1700 S.
DARLEY, ID 83346 300-3387

Kent Searle 476 E. 600 S.
Burley, ID 83318 312-2464

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MSTI GATEWAY TASK FORCE MEETING
July 12, 2012
Power County Agricultural Extension Office

The meeting was called to order by Douglas J. Balfour at 2:04 p.m. Because there was a quorum of County Commissioners from Cassia County, this is an open meeting under Idaho law and Minutes will be prepared and everyone was asked to sign in on the sign in sheet (attached hereto).

The meeting began by going around the room and having people introduce themselves. Present from the Power County Task Force were Rayma Cates, Gary Gehring, Shane Tilley, Wade Povey, Bill Funk, Joan Permann and Larry Bethke. Power County Building Administrator, Bob Steinlicht was also in attendance. Present from Cassia County were Kerry McMurray, Brent Stoker, Doug Pickett, Kent Searle, Dennis Crane, Bob Kunau, Brent Stoker, Mark Webb, Kaye Young, and Al Barrus. Also attending was Joseph W. Larsen, Cassia County Clerk. Present from Bingham County and Bingham County United Property Owners who have been assembled since February were Robert Murdock, Ronda Elliott, Jennifer Ellis and Brian Murdock. Present from Montana were Ty Cobb, Debbie Hanneman, Chuck Wideman and Kit Mather. Also present was Jim Mende from Idaho Fish & Game in Pocatello for the Southeast Region whose territory goes west to Raft River. West of there would be under the Jerome Office which is Mike McDonald's area.

Debbie Hanneman reported that she and several local governments of Southwestern Montana are requesting BLM and the Montana Department of Environmental Quality, who is the co-lead on the project in Montana, include in their EIS an alternative that goes underground.

Doug advised that he had been talking to Ty that in Montana the local citing authority is the State of Montana, DEQ and in Idaho the Counties are the local citing authorities so our roles have been largely different in the MSTI project over the years. On Gateway, we have only dealt with Idaho counties (Cassia, Bingham, Power, Twin Falls, Oneida, and Bannock).

Doug stated that one of the things he wanted to discuss was what was going on with sage grouse. A couple months ago Idaho Governor, Butch Otter, created a Sage Grouse Task Force whose job was to study the issues of sage grouse to try and come up with an Idaho plan for sage grouse that would address issues with an ultimate goal of showing that Idaho would be taking steps to avoid listing sage grouse as an Endangered Species. Wyoming started that type of project a couple of years ago.

The Idaho Task Force is on a very short time line, of a couple months to go around the state and especially Southern Idaho, to meet with all the people they felt necessary and come up with recommendations. They have done so and recommendations and official comments are due to Governor Otter tomorrow. Doug anticipates preparing some comments for our groups to submit. He has forwarded a summary of Governor Otter's recommendations as to what they show. In the Governor's Sage Grouse Task Force they have set up three different categories of habitat: Core (which is the most important), Important (second place), and General. It looks as if most of our proposed alternatives for Gateway do not go through either Core or Important habitat, but may pass through some General habitat. However, Doug stated he does not have a good map of the Goose Creek Alternative. What that means is that according to the task force recommendations, infrastructure is allowed, provided there is proper mitigation, proper construction activity and the like in the General habitat. In the Core and Important habitat it is much more restricted.

The Task Force found that 89% of the active leks are in Core habitat and 95% of the male sage grouse are in Core or Important habitat, so the General habitat is much more scattered. Power County does not have any Important or Core habitat. Cassia County has some General habitat and some

important habitat, but there is not any Core habitat in either county. Power County has very little even General habitat, according to the Governor's Task Force. Idaho Fish & Game is the Co-chair of the task force, along with the Office of the Governor represented by Mr. Pen-y. The report is out for comments. Doug called Walt George, who is in charge of the Gateway West project and showed him that according to the Governor's Task Force Recommendation, sage grouse is not going to be a hindrance to any of our proposed alternatives.

Doug asked Jim Mende from Idaho Fish & Game if he had an opportunity to review those issues or compare where our proposed alternatives are to the Governor's mapping. When Doug met with BLM at the local office, they came to the same conclusion as he and Walt.

Dennis Crane wondered what Walt said after that was pointed out. Doug said he was surprised with that, but pleased because that is one less hindrance that we have to deal with among the many we have. He admitted in Idaho Segment 7 and over by Birds of Prey were the main problems in the entire project. This has all happened in the past week or so.

Doug Pickett asked if Walt said anything about the position of Fish & Wildlife concerning the Governor's Task Force sage grouse map. Doug said he didn't. When he called Walt and had him pull up the map, it was the first time he had looked at it. We haven't had a Gateway conference call since then. Doug and Walt pulled the maps up on their computers at the same time and Walt's reaction was "wow."

Balfour stated that he had received today a hard copy and the disc of the Sage Grouse addendum to the Gateway EIS today, even though it was issued June 29th. Rayma indicated that she had received the CD last week. Anyone can request the CD and they will mail them out.

Rayma Cates said she was really surprised in looking at the map on the last page, that the Alternative that goes to the South has lek dots all around it. Doug said that he had sent the Cassia and Gateway Task Forces a Memorandum from our last conference call that explained the 4 different alternatives that we would be facing in addressing sage grouse. There may even be a 5th alternative. One of the alternatives the BLM may adopt as their sage grouse strategy on Gateway and possibly MSTI would be to follow Governor Otter's recommendations. Another is to have no action or not allow the project at all. They always have to have a "no action" alternative. One is to have another alternative with Fish & Wildlife Service and Fish & Game that they not follow the task force recommendations, or they will have to wait until the public comment period on this to come up with another alternative. The public comment period on this is through the end of July. We would want to submit comments to that one in the same context. We don't know what the final decision is going to be as far as sage grouse preventing the project. Doug tried to quickly review the Sage Grouse Addendum (to the Gateway EIS) and he prepared a memo that will go out probably tomorrow morning with my quick review.

Brent Stoker asked why we would have a Governor's Plan and also a Fish & Game Plan? Balfour stated that it would be a plan from Idaho Fish & Game and Fish and US Fish & Wildlife Service. Jim Mende stated that he would expect their plan to follow the Governor's Task Force recommendations. They may take their information, but he does not expect anything different. Doug stated Walt George said the effected agencies could get together and come up with a different plan, and that would include US Fish & Wildlife Service, Fish & Game, the Department of Interior and the US Forest Service. But we don't know that it would be different. As far as sage grouse and operation-related impacts, there are 2 set of impacts this document goes through. 1 is construction-related, which would be substantial and when that happens the construction company will have to submit their proposal so that when they do construction they do not disturb sage grouse habitat and that they are not they are not construction during breeding and brooding time. Any roads they build will have to be carefully schedule and they do not introduce any invasive species including weeds, which is a main concern, which would displace forage materials. Idaho Power and North Western Energy say they have no problem doing that and the

BLM agrees. They have to monitor invasive species, don't introduce any fire hazard and fire prevention and those do not seem to be a big deal in this Environmental impact addendum.

What is unsure is the operational related impact. When towers are built, how does that impact sage grouse? Will they want to move away from the towers, because they are afraid or because they are perches for raptors, which is the main discussion point in here, will the roads make the sage grouse move, is there any mortality related to having power lines if low flying birds run into the wires or the structures themselves? Their proponents believe they can raptor-proof the towers, but there is not a lot of study.

Throughout this process, Walt George has stated that from the point of view of Fish & Game, US Fish & Wildlife Service and the Forest Service that there is a real dearth of scientific studies of transmission lines and sage grouse. In Wyoming there are studies about impacts from gas and oil exploration, mostly because that's been going on longer, and sage grouse. Those activities have constant activity with production and trucks coming and going all the time, but nothing with regard to electric transmission lines. With a transmission line out in the middle of the desert they don't expect to have a lot of activity other than to go out every few years and inspect it. Otherwise they generally leave them alone. Beyond construction activity there isn't a lot of ongoing human contact; there will be the tower that is there and there are no scientific studies about that. There are studies cited in there, but the buzzwords throughout are that it is possible that the transmission line and structures could become an attractant for ravens and raptors. It is possible the ravens & raptors could increase predation on the sage grouse because of these towers being used as perches. No one knows. Is there potential for mortality due to avian collisions with project related structures? There are concerns that sage grouse would avoid areas that contain tall structures. But one conclusion they note "peer reviewed science that demonstrates an avoidance or non-avoidance of tall structures by sage grouse is either limited or non-existent" and that's the conclusion of this document. "Current data are lacking regarding effects on sage grouse." They cite a "Johnson study 2010" was unable to find a relationship between lek counts and distance between leks and power lines.

The main problem for sage grouse and habitat seems to be wildfire. That destroys the habitat and what follows is not anything that the sage grouse can live on or build their leks on. So prevention of wildfires and controlling wildfires, from what we can tell, seems to be the number one concern. That is why I mentioned to several of you in my memo that our proposal to Shoot the Gap on MSTI would require the BLM to upgrade the Arco-Minidoka Road. There were comments that you could not get a fire truck down that road. If they were building towers through that area, if NorthWest Energy had to improve that road, that would give place for wildfire control for the trucks and ground crews to get in and fight it.

Judge Winmill first issued his decision in late September 2011, found the BLM horribly out of compliance with managing the Craters for any sage grouse habitat. He noted that wildfire is the main threat to sage grouse habitat there and that decision concerned whether they had studied grazing sufficiently within the Craters to know its impact upon habitat. He concluded they had not even looked at studying it and he ordered them to study it. He found 10 of the areas within the Craters were in poor condition for habitat and there were allegations that it was because of grazing. He ordered the BLM to study the impacts upon sage grouse habitat of wildfire, wildfire prevention and grazing in their Range Management plan for the Craters. Hopefully the BLM is in the process of that. BLM hadn't even looked at that which is consistent with the BLM's attitude with everything we have suggested concerning the Craters.

It is an important part of Governor Otter's Task Force recommendations, and probably the number one recommendation, is managing the sage grouse habitat to reduce the risks wildfire poses to the habitat. It has a long list as to what the Sage Grouse Task Force recommends in that regard and one of those is improving existing access road conditions for firefighting equipment. That came from the task

force, and is the primary concern. There is a 7-8 thousand acre wildfire in the Craters now and the primary headlines are that it is destroying sage grouse habitat.

Doug Balfour reported that is why he called this meeting and wanted to know if the entities wanted him to prepare comments along those lines to both Governor Otter's Task Force and to the Gateway West Project.

Wade Povey and Brent Stoker indicated they would endorse that. Rayma Cates noted that what is good for Gateway may not necessarily be good for MSTI. Because when addressing fire suppression, going through farm ground is going to be probably the safest, firewise. Doug stated that is probably true. She stated that their Gateway Southern alternative could be affected. But she also noted that the habitat was not going to be on the farmland, necessarily. Doug stated that to his and Walt's surprise, the Governor's Task Force found very little sage grouse habitat in Cassia and Power Counties. Maybe in comparison to Twin Falls County, Owyhee County and the Craters, that's much more important or fertile habitat. We don't know.

Rayma said that when you go towards Curlew it would be harder to fight a fire than at Pauline, although our alternatives, particularly Segment 7, are not going through there, it's pretty close. She thought there was still a lot of dry pasture. Doug stated that eventually they would have to analyze that and that is why he sent it to Brent and asked him to somehow get a map and see how that compares and how they overlay. Brent Stoker noted the Governor's Task Force and Fish & Game are the only ones that have the most accurate maps that he is aware of.

Doug Pickett asked where we could get the most accurate map. Doug stated there is a map in the Governor's Task Force proposal. Pickett noted the BLM had offered maps formally through the State office. Doug stated it was contained on Page 8 and he didn't know if he or BLM could help us with that.

Jim Mende said he thought he could get that map. Doug asked if he could get it to Tetra Tech so they could overlay our routes on that map. Mende said he thought he should be able to get that to him, although they are not very detailed. He asked if it needed to go to Walt Vering. Doug stated Scott Flinders would probably be the person to get it to. Walt George suggested we get Fish & Game to help us. Brent Stoker noted that at the open house in Pocatello with the Governor's Task Force they promised they would help us with that and he hasn't heard anything from them. Mende hadn't been advised of that.

Pickett noted that there wasn't a lot mentioned but that impact number 8 or 9 of the task force was grazing and there hasn't been a lot of study done on that either. They actually consider grazing a tool to prevent wildfire. Doug said he understood that, and his reference to grazing was just pertaining to the Resource Management Plan for the Craters of the Moon. He (Judge Winmill) said how can you have 65 thousand animal units in the Craters of the Moon and not study what this does. That came out very clearly in the sage grouse task force and that is one of their recommendations for wildfire management. Targeted grazing can reduce fuel. He was just referring to Judge Winmill's decision.

Doug asked if there were any other comments. Debbie Hanneman from Montana then spoke to the group about her proposal that Doug had circulated. She stated that they had been involved in this project for 3-4 years now and have looked at all the alternatives and most of their counties have really pushed for the routing on public land. But it was Northwestern's preference in routing through Southwestern Montana, which was backed up by the DEQ. Her group is Concerned Citizens of Montana which is several counties in Montana. In looking at the draft EIS which is a few years old, and considering the project they have decided that buried transmission lines were not analyzed well at all. All Northwestern talked about were buried AC lines, and at that time they said it was 8-10 times the cost of overhead AC lines and truly complex. Underground lines need to be cooled down, which means concrete

bunkering, oil or fluid as a coolant in the bunkers, etc. But in the time since the draft EIS has come out, the technology for high voltage DC lines has really escalated. It's being used worldwide and has been used for almost a couple decades in Europe, but now it has come to the US. The Northwest really needs to look at an alternative analysis for MSTI to be built as a buried high voltage DC line, and specifically that it be buried on highway and railroad right of ways. This is what is now being done in the Northwestern US. There are 2 merchant lines coming from Canada to New York City and traversing most of New England. Those lines are mostly built on public right of ways along Lake Champlain and the Hudson River and staying away from the problems involved with eminent domain. With the help of one of their Public Service Commissioners, they will request to BLM and DEQ an alternative analysis included in the DEIS that it be studied as an underground DC line specifically on highway and railroad rights of ways. They have spent a lot of time talking to ABB who is one of the companies premier in doing these particular lines and it is a viable technology.

It was the suggestion of their attorney, Karen Budd-Falen, that it be submitted by local governments rather than Concerned Citizens Montana because BLM has to comply with NEPA regulations and if there is a request, it must be followed. Almost all of their commissions have already submitted the request.

They submitted that it has advanced so much since the inception of the project that it is 1) technology feasible, 2) economically feasible, and then the benefits to local governments were things that were not addressed in that DEIS. If anyone wants a copy of their requests, email Debbie and she will send you a copy.

The technological points that make it feasible are: 1) Most reliable and efficient for long distance transport of energy. It is particularly the most reliable way to stabilize wind power.

Right now ABB max cable capacity is 320 kilovolts which converted to 1,111 megawatts. NW has requested 500 v, 1800 mw, ABB is in the process of getting a line like that together and expect it will be ready to be employed in a year. Most of the merchant lines in the Northeast are 320 kv lines and those engineers feel that would also be sufficient for MSTI.

One of the biggest pluses for the MSTI line is that it could be buried along softened ground such as highway and railroad rights of way. In Montana by state law the state highway right-of-ways are open to lines like this. This line is very similar to fiber optic line, and fiber optic equipment is used to bury it. Right of ways are less acreage, burial depth 1-1/2 meter so with softened ground this cable can be buried in kilometers per day.

Economics. It's still more expensive to bury. It has dropped and is about 2 times the cost of installing an overhead line, but that can be monetized out very rapidly because of efficiency of 1% line loss with buried DC as opposed to 10-30% with overhead AC lines. 12-14 wide rights of ways. DC lines also neutralize health problems like EMF.

If buried on private land, the sensors are such with buried DC that if problems arise they can be located very well. Fire suppression is not an issue with buried lines. There is no weed suppression, no loss of view shed, or property devaluations.

Western Montana has a lot of public land. Northwestern Energy lined up the environmental groups early and stayed off public lands so they could get it through quickly.

Cost of substations for DC, you don't have to have as many as with overhead AC lines. It has a smaller footprint but is more expensive. MSTI underground DC would have one on each end, but that is rolled into ABB's 2x cost analysis. Currently the longest line in use is approximately 200 miles.

There were no other questions and the meeting was adjourned at about 4:35p.m.