



BARK

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November 28, 2007

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St., NE
Washington, DC 20426

RE: Proposed Palomar Gas Transmission Project #PF07-13

Dear Ms. Bose,

Bark has been working with Oregonians living on and around Mt. Hood for over ten years. Our mission is to bring about a transformation of Mt. Hood National Forest into a place where natural processes prevail, where wildlife thrives and where local communities have a social, cultural, and economic investment in its restoration and preservation. As of writing these comments, we represent over 1,700 Oregonians who believe in our mission.

On behalf of our organization, we are submitting some of our concerns regarding the proposed pipeline corridor. Of particular concern is the Segment 1 running between Madras and Molalla, including traversing approximately 40 miles of National Forest lands. Please accept these comments as part of the public record.

The pipeline corridor opens up new access for Off-Highway Vehicles

For the past year, Bark has been working with Mt. Hood National Forest to address the growing demands on the vast road system within the forest. Included in this effort, is the issue of the increased demand by off-highway vehicles (OHV) and motorized recreation needs on national forests. The Forest Service is currently under a federal mandate (36 CFR 212, 251, 261 and 295) to clarify policy related to motor vehicle use. Mt. Hood is currently undergoing an Environmental Impact Statement in compliance with this mandate. Currently, the proposal includes six OHV designated areas around the national forest, totaling approximately 55,000 acres of coverage. Bark has been actively campaigning to ensure that the Forest Service, in compliance with the mandate, look at the entire road system and begin a removal prioritization of some 2,000 miles of roads

that are currently providing unlimited OHV access to the forest and threatening waterways due to a backlog in maintenance.

The maps provided by FERC appear to represent the proposed corridor crossing through two of these proposed areas; Peavine and McCubbins (Appendix 1). The Peavine area appears to only intercept with the "Alternative Route." However, the McCubbins area would be intercepted by both the "Potential Route" and the "Alternative Route." Bark has serious concerns for this proposal which have already been established and incorporated into the Travel Management Planning NEPA process. Some of our overlapping concerns with the potential for a pipeline corridor are:

- ★ The Forest Service has not proposed an increase in enforcement for these areas or the additional established areas of OHV use which will now be off-limits. The Forest Service is faced with an uphill battle of redirecting decades of use towards these areas, should they be implemented. How does PGT or FERC anticipate monitoring and enforcing closures on this corridor?
- ★ In our monitoring of current use in the national forest, Bark has found that a popular terrain feature for OHV riders is the edge of a past logging area. This provides the rider with an off-roading experience without the obstruction of a standing forest. The proposed 120+ ft. clearcut proposed for this corridor would be just this opportunity.
- ★ Bark has considerable concern about the idea of condoning such an intense use of combustible engines in the forest as comes with motorized vehicles. Because the pipeline is not constructed as a firebreak, the pipeline right-of-way may ultimately act as a conduit for fire (where fine fuels build up during interim periods between right-of-way clearing). The relationship between forest fire and the proposed Palomar gas pipeline must be addressed both from the perspective of the pipeline potentially triggering a large forest fire, and from the right-of-way acting as a fine-fuel conduit for wildfire through public lands.
- ★ Please see our section on roads in these comments, as it relates to Travel Planning Management and the pipeline.

Wild and Scenic River designation illegally compromised

How does pipeline development "maintain or improve" the "outstandingly remarkable values" of the Clackamas River and the White River, both designated under the Wild and Scenic Rivers Act. Fish Creek is also listed as a proposed Wild & Scenic River, and will be crossed by the pipeline. The Palomar Pipeline is proposing an open-trench cut across the Wild & Scenic Clackamas, as well as an aerial crossing (involving the construction of a new bridge) across the Deschutes just downstream of Maupin. All of these alterations require amendments to Resource Management Plans and Forest Plans, presumably. We were told that the BLM was present at none of the scoping hearings for Palomar - a fact which calls into question its ability to accurately scope issues pertaining to the RMP amendments necessary for the Palomar project.

A pipeline corridor could lead to the largest clearcut seen on Mt. Hood National Forest in years

For over almost ten years, Bark has supported an increasingly growing majority of the population who does not support the clearcutting of public lands forests. The legacy left from decades of industrial-style logging in our drinking watersheds has left the responsible agencies with a landscape dotted with ecosystems out of balance. Bark has been monitoring the activities of the Forest Service and the BLM around Mt. Hood and consistently ensured that laws and contracts with the public are not being broken. Surely FERC is all too aware of the intensity of policy influence from private, corporate interest. We have found that without groups like Bark enabling citizens to be a part of the monitoring and decision-making process, the agencies are left without the support needed to ensure that they continue to be stewards of the public domains.

In the past few years, Bark has been partaking in a variety of collaborative groups with the Forest Service and other stakeholders. These groups are a shift in management and community involvement, implemented through the Healthy Forest Restoration Act. In particular and relevant to the Palomar pipeline, Bark has been a part of the Clackamas Stewardship Partners (CSP). This group has become a model of collaboration and has successfully found common ground in order to begin finding resources for restoration projects within the Clackamas District. It is the hope of the Forest Service, Bark and the other stakeholders that by moving away from the timber sales of the past (industrial clearcutting and old-growth forests) we can achieve needed restoration priorities. This pipeline proposal jeopardizes this work, by necessitating a 40 mile clearcut.

Using the map provided, determining which areas of the pipeline corridor follow through late-successional reserves (LSR) is difficult. Bark does not support logging in LSR areas. These forests are the future of integral biodiversity and species success. We expect a full assessment of how the pipeline proposal will comply with the guidelines and standards of the Northwest Forest Plan, the Mt. Hood Land Resource Management Plan and appropriate Watershed Analysis in the all impacted key watersheds. We understand that FERC has already begun to work with the Forest Service and BLM for implementation of this project. However, the public has already paid the price for these necessary designations to limit the commercial activity on public lands and it is unacceptable for one agency to transfer responsibility to another agency for ensuring that these standards are upheld into the future.

A backlog of road maintenance threatens the integrity of slopes

As mentioned elsewhere in these comments, Bark has been working on the issue of roads in our national forest for the past year. Mt. Hood's forests are currently ensnared in a web of roads that are beginning to fail and put our waterways and safe travel at risk. Many of the roads were originally engineered for one time entry into the forest for logging purposes in the 1950's. They are often built using full-fill on the side of slopes at greater than 35%. As insufficient culverts have begun to degrade and plug, overflow from rain events have caused the roads to routinely blowout, sag and cause major polluted runoff scenarios.

Seismic concerns exist with the pipeline. FERC and Palomar must assess the potential impacts of seismic activity, earthflow events and erosion from poor road maintenance. The pipeline is at considerable risk from landslide and erosion problems. Has FERC worked with Oregon's Department of Geology to assess the presence of fault lines in close proximity to the project area or the possibility of earthflow?

The Notice of Intent states that one of the primary project components is "temporary construction roadways and short permanent roads from existing roads to meter station and other aboveground facilities." (NOI 3) Although in the list of currently identified environmental issues, there is no mention of the additional roads. (NOI 5) The environmental destruction caused by roads has long been accepted and considered necessary in the environmental impact studies of a project. Additionally, we urge FERC to refer to the standards and guidelines, as well as the appropriate watershed analysis recommendations with regard to increasing road density in the different national forest land designations (LSR, Riparian Reserve and Matrix). The public cannot afford one more new mile of roads on national forest land.

Mt. Hood is an integral source of clean drinking water, not a power generator

FERC should not include broad energy issues in assessing the suitability of this project. The issue of the pipeline impacting our national forest lands is independent of the nation's alleged need for LNG. FERC and the Forest Service should be aware that the analysis area does not have a demonstrable need for LNG. The need for and public benefit of importing large quantities of foreign fossil fuels is highly disputable, and we remind all agencies that foreign energy dependency has been identified as a weakness by our President in our economy.

There are many energy alternatives which are much less destructive and disruptive for the project area, and FERC should not proceed with determining that the project is necessary until and unless it has conducted an analysis of all reasonable alternatives including alternate sites, energy conservation, and renewable energy alternatives. As a basic issue of fairness, FERC should not allow California energy developers to use SW Oregon as an energy colony, with all of the negative impacts clustered in Oregon while the proported "benefits" (high-priced, foreign natural gas) go to California.

LNG, as a foreign fossil fuel, will diminish the stability and independence of Oregon's energy economy. Market projections show a persistent gap in global supply and demand for LNG, with regasification capacity outstripping liquefaction capability. LNG prices are determined on a global market, and the global shortfall in LNG production capacity will likely render LNG an expensive energy option for the Pacific Northwest. Wind energy, as an alternative, is feasible in Oregon and competitive in price (3-7 cents/kilowatt-hour). As well, it is much more stable in terms of pricing than the highly manipulated and volatile natural gas market.

Mt. Hood National Forest will be going through a review of their Land and Resource Management Plan within the next decade. Bark hopes to see this process reveal the true

public priorities for Mt. Hood; world-class recreation, clean drinking water and a place to witness thriving ecosystems. We do not support the continuation of our national forests being an easy route for energy companies to inefficiently transfer fuels and energy to markets far from the source. Any decisions about energy corridors on Mt. Hood should be delayed until this upcoming and legally overdue revision of the Management Plan has occurred.

Upper Clackamas has important wildlife migration corridors

If new roads are constructed to provide for the pipeline, as well as the pipeline corridor itself, it will fragment wildlife habitat thereby harming many species. Roads and associated human activities may impact the behavior and survival of many populations of large mammalian carnivores (Thurber et al. 1994, Jensen et al. 1986, Van Dyke et al. 1986, McLellan and Shackleton 1988, Mech et al. 1988, Brody and Pelton 1989, Lovallo and Anderson 1996). Wide-ranging species are particularly impacted by increased human-caused forest fragmentation. Many species respond to road density and human use of roads by altering movement or activity patterns or shifting home ranges.

The ecological impact or zone of influence of a trail or road may extend up to 100 meters or more on each side (Tyser and Worley 1992, Miller 1996, Miller and Knight 1995). The principal impact of a trail or road is habitat fragmentation. Fragmentation reduces the overall suitability and availability of habitat for plants and animals and, therefore, is considered a major threat to the conservation of biodiversity (Miller and Knight 1996, Talbert 1997). Habitat fragmentation impacts animal populations in many ways including decreasing species diversity and a reduction in density of some animal species in the resulting smaller patches (Arnold et al. 1995, McIntyre 1995). Bark expects to see similar analysis done on the expected impact of the pipeline corridor.

Fragmentation also increases the amount of “edge affected” habitat while decreasing the availability and suitability of “interior” habitat (Matlack 1993, Thompson 1994, HaySmith and Hunt 1995, Reed et al. 1996) to the detriment of species that require interior habitat (Thompson 1994, Wilcove 1985, Talberth 1997). Miller and Knight (1995), for example, found that two grassland and five forest species increased in abundance with increasing distance from trails (See also, Temple 1986, Wilcove and Robinson 1990).

Recreation on Mt. Hood is a reliable source of income for surrounding communities

Bark is very disappointed to see that the proposed corridor crosses the Pacific Crest Trail. This historic trail is a jewel in Mt. Hood’s recreation opportunities. When we find out about proposed projects that threaten the communities access to recreation and the money brought in by tourism, we question if the priorities of the project are truly meeting the expectations of public lands management. Other areas and campground destinations we see this pipeline corridor threatening with regards to recreation include:

- ★ Timothy Lake
- ★ Clackamas River

- ★ Little Crater Lake
- ★ Peavine Mountain
- ★ Summit Lake
- ★ Clackamas Lake
- ★ Clear Lake
- ★ Bear Springs
- ★ McCubbins Gulch
- ★ Clear Creek Crossing

Cumulative impacts of a pipeline will require compliance with multiple key watershed recommendations

Bark expects to see extensive cumulative impacts analysis in the pipeline corridor environmental impact statement. Included, but not limited to, should be issues with past, current and near future logging projects, recreation areas and trails, road systems and their actual status (not reliant on the Forest Service's Roads database, but on actual field data), OHV designation areas, presence of Threatened and Endangered species in and around the project area and known wildlife migration corridors.

Most importantly, we expect to see use of all appropriate key watershed analysis available. To our knowledge and within the range of Mt. Hood's drainages, that would include at least six key watersheds; Molalla River, Upper Clear/Foster, Fish Creek, Lower Clackamas River, Upper Clackamas River and White River. With regards to waterway crossings, we expect thorough attention paid to the cumulative effects currently on these streams, lakes, wetlands and rivers.

The Forest Service cannot afford to cover damages caused by the construction of the pipeline

Discussion of high gas prices as an incentive for importing LNG is inaccurate and dishonest. The price of LNG has always been higher than North American gas, even though North American gas markets are well known to be manipulated by off-market trades, speculation, and other factors that warp the market. The Midwest Attorneys General Natural Gas Working Group recently released an impressive study which detailed extensive manipulation of the market in Enron-style trading schemes that drove prices to all-time highs despite record levels of gas storage during the past winter. LNG will only exacerbate an already volatile energy market by exposing natural gas users and electricity ratepayers to new shocks from political, security, and economic problems in the industry overseas. American dependence on foreign fuels for transportation has led to serious displacements in the economy during periods of price spikes, and adding LNG to California and Oregon's natural gas use will create this problem again for consumers of electricity generated by natural gas.

Compacted with these facts, we expect that incurred costs from problems arising in the implementation and maintenance of this corridor should be put on PGT or other commercial interests profiting from this project. The public incurs the costs through purchase of the fuel and should not be expected to endlessly subsidize this short term energy source by paying for the long term environmental degradation. The Applicants for

all access to this project should show proof of adequate insurance for the scope of damages that could result from the project, whether from an accident or the pipeline itself. NEPA requires the consideration of possible terrorist-related ramifications with this type of development, and it should include a clear description of the cost in lives and damages and who would pay for these losses. As terrorism expert Richard Clarke has noted, considering the economic benefits of these projects after a catastrophic event will appear absurd because the potential losses are almost unfathomably large. Hence, the Applicant should demonstrate that it has insurance to deal with a large accidental or intentional LNG spill and fire. The liability is huge, and should not be borne by the public.

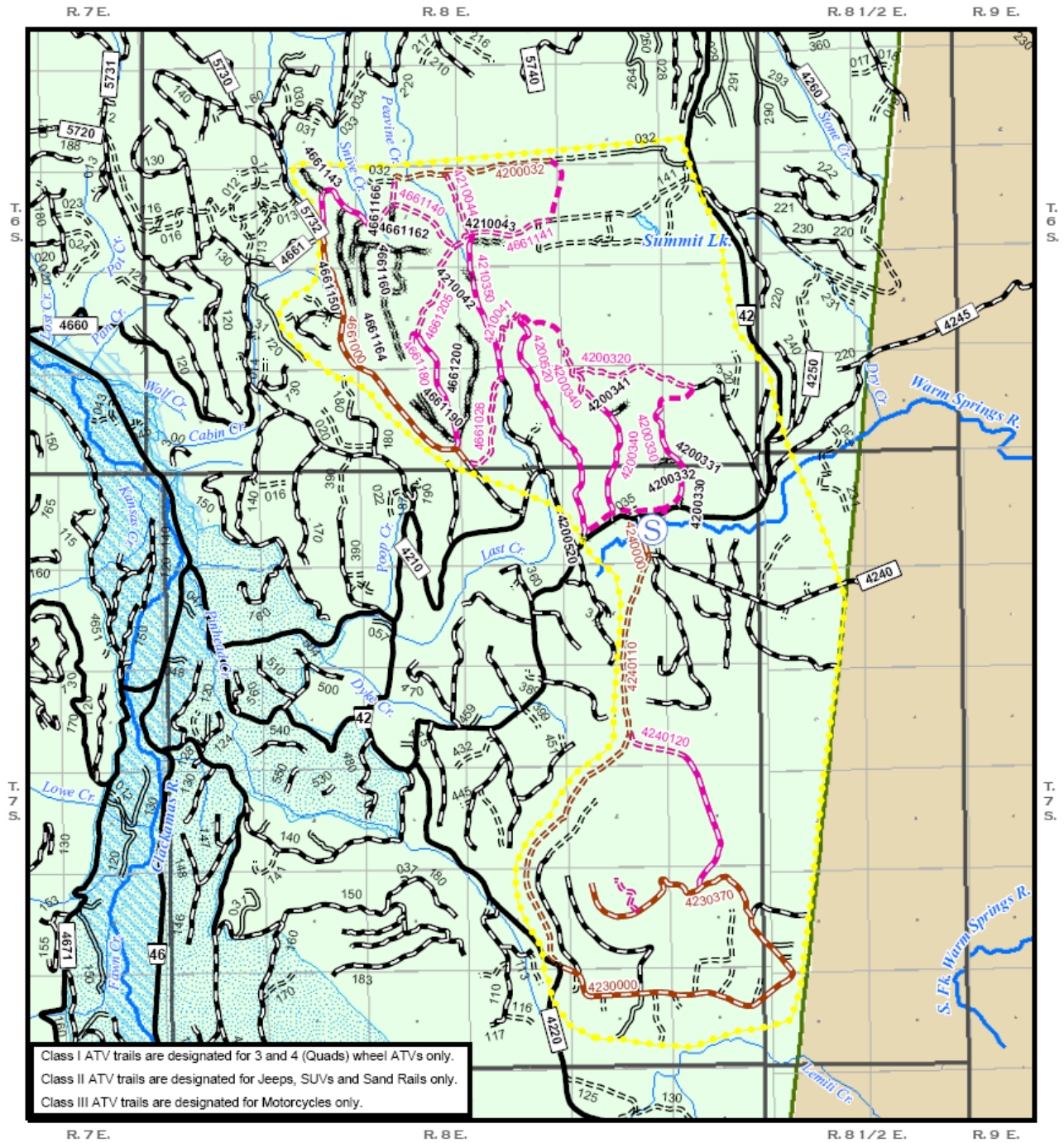
Bark believes this project is not needed and is, in fact, putting one of Oregon's most prized natural icons at great risk. This pipeline is not in alignment with the values of Mt. Hood National Forest's surrounding communities' values.

Thank you for your consideration of our concerns. Please call if you have any questions regarding our comments.

Sincerely,

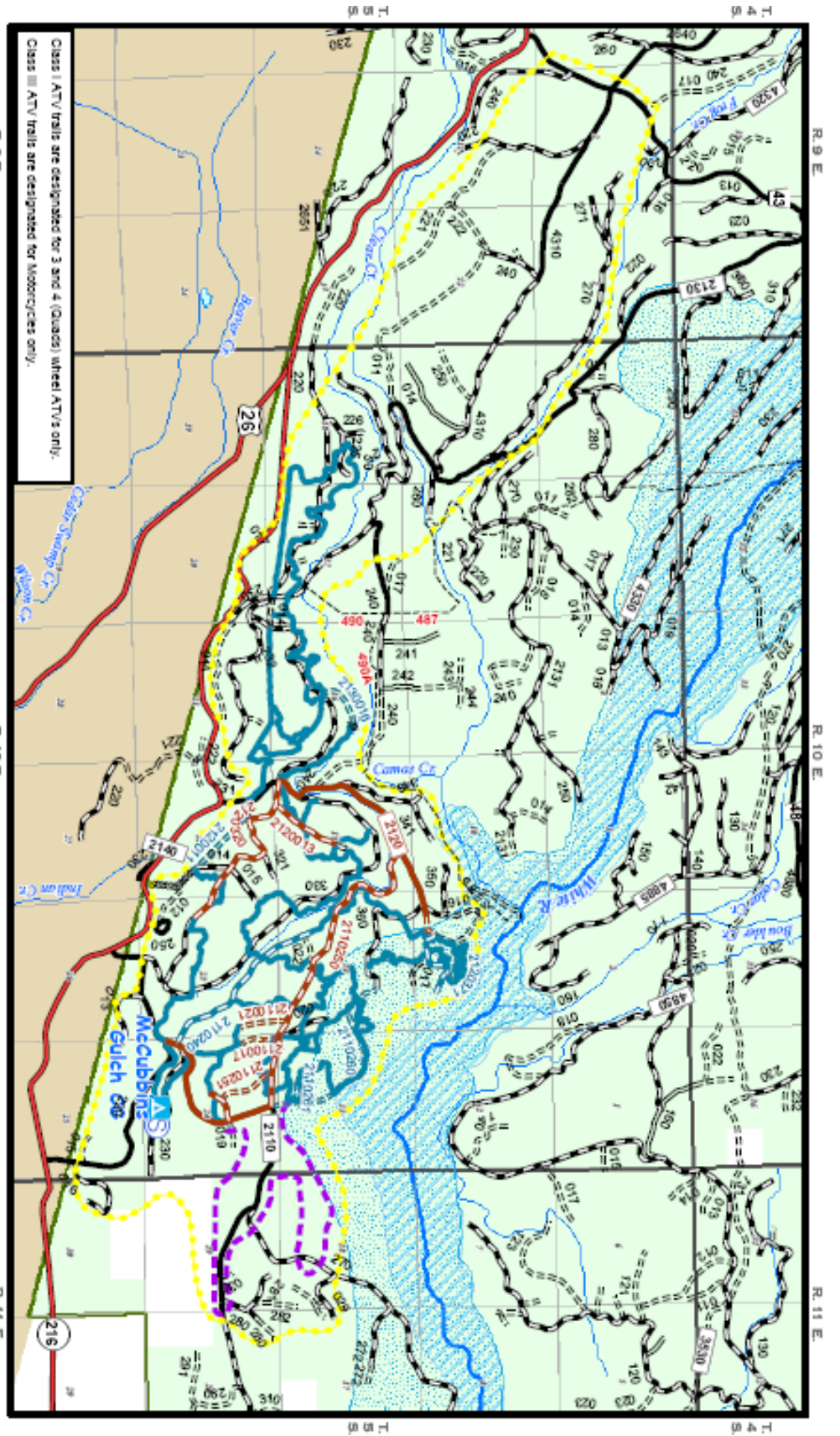
Amy Harwood
Program Director

APPENDIX 1



Class I ATV trails are designated for 3 and 4 (Quads) wheel ATVs only.
 Class II ATV trails are designated for Jeeps, SUVs and Sand Rails only.
 Class III ATV trails are designated for Motorcycles only.

Existing US Forest Service		Peavine OHV Routes (Proposed Action)	
Mt. Hood NF	Paved Roads Arterials: 54	Close to All Traffic	
Late Successional Reserve	Gravel Roads Collectors: 1631	Mixed-Use Road: Class I, II, III ATVs	
Wild and Scenic Rivers	Improved Native Surface Roads	Mixed-Use Road: Class I, II, III ATVs	
Lakes	Native Surface Roads Locals: 660	Convert to Classes I, II, III ATV Trail	
River	Peavine OHV Area	Convert to Classes I, II, III ATV Trail	
Creeks	OHV Perimeter	Proposed OHV Trails	
Other Ownership	Staging Area	Proposed New Trails: Classes I, II and III ATVs	
Warm Springs Indian Reservation			



Class I ATV trails are designated for 3 and 4 (Quads) wheel ATVs only.
 Class III ATV trails are designated for Motorcycles only.

- Existing US Forest Land Use**
- MT Hood NF
 - Late Successional Reserve
 - Wild and Scenic Rivers
 - Lakes
 - River
 - Creeks
 - Other Ownership
 - Campgrounds
- McCubbins OHV Routes (Proposed Action)**
- EA Roads and Trails**
- Paved Roads: Appraisal: 47
 - Gravel Collections: 3680
 - Improved Native Surface
 - Native Surface: Local: 321
 - Highways: 26, 216
 - Non-motorized Trails
 - Warm Springs Indian Reservation
- Processed OHV Disposal Roads**
- Close to All Traffic
 - Mixed-Use Road: Classes I, III ATVs
 - Mixed-Use Road: Classes I, III ATVs
 - Mixed-Use Road: Classes I, III ATVs
 - Convert to Classes I, III ATV Trail
 - Convert to Classes I, III ATV Trail
- Proposed OHV Trails**
- Existing Trails: Classes I, III ATVs
 - Proposed New Trail: Class III ATVs
 - McCubbins OHV Area
 - OHV Permitter
 - Staging Area
- Scale: 0, 0.5, 1 Mile
- UAS

