

Advocates for the Oak Ridge Reservation

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Subject: Proposed easement for electric transmission line

Gentlemen:

Advocates for the Oak Ridge Reservation (AFORR) is disturbed by reports that the City of Oak Ridge is seeking DOE authorization to build an electric transmission line (69-kV) along the DOE patrol road on the boundary between the Black Oak Ridge Conservation Easement (BORCE) and the Horizon Center industrial park or cutting through other “natural areas” identified in mitigation conditions required for the NEPA Finding of No Significant Impact (FONSI) that allowed the transfer of the ED-1 parcel and its subsequent development as the Horizon Center. These “natural areas” were restricted from development in order to avoid potentially significant environmental impacts that would have precluded a FONSI. The cleared corridor that would be created for a transmission line right-of-way would destroy (1) wildlife habitat connectivity within the Horizon Center that those mitigation conditions were designed to preserve and (2) habitat connectivity between the riparian zone and forests of the Horizon Center and the upland forests of the BORCE. That habitat connectivity forms part of the natural resource value that DOE provided as compensation for natural resource damages assessed under CERCLA. Additionally, creation of a cleared powerline corridor would destroy the significant recreation value of this patrol road, which has become a popular public greenway in the years since the Horizon Center was created.

Protection of the “natural areas” was found necessary to avoid potentially significant environmental impacts related to the development of the ED-1 parcel. DOE chose to accept the mitigation conditions for the FONSI in order to avoid the requirement to prepare an environmental impact statement (EIS). Violation of these mitigation conditions could provide a cause of action for a citizen suit under the NEPA statute for failure to prepare an EIS.

AFORR understands that the City of Oak Ridge has been frustrated that the Horizon Center was constructed without the electric infrastructure that would be required to support the needs of some industries that Oak Ridge would like to be able to attract to this property. While the patrol road (greenway) route is probably the shortest distance from the city's substation west of the Horizon Center to the large undeveloped parcels in the Horizon Center, the desired infrastructure could be created via somewhat longer transmission lines following the current right-of-way adjacent to public highways, coupled with above-ground distribution lines along the streets interior to the Horizon Center. Accordingly, we encourage DOE and the City to pursue that option instead of continuing to seek transmission routes with adverse effects on environmental and recreational resources.

Sincerely,

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