

Plainsandeastern

From: Ron Hairston <ron.hairston@ph-clan.com>
Sent: Wednesday, July 08, 2015 5:05 PM
To: Plainsandeastern
Cc: 'Steven Holland'
Subject: DOE Getting the "Cart Before the Horse"
Attachments: Amend EIS Draft Dec 2014 - Bats 150316.pdf; Iphone 052915 504.JPG; Iphone 052915 505.JPG; Iphone 052915 506.JPG; Iphone 052915 507.JPG; Iphone 052915 508.JPG; Iphone 052915 509.JPG

Plains & Eastern Clean Line remains silent on a multitude of questions. For this reason, DOE's decision regarding Clean Line's application should be withheld until outstanding issues are resolved and been given an adequate opportunity for debate and cross examination by qualified representatives of the opposing property owners. DOE should appoint, with property owner endorsement, "ad-litem" legal and technical representation to ensure property owners get fair consideration on the plethora of issues attending this complex project.

One issue that has never been properly addressed relates to endangered species of bats that may be in the path of planned rights-of-way. For a more in-depth explanation, please see the attached letter dated March 16, 2015, that was submitted for the draft EIS.

Recently, one of my neighbors, Otis Holland, whose property is directly impacted by the primary route sent photos (attached) showing caves that reside on his property. Mr. Holland also states that there have been no persons on his property to conduct the surveys required to ascertain whether or not any of the four (4) endangered species will be impacted. As you are surely aware, any survey party entering Mr. Holland's land must have his permission and he would therefore have knowledge of any activity had it occurred.

DOE needs to be diligent and make sure that all issues that remain a concern for property owners are investigated in a manner that protects their rights as property owners. To do otherwise creates a violation "...by arbitrary seizures of one class of citizens for the service of the rest." James Madison

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CC: Mr. Holland

March 16, 2015

Plains & Eastern Clean Line EIS
216 16th Street, Suite 1500
Denver, CO 80202

Problem: There are many reasons that the draft EIS published in December 2014 should be rejected. One is:

Endangered species of bats are not adequately addressed in the EIS and may still be at risk.

Evidence:

1. Conversations with US Fish & Wildlife and Arkansas Game & Fish indicate that while some information regarding bats has been accumulated, bat surveys with netting and call recorders are needed in order to identify and determine if endangered species are resident. This has not been done along Region 4 APR Link 9 near Lake Ludwig and likely not along other known bat habitat areas near the path of the transmission line easement.
2. Of 16 bat species resident to Arkansas, all four endangered species (Ozark Big Eared, Indiana, Grey, and Northern Long Eared (to be listed in April)) are believed to be resident in Johnson County, AR where Link 9 crosses.
3. Since I have become a resident five years ago, bat flights of unknown species have been observed at the beginning of summer evening hours flying in a southwesterly direction on a line following a draw or cut in the bluff as shown in the attached image.

Solutions:

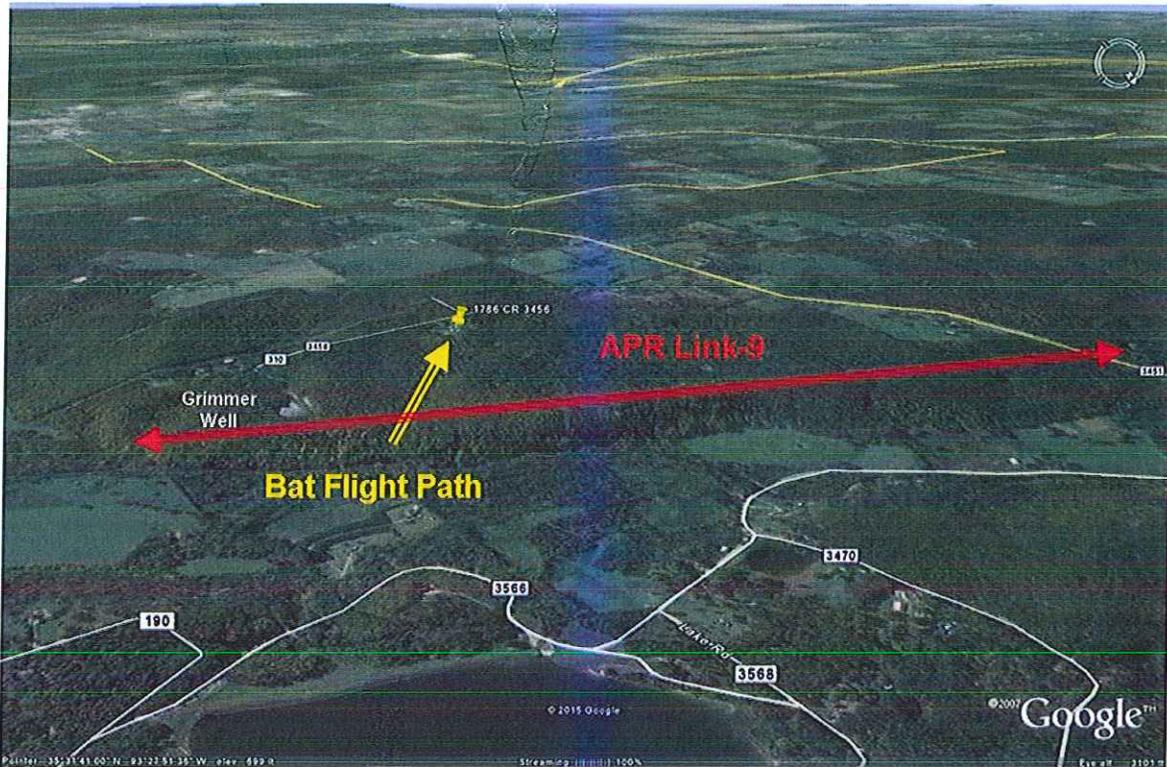
1. Complete bat surveys with netting and call recorders in the areas mentioned above to identify resident species. Update and publish the draft EIS with completed bat survey information. Allow a reasonable period for comment.
2. Withhold approvals for tree removal in and around affected Clean Line easements until habitat mitigation requirements for endangered species are agreed upon by the applicant.



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1. Known bat flight travels SW up draw or cut in terrain (yellow arrow) crossing transmission line (Link-9) running west from vicinity of Grimmer gas well to County Road 3451.
2. Concern is for four (4) endangered species that may be roosting in caves and in trees (during summer months) near Link-9 and the bluff it follows.



