

Plainsandeanern

From: Mark Fuksa <mark.fuksa@gmail.com>
Sent: Thursday, June 11, 2015 12:51 PM
To: Plainsandeanern
Cc: 'Lynda Ozan'; 'Shea Otley'
Subject: Clean Line - DOE Section 1222 Comments (Gp-6)
Attachments: 20150612 Transmission Line Objection Letter.pdf

U.S. Department of Energy
Office of Electricity Delivery and Energy Reliability (OE-20), 1222 Program
ATTN: Plains & Eastern Clean Line
1000 Independence Avenue SW
Washington, DC 20585

June 11, 2015

To Whom It May Concern:

(The information contained within the context below shall be updated to include the following: I have been working with the Oklahoma Historical Society in preparation of submitting two nominations to have the below noted property listed on the National Registry of Historic Places. A draft of one of the nominations has been completed as of June 2, 2015 and is currently being reviewed for accuracy. The second nominations is currently in progress. The Historical Society and I are targeting a July 2015 submittal for the two applications. The historic nature of the below noted property is of significant interest to the Oklahoma Historical Society. Allowing this power line project to proceed would ruin the historical nature of the area for any and all of the general public to experience the most visible remaining portions of the Chisholm Trail and what an early 1900s era farm (100 years old) was like. The Chisholm Trail was used to drive cattle from Texas to Kansas where they were shipped via railroad to the eastern U.S. to feed soldiers during the Civil War. It would be a tremendous loss to have this piece of history wiped out in favor of a privately operated for-profit electrical power transmission line – one that doesn't even serve residents of the areas it will destroy.)

I am writing to express my objection to Plains & Eastern Clean Line proposed transmission line project where it is tentatively planned to traverse northwest and central Oklahoma. I am a Trustee for the Norma Dean Fuksa Trust, the owning entity of land described as SE/Q S25-20N-7W in Garfield County, Oklahoma; and am the designated and recorded future heir to the property. After having reviewed the proposed route through southern Garfield County, Oklahoma, it is obvious that this proposed project would have a seriously negative affect on our family's land, private property usage, and significant historic artifacts in the area.

Impact to Lands

Land in this area is predominantly comprised of small 160 acre family farms. Many of the family farms in this area were acquired and homesteaded as part of the Oklahoma Cherokee Strip Land Run of 1893. In most cases, these farms are owned and have been continually operated by the same families for 100 years or more. Some of these farms have been recognized by the Oklahoma Historical Society with the official distinction as an Oklahoma Centennial Farm – an honorary designation. The heritage of these properties should not be compromised by the construction of a commercial for-profit endeavor. In the general area of southern Garfield County and for several miles on either side of U.S. Highway 81 (the proposed location for this power line), these farms are owned by members of the same family; descendants of the homesteading families of the early 1900s – of which I am one. All stand united in opposition to this project.

These family farms sustain themselves by the production of agricultural products – primarily wheat and cattle. To effectively grow crops and raise livestock frequently requires the application of agrichemicals applied

by aerial spraying. Power transmission lines and their support towers would create a hazard to these aircraft and create an enormous liability to the organization that installs and operates this proposed power transmission line. As these farms are relatively small - approximately 160 acres each - the ratio of land that could not have agrichemicals applied due to this power line is significant and would cause a permanent reduction to their production and usable acreage. How would affected land owners be compensated for not only the land within the proposed easement, but also the compromised or permanent loss of nearby productive land?

This area is also home to wildlife that would be negatively impacted by this transmission line; evidence of herds of deer is abundant. This location is also home to quail, wild turkeys, coyotes, raccoons, rabbits, hawks, pheasants, and numerous other species of turtles, birds, and small mammals. Eagles and bobcats have also been spotted in the area.

Impact to Private Property Usage

Many of these farms are also the private residences of the owners. The construction of this power line will create not only a visible scourge on the land, but also emit an audible humming and crackling noise 24 hours per day 365 days per year, not to mention the noise that would be caused by the prevailing north/south winds blowing through/around the cables and towers. This unsettling nuisance would negatively affect the use and enjoyment of people living in homes they and their families have occupied for several generations – and, this nuisance would extend for hundreds of feet from this power line.

Some members of these families also hold pilot licenses and fly aircraft at low altitudes over these farms to visually inspect the land and growing crops. One property in the immediate vicinity of this proposed power line has been identified for the construction of a north/south runway. The topography and prevailing winds in the area require that this runway be oriented in this direction. The distance from the southern threshold of this runway to the proposed power line would eliminate this land for its planned and intended purpose. What compensation is planned for land owners who would not be able to use their land as intended as a result of this project?

Oil and gas (petroleum) products have been produced from these lands for several generations, with the land owners also owning the mineral extraction and production rights. Recent technological advances in petroleum extraction methods have reignited drilling activities in this area and have proven to be financially lucrative to the mineral and land owners. This proposed transmission line location along County Road E0580 in southern Garfield County coincides with several proposed multi-bore well drilling locations. These drilling locations are the result of court hearings and finalized decisions by the Oklahoma Corporation Commission to expand the well spacing units in the area to 640 acres. This proposed power line would interfere with drilling operations and would reduce the attractiveness and revenue generating potential of oil and gas production to these land and mineral owners. Additionally, this proposed transmission line, as mapped, overlays existing and post-production well sites. Well maintenance and rework on these locations would be impossible with an overhead power line. In Oklahoma surface use of the land is subservient to the exploration and extraction of oil and gas.

Impact to Historic Significance

Just as importantly, this transmission line project would adversely impact the location of the historic Chisholm Trail. Visible remnants of the Chisholm Trail exist within the proposed easement. In 1990, a recognized authority on the Chisholm Trail, Robert Klemme, erected monuments marking where the Trail crosses the Cherokee Strip. Due to the trail ruts being most visible on our property (SE/Q S25-20N-7W) he chose to erect the first marker there. A news story about Mr. Klemme and his placement of *this* marker appeared in the Friday, November 30, 1990 Enid, Oklahoma Enid News and Eagle newspaper. This monument replaced an earlier monument that existed on the property in the early 1960s. The Chisholm Trail runs in a north/south direction and so, also crosses the NE/Q S36-20N-7W which would also be directly impacted by this transmission line.

Any construction in this area would disturb, damage, or permanently bury historic artifacts associated with the Chisholm Trail. Artifacts that are said to have been discovered on our property and in the immediate vicinity over the past 80+ years include old horseshoes, arrowheads, and at least one rusted handgun.

Approximately one-half mile south of the proposed transmission line easement is another locally known landmark. On the east side of US Highway 81 stands a cottonwood tree. The original tree that grew at this location died a number of years ago. The tree standing there today is directly genetically related to the original tree as it was a graft or seedling harvested prior to the demise of the original tree. To maintain this landmark, the tree growing on this spot today was nurtured by Emil Fuksa, a local property owner, farmer, and family member. Folklore describes this location as the "Marrying Tree" due to its location just across the county line where marriages were more restricted. People would travel to this site to be married under this tree and therefore not be subjected to the more stringent marriage restrictions.

Since 2008, I have been in contact and working with the Oklahoma Historical Society to have our property designated as an historic location. Since that time, I have been gathering information and assembling photographic documentation of the historic nature of this land. Upon my recent submittal of this information to the Society, it has been determined that the property is eligible for nomination for being listed on the National Registry of Historic Places. Working with the Society, we have initiated the nomination process. Plans for this designation include the creation of an area set aside for public viewing of, and exposure to, the Chisholm Trail.

This transmission line would negatively impact the historic significance, the public's interest, and their reflective experience of this historic area. I believe no one would find it enjoyable or appealing to stand near a high voltage power line and hear the snapping and crackling of electrical discharges while taking in the historic wonder of the area's heritage. Additionally annoying would be the audible harmonic vibration of the electrical cables caused by the near constant north/south winds that frequently move at speeds near 25 miles per hour.

I urge the U.S. Department of Energy to force Clean Line Partners to abandon this location as a possible easement route and to seek other alternatives that do not infringe upon the traditional use of the land, the historic heritage, and preservation of this area for future generations.

Respectfully,

Mark A. Fuksa

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