

**Joint Statement of
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**Oversight Hearing: Energy Corridors and Public Lands
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
Subcommittee on Energy and Mineral Resources
April 15, 2008**

Chairman Grijalva, Chairman Costa and members of the subcommittees, thank you for the opportunity to testify at this oversight hearing on the West-Wide Energy Corridor Process.

We welcome this opportunity to discuss the role of the Bureau of Land Management (BLM) and the Forest Service in establishing energy corridors in the eleven western states.

This Nation's need for reliable sources of energy is indisputable; however, the source of that energy is often debated. Renewable energy, emerging energy technology, and other factors yet to be identified, will be subjects of interest from now into the future. What remains a constant is the need to connect sources of energy with the people that depend on that energy to heat and power their homes, communities and local industry.

The need for reliable sources of energy drives the demand for energy infrastructure, and we remain convinced that the advantages of designating corridors far outweigh the disadvantages. It ultimately results in a smaller footprint on the land we manage than if the siting for projects were handled on a case-by-case basis because designated corridors provide land managers with an important tool for controlling the proliferation of energy transport projects across the landscape. Co-locating projects within corridors reduces impacts, such as habitat fragmentation, the spread of invasive species, and migration barriers.

Today, the demand for long-distance energy transport infrastructure is great as the demand for energy increases. In Fiscal Year 2007, the BLM and Forest Service received more than 1,200 applications for energy rights-of-way. At least 15 of these applications are for long-distance interstate energy transport projects. As an example, renewable electricity generation is being developed in remote locations that require new electric transmission lines to carry this power to load centers. These projects can cross multiple agency administrative boundaries as well as state, local, and sometimes tribal jurisdictions. Currently there is little systematic, long-term, coordinated planning for this projected development.

Under Title V of the Federal Land Policy and Management Act of 1976 and Section 28 of the Mineral Leasing Act, the BLM and the Forest Service may authorize rights-of-way across Federal land and designate energy corridors for these rights-of-way in order to minimize potential adverse impacts from a proliferation of separate projects. A designated energy corridor is a “linear” parcel of land – a piece of real property specifying a centerline and a width – identified in a land use plan as the preferred location for facilities that require future rights-of-way.

Despite these authorities and a clearly recognized need, there was until recently no comprehensive Federal process to designate corridors across the West and coordinate individual project requests among agencies. Right-of-way projects generally proceeded case-by-case, office by office. This case-by-case approach does not facilitate contiguous management by the agencies involved or provide for the administrative efficiencies typical of a comprehensive planning process.

Section 368 of the Energy Policy Act of 2005 (EPAcT) directed the agencies that manage Federal lands to address long-term development of long-distance energy transport infrastructure on Federal land in the West in a systematic, planned, and coordinated way.

Section 368 of EPAcT directs the Secretaries of Agriculture, Commerce, Defense, Energy, and the Interior to designate energy corridors for oil, gas, and hydrogen pipelines and electricity transmission facilities on Federal lands in portions of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming. EPAcT directs the agencies to complete necessary environmental reviews and to incorporate designated corridors into relevant land use or management plans. A designated Section 368 corridor must specify a centerline, a width, and compatible uses.

The agencies are jointly preparing a Programmatic Environmental Impact Statement (PEIS) in order to meet these obligations. The Draft PEIS was released for public review last November, and we are currently analyzing over 14,000 comment documents. Upon completion of the Final PEIS, the Chief of the Forest Service and the Director of the BLM will sign respective Records of Decision that may designate corridors and amend affected agency land use plans on the lands we manage, if appropriate. We hope to have decisions signed by the end of 2008.

The corridors identified in the Draft PEIS are the result of an intensive, two-year process to identify the most suitable locations. Areas of production and demand were taken into account, and numerous siting considerations, ranging from topographical constraints to impacts on viewsheds, were evaluated. We have followed a methodical process with each new step, building upon information from the previous steps. We have worked within our respective agencies and departments and with our local, state, and regional resource specialists and agency managers. We have consulted with governors, state agencies, and counties. We conducted public scoping in 2005 and released a preliminary map for public comment in June 2006, and received hundreds of comments from these efforts. We have conducted outreach briefings when requested by industry associations and environmental and historic preservation groups. We have a robust tribal consultation program and have engaged over 70 tribes.

To arrive at the current configuration of draft corridors, which total approximately 6,000 miles and have a width of 3,500 feet, unless otherwise specified, we began in 2005 by gathering and reviewing a variety of existing information and data. Specifically, we have completed the following:

- conducted a detailed environmental analysis at the programmatic level, integrating National Environmental Policy Act review and public participation, including where corridors are needed, at an early stage of the process;
- reviewed studies by the Department of Energy to identify major areas of energy supply and centers of demand as well as studies which identified electricity constraints and congestion areas;
- considered data from the National Renewable Energy Lab to identify major locations with potential for future renewable energy development;
- considered the Western Governors Association corridor study;
- considered current and proposed energy transport projects to identify the major routes useful to industry; and
- identified existing rights-of-way and energy corridors on Federal lands.

| Briefly, the steps we followed are:

Step 1: We used the existing information and data to generate a conceptual grid. This grid defines an unrestricted, conceptual network of potential long-distance energy transport paths connecting areas of current and potential energy supply with centers of demand. Energy corridors that did not support this conceptual grid were not considered for designation under Section 368.

Step 2: In the next stage, we screened this conceptual network to avoid major known environmental, land use, and regulatory constraints. Then we adjusted corridors so they avoid many categories of restricted land, such as wilderness and wilderness study areas, National Parks, National Monuments, Forest Service inventoried roadless areas, and traditional cultural properties, to list a few. Corridors were then screened for land ownership. Tribal, state and private lands, which are outside Federal authority, were removed. We released the resulting map on our website prior to publishing the Draft PEIS for public comment. This map provided a basis for on-going consultation with tribes, states, and counties in order for us to determine where corridors might align with their future efforts or where they had concerns. We provided the best mapping data available at this point to State Historic Preservation Officers, our historic preservation partners, for review and comment.

Step 3: The next step was the most intensive. We worked closely with state, regional, and local BLM and Forest Service managers and resource specialists to adjust the corridors through the landscapes they know best. We had more than 50 webcasts within and among agencies and offices, involving more than 400 personnel. Together we adjusted corridors around sensitive habitat and took account of other local concerns, such as areas identified as having wilderness characteristics. We ensured that the Section 368 corridors would conform to local agency land use plans.

Step 4: In November 2007, the Draft PEIS was published, with the public comment period ending in February 2008. Nearly 800 people attended approximately 30 meetings held in 16 locations throughout the West and Washington D.C. to discuss the draft. We received over 14,000 comments, with at least 13,000 individuals and groups submitting identical comments. We are currently in the process of reviewing those comments. To arrive at final decisions, the locations of the corridors continue to be adjusted and refined based on new or more specific information. For example, we have newly digitized information on the Oregon National Historic Trail in Idaho that allows us to adjust a corridor to minimize impacts to the trail.

Finally, as part of the overall process, we continue to recognize the need to ensure balanced development in the future. All future proposed right-of-way projects will be subject to site-specific compliance with all existing environmental laws and regulations. We have also developed a suite of mandatory Integrated Operating Procedures that will apply to future project development. We recommend specific mitigation measures for many different types of impacts.

The challenge of siting long-distance linear features across a heavily constrained landscape is daunting, and there are areas we have identified where corridors do encroach on protected locations. When this occurs, it is frequently because the corridor is following existing infrastructure. The choice we faced in these instances was to place a corridor in an already disturbed landscape, or to run it through an area that was undeveloped. In all cases we worked closely with local land managers to find the most acceptable routes, and we will continue to do so.

We believe section 368 expedites the permitting process by providing planning and compliance procedures that are integrated across jurisdictional boundaries and enhances the ability of project proponents to do systematic, long-term planning. Project proponents will avoid the lengthy, multi-agency process required to amend land use plans that may otherwise be necessary, although projects will still undergo site-specific review and comply with existing environmental laws and regulations.

Once our environmental analysis is completed, and pending a final determination, designating these corridors will enhance our Nation's ability to connect vital energy sources with users in a planned and coordinated way that will reduce the proliferation of energy transport projects across the landscape. We will continue to work closely with interested parties to make the best possible decisions for the environment, the public, and the Federal lands we treasure.

Conclusion

Thank you for the opportunity to comment on this important issue. We would be happy to answer any questions.