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Energy Corridors Designation Process Draws Fire During House Hearing

The House Subcommittee on National Parks, Forests and Public Lands and the Subcommittee on Energy and Mineral Resources held a joint hearing on Tuesday to review the impact of designating new National Interest Energy Transmission Corridors (NIETC) on public lands in 11 western states - particularly as they affect wildlife habitat, heritage and cultural resources, and property rights in and around public lands. The subcommittee panels heard two panels of witnesses composed of a mix of Federal, State & Local, and tribal governmental officials, along with representatives from the energy industry and interested non-governmental organizations (NGOs).

Witness testimony initially focused on maximizing the current grid's potential while citing the need to look more comprehensively at existing right-of-ways issues before going forward with new corridor designations. However, energy industry witnesses put forward the notion that increasing emphasis on delivering renewable energy sources (e.g., wind, solar) requires more transmission capacity and that Section 368 of the Energy Policy Act of 2005 was correct in asserting an expedited corridor designation process to meet such increased capacity needs.

However, witnesses representing tribal and county units of government countered these arguments by saying the designation process demonstrated little or no cooperation between local governments and the federal agencies, and this lack of transparency led to a 'disconnect in integrated resource planning' as one witness put it. In addition, the resulting process of designation ended up being fragmented and piece-meal at best, which often left out meaningful negotiation and consultation between tribal and county units of government about siting of the new corridors. For instance, out of the 159 affected counties in the corridor area, only three were actually consulted.

The hearing concluded with subcommittee chairman Raul Grijalva (D-AZ) stating that one option would be for a new legislative mandate to re-start the corridor designation process over again but with a much improved comprehensive planning component, rather than accede to the energy industry's call for even more transmission corridors under the Section 368 protocol under the 2005 energy law.

Energy Corridors Also Face Federal Court Challenge

Meanwhile, a set of federal lawsuits is being filed challenging the Department of Energy's recent designation of massive National Interest Electric Transmission Corridors in the Southwest and Mid-Atlantic regions of the country. The Southwestern Corridor covers the entire area between Los Angeles, San Diego, and Phoenix, while the Mid-Atlantic area includes most of

Mid-West Regions

New York, Pennsylvania, and West Virginia, the entire states of New Jersey, Maryland, Delaware, and DC, and portions of Ohio and Northern Virginia. The National Corridor designations, made final on March 6, 2008, authorize the federal government to preempt state review of transmission projects within the designated areas, and even to use federal eminent domain to compel the acquisition of properties for transmission projects.

The lawsuits are being filed by three states — New York, Pennsylvania, and Virginia — as well as more than a dozen environmental, conservation, and preservation advocacy groups, including the National Trust. All cases have been consolidated in the Ninth Circuit court of appeals in California.

BLM Draft EIS Threatens Nine-Mile Canyon Site in Utah

Nine-Mile Canyon Site Faces Threat from Oil and Gas Development in Draft Environmental Impact Statement

The Bureau of Land Management (BLM) has issued for comment a draft environmental impact statement (DEIS) that would open up the Nine-Mile Canyon pre-historic site to oil and gas development.

Nine-Mile Canyon is home to one of the most important and extensive collections of prehistoric rock art panels in the world. Nicknamed the "world's longest art gallery" because of its more than 10,000 individual petroglyphs and pictographs made primarily by the Fremont and Ute Indian cultures, the Canyon was included on the National Trust for Historic Preservation's list of America's Eleven Most Endangered Historic Places in 2004.

The National Trust is urging advocates to contact BLM and voice their concern regarding the DEIS and the potential harm that will result from this new development proposal if it is allowed to move forward as planned. Advocates are urged to send an email to the Bureau of Land Management today at UT_Pr_Comments@blm.gov and copy the National Trust at crc@nthp.org. The comment deadline is May 1, 2008 and these comments will be shared with the public.

To learn more about the threat to the Nine-Mile Canyon area, please visit <http://www.preservationnation.org/issues/public-lands/bureau-of-land-management/nine-mile-canyon.html>.

Farm Bill Conference Leaves Historic Preservation Provisions Hanging

Senate Tax Package Could Derail Farm Bill and Historic Preservation Provisions

Farm Bill conference discussions took place this week with little progress as Senate conferees continue to support including a \$2.5 billion tax package which the House leadership wants significantly scaled back. In addition, House Leadership wants more money for nutrition programs while cutting funds for direct payments and a disaster assistance program proposed by the Senate. Caught in the crossfire are historic preservation rural heritage

provisions that will be enacted only if the conferees can come to an agreement over the tax and spending issues surround the bill.

In the interim, the House and Senate passed (and the president plans to sign) an extension of the 2002 Farm Bill for just one more week until April 25th. The next conference meeting is scheduled for early next week.

The National Trust continues to monitor conferee discussions and encourage its members to include strong historic preservation language in the Farm Bill conference report.

STATE & LOCAL UPDATE

New Jersey State Parks and Historic Sites May Be Shuttered Under Governor Corzine's FY'09 Budget

The National Trust has alerted New Jersey's preservation advocates asking them express their opposition to their state legislators to Governor Corzine's FY'09 budget proposal, which would implement an \$8.8 million dollar reduction in the \$34 million Parks Management General Fund and result in complete closure and significantly reduced public access to state parks and historic sites all over the state, including:

- **Ringwood State Park** (Partial Elimination of Services/ Closures) - Shepherd Lake Recreation Area (swimming) would be closed. Ringwood Manor would have reduced hours. Steuben House is currently closed. The State Botanical Gardens and Skylands Manor would remain open.
- **D&R Canal State Park** - (Partial Elimination of Services/Closures) Camping/office at Bulls Island Recreation Area would be closed. Interpretive services would be suspended. Rockingham Historic Site would remain open. The towpath will remain accessible to the public.
- **Washington Crossing State Park** (Partial Elimination of Services) -There would be a 40 percent reduction in interpretive staff resulting in significantly reduced hours of operation at the Clarke House at Princeton Battlefield State Park, the Johnson Ferry House and the museum.
- **Monmouth Battlefield State Park** - (Full Elimination of Services/Closure) Visitor center and restrooms would be closed.
- **Stephens State Park** - (Full Elimination of Services/Closure) Camping area would be closed. *Stephens State Park is administered under Hopatcong State Park.*
- **High Point State Park** - (Full Elimination of Services/Closure) Swimming, camping areas would be closed. Office and interpretive center would be

State Budget
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closed. Access to monument and some trails would be impacted.

- **Brendan T. Byrne State Forest** - (Full Elimination of Services/Closure) Camping area/park office/group picnic area would be closed. Indian King Tavern, administered by Brendan Byrne State Forest, would be closed. Access to some trails would be impacted.
- **Round Valley Recreation Area** - (Full Elimination of Services/Closure) Swimming, camping, Wallace House/Old Dutch Parsonage and park office would be closed.
- **Parvin State Park** - (Full Elimination of Services/Closure) Swimming, camping, park office and interpretive center would be closed.
- **Jenny Jump State Forest** - (Full Elimination of Services/Closure) Camping and park office would be closed. Access to some trails would be impacted.
- **Worthington State Forest** - (Full Elimination of Services/Closure) Camping and park offices would be closed. Access to some trails would be impacted.
- **Fort Mott State Park** - (Full Elimination of Services/Closures) Hancock House, park office and other historic sites would be closed. Access to ferry service would be provided.