

12 October, 2007

Ms. Tish Eaton
Project Environmental Lead
Portland, OR

Subject: Comments on the Rebuild of the Libby (FEC) to Troy 115-kV Line Project's EIS Process.

Dear Ms Eaton,

I received your message yesterday regarding helo-line operation and the information that the State of Montana does not regulate federal project helicopter use. Thank you. I will comment more on safety concerns in a few days, but another serious issue has arisen.

Yesterday I learned that BPA has arranged to purchase an easement on the NW corner of Kootenai River Rd. and Bobtail Rd. and is attempting to buy more easements or easement expansions. The selling owner resides at 63 Bobtail Rd. The easement runs under BPA wires adjacent to Kootenai River Rd and represents BPA's "Proposed Rebuild Section" currently being evaluated along with the competing Pipe Creek Realignment option. This evaluation, as part of the EIS process, has obviously been terminated by BPA, without notice, prior to EIS conclusion. BPA has chosen to overtly implement their preferred Proposed Rebuild routing...a pre-emptive decision was made.

The yet completed EIS process has obviously been blatantly abandoned and an issue, important to many people, was unilaterally decided. The Pipe Creek Realignment option had been strongly indicated as being in the general interest of many people because the proposed existing power line route travels right next to Kootenai River Rd, through residential yards and even over the top of vehicles traveling to or from town. The half mile routing clearly no longer made sense due to the road and residential area.

How could the information collection and review process, whose primary goal is to amass information leading to more efficient and fair decisions, that solicits and uses information from all involved agencies and people, be abandoned short of conclusion? How does any agency acquire the power to take such self serving action? Did those who may have allowed such power, know that it would be so badly misused?

BPA's confiscation of the EIS once again raises the question: should EIS's be conducted by, and controlled by, huge organizations that are not accountable to outside review and approval? How could congress allow such a thing to happen? How could states and counties allow this to happen?

Should "EIS" be deleted from the forthcoming report's title and should rate payers and tax payers be asked to pay for it? The decision to violate the EIS badly served the many agencies and people who had contributed to it's process.

Sincerely yours,

John D. Smith