

## Plainsandeastern

---

**From:** J D Dyer <arkjddyer@yahoo.com>  
**Sent:** Friday, June 05, 2015 11:06 AM  
**To:** Plainsandeastern  
**Subject:** Comment on PECL

CLEP's section 1222 application to the DOE, dated July 2010, states "It is Clean Line's responsibility to work collaboratively with landowners,..."

In reality, CLEP excluded landowners from the vast majority of the route selection process while soliciting input from just about anyone else.

The following statements are taken from the Plains and Eastern Clean Line website.

"The routing process for the Plains & Eastern Clean Line started with identification and evaluation of potential endpoints in 2009-2010. Once approximate endpoints were identified, Clean Line began a multi-stage route selection process to narrow the focus from a broad study area to a study corridor, then to a Network of Potential Routes. Clean Line submitted a Network of Potential Routes to the Department of Energy (DOE) in December 2012 for consideration as part of their National Environmental Policy Act (NEPA) review. DOE presented this network of one-mile wide corridors to the public for review and comment as part of DOE's scoping process between December 2012 and March 2013."

"In 2009-2010, Clean Line examined a broad study area and identified the beginning and endpoints."

"In 2009-2010, Clean Line examined a broad study area and identified the beginning and endpoints."

"From 2010 to 2011, Clean Line presented the candidate corridors to county officials, state and federal agency staff, non-governmental organization representatives to solicit feedback."

"Following additional stakeholder outreach in 2011, Clean Line selected a five to eight-mile wide study corridor."

"After considering more detailed siting criteria and feedback from federal, tribal, state, and local officials and community stakeholders, Clean Line proposed the network of potential routes in 2012."

"Utilizing progressively more detailed and restrictive siting criteria and taking into account comments received from the public and agencies during scoping, Clean Line submitted a proposed route to DOE in 2013."

There are several facts to consider from these statements.

Clean Line has stated that the "stakeholders" Clean Line worked with during the route selection process included federal, state, local, and tribal officials, and nongovernmental organizations. State and federal agencies included the U.S. Forest Service, the Corps of Engineers, and the Arkansas Game and Fish Commission. The NGOs included the Nature Conservancy, local or regional offices of Sierra Club, Canoe Club, Wildlife Federation and Audubon Society. (The Cherokee Nation reportedly was not consulted and several NGOs have claimed to have not been included in the route selection process. The veracity of Clean Line's statements about their consultations with "stakeholders" can certainly be questioned, but let's assume they are being truthful about consulting all of these groups.)

The one group that was definitely not consulted during the majority of the route selection process was landowners. The input of landowners was not sought until December of 2012. From that time until the spring of 2013, a series of short scoping meetings were held. At those scoping meetings much of the meeting time was devoted to "informing" the landowners about the proposed transmission line. Landowners were given a brief amount of time to express their concerns. The scoping meetings presented landowners with two potential routes and asked for comments on those two routes. Everyone I have spoken to about those meetings have said the transmission line was presented as a fait accompli and the only remaining question was which of the two routes would be chosen. Imagine discovering that your home was in one of the two routes, and your only hope was for the other route to be chosen. This strategy effectively pitted two groups of landowners against each other. Divide and conquer is not quite the same as working collaboratively.

It is obvious that Clean Line failed in their responsibility to work collaboratively with landowners. Clean Line may have entered into secret agreements with select landowners, but did not work with landowners as a group until nearly the end of the routing process. As a result, Clean Line's section 1222 application is legally null and void. Therefore, the DOE does not have the legal authority to enter into a partnership with Clean Line Energy Partners.

Joel Dyer