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Energy, Minerals, and Realty Management  
Bureau of Land Management

Reggie Woodruff  
Energy Program Manager  
Washington Office Lands and Realty Management  
U.S. Forest Service

Dr. Julie A. Smith, Ph.D.  
Office of Electricity  
Department of Energy

Via: [corridors@anl.gov](mailto:corridors@anl.gov) and the web form at  
<http://corridoreis.anl.gov/involve/stakeholder-input/>

Dear Mr. Leverette, Mr. Woodruff and Dr. Smith,

Please accept these comments, which are focused on the Corridor Abstract for Corridor 230-248 in Regions 6 of the Section 368 West-wide Energy Corridors (WVEC).

Since 1999, Bark has been actively working to protect and restore the ecosystems of Mt. Hood National Forest. 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 30,000 people who support our mission.

Bark has been tracking this corridor since 2007 when it was proposed as the “Palomar Pipeline,” a controversial Liquefied Natural Gas (LNG) pipeline. Shortly after, Bark members hiked the entire length of the 47-mile corridor and participated extensively in the public comment process. Bark identified many concerns about the corridor, including:

“Construction of the pipeline corridor would initially require more than 700 acres of clearcutting, including through several old growth forests. The pipeline route

crosses 15 streams and rivers, as well as countless unnamed tributaries, drainages and wetlands. In addition, the construction and maintenance of this pipeline will require use of currently decommissioned roads, as well as construction of new roads for access to remote parts of the pipeline route.”<sup>1</sup>

In July, 2009, Bark joined several other conservation groups in a lawsuit challenging the WVEC EIS and associated energy corridor designations. Our particular concern was proposed corridor 230-248, which overlapped the route of the Palomar Pipeline.

As you know, on July 11<sup>th</sup>, 2012, the Bureau of Land Management, Forest Service, Department of Energy and the Department of Justice reached a Settlement Agreement with the plaintiffs. In the settlement, corridor 230-248 was designated a “Corridor of Concern” as it has environmental issues including affecting critical habitat, National Register of Historic Places, Pacific Crest Trail, Clackamas Wild and Scenic River and other “eligible” segments under Wild and Scenic Rivers Act, and conflicting with Northwest Forest Plan Late-Successional Reserves.<sup>2</sup>

Corridor 230-248 is not located in a favorable landscape. Since its identification as a corridor of concern, new conflicts have arisen since this designation that also pose legal and ecological barriers to corridor development. The following comments highlight conflicts not adequately discussed in the Abstract. Because of the breadth and depth of these conflicts, and the fact that many of them are not easily resolved, Bark believes that these conflicts would be best remedied by deleting this corridor.

### **1. Inaccuracy in the Corridor Purpose and Rationale**

The Abstract inaccurately portrays both the purpose and rationale for Corridor 230-248 and fails to recognize the potential for pipeline development in the near future.

This corridor was never intended to facilitate the movement of energy from west to east across Mt. Hood National Forest. It was included in the WVEC as a corridor to facilitate the export of liquefied natural gas (LNG). PacifiCorp, the aspirant developer of the Palomar Pipeline in conjunction with NW Natural, eventually withdrew its FERC application when the proposed export terminal was halted but repeatedly stated it is still considering developing the corridor. After the initial withdrawal of the Palomar pipeline, officials from NW Natural Gas stated, “[t]here’s no question another pipeline will be built. The question is when.”<sup>3</sup>

The possibility of a new pipeline along this corridor is re-emerging because of the potential needs of a proposed methanol refinery in Kalama, Washington. In July 2015, the Northwest Gas Association stated, “a large enough project (roughly over 150,000

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<sup>1</sup> Bark’s scoping comments for the Palomar Pipeline, January 9, 2009

<sup>2</sup> [http://corridoreis.anl.gov/documents/docs/Settlement\\_Agreement\\_Package.pdf](http://corridoreis.anl.gov/documents/docs/Settlement_Agreement_Package.pdf)

<sup>3</sup> <http://bark-out.org/content/oregonian-nw-naturals-calm-shareholders-meeting-doesnt-reflect-shareholder-happiness>

Dth/d of demand) would likely *need new infrastructure* regardless of their preferred gas transportation type simply due to high utilization of the existing pipeline systems.”<sup>4</sup> The Gas Association affirmed its perspective again in its 2016 Gas Outlook, stating that new methanol-related gas demand could push the regional pipeline system to an “inflection point,” prompting new gas pipeline development.<sup>5</sup>

This new pipeline could be proposed for corridor 230-248. NW Natural and Gas Transmission Northwest have discussed this route, now called the Trail West Pipeline, as an option to supply gas to the proposed Kalama refinery or to free up capacity in other pipelines to supply it. Indeed, the Gas Association estimated that the Trail West Pipeline may begin operating in 4<sup>th</sup> Quarter of 2021.<sup>6</sup>

Please correct the abstract to reflect the fact that this corridor, since its inception, has been intended to move fracked gas across the Cascades for the purpose of export. As such, neither the past proposal for use, nor the potential future proposal, facilitate transportation of renewable energy.

## **2. Irreconcilable conflicts with Northern Spotted Owl Critical Habitat**

Much of the proposed pipeline route is located within federally designated critical habitat for the threatened northern spotted owl. The rule designating this forest as spotted owl Critical Habitat determined that all unoccupied and likely occupied areas in these subunits are **essential** for the conservation of the species to meet the recovery criterion. Given the spotted owl’s continued decline, the Revised Recovery Plan for the Spotted Owl emphasizes conserving older moist forest stands **wherever they occur**, regardless of the NWFP’s system of reserved or non-reserved lands.

Critical habitat is becoming ever more important as Northern Spotted Owl populations are declining throughout the range of the subspecies and annual rates of decline are accelerating in many areas.<sup>7</sup> The continued decline of owl populations and low occupancy rates in large habitat reserves, and the growing negative impact from barred owl invasions of spotted owl habitats, is greater than anticipated in the 1994 Northwest Forest Plan. Increased conservation and restoration of spotted owl sites and high-value spotted owl habitat is needed to help ameliorate this impact.<sup>8</sup>

Bark concurs with the Abstract’s conclusion that “Northern Spotted Owl critical habitat . . . may not be compatible with future development in an area without existing

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<sup>4</sup> Power and Natural Gas Planning Taskforce. “The Northwest Gas Landscape – Looking Forward.” NW Gas Association and Pacific Northwest Utilities Conference Committee (PNUCC). July 2015. P. 14.

<sup>5</sup> NW Gas Association. 2016 Gas Outlook. P. 3.

<sup>6</sup> NW Gas Association. 2016 Gas Outlook. P. 20.

<sup>7</sup> Dugger, Kate, et. al., The effects of habitat, climate, and Barred Owls on long-term demography of Northern Spotted Owls, *The Condor* 2016 118:1, 57-116.

<sup>8</sup> Revised Recovery Plan for the Northern Spotted Owl, Recovery goal, objectives, criteria and strategy II-11.

infrastructure.” This incompatibility is a major factor pointing to the need to delete this corridor.

### **3. The corridor intersects the unstable, flashy Fish Creek watershed**

Fish Creek provides important habitat for several fish species: Endangered Species Act-listed winter steelhead, coho salmon, and spring Chinook; Pacific lamprey; and cutthroat trout. While the Abstract acknowledges that Fish Creek is a Wild and Scenic River, it fails to discuss the extremely unstable nature of the watershed, its history of major flooding and landside events, and the dangers that poses to energy development in the corridor.

The Fish Creek Watershed has the greatest potential for landslides compared to other watersheds on the Mt. Hood National Forest. The Fish Creek Watershed experienced a 100-year flood event in February of 1996 which resulted in some of the most large-scale landslides and debris torrents anywhere in the Pacific Northwest. A total of 236 landslides occurred throughout the watershed and 15 miles of stream channels were scoured and rearranged by debris torrents. This powerful flood swept away a 100 foot long, steel and concrete road bridge on Wash Creek and the mainstem Fish Creek bridge at Music Creek had an abutment damaged by flood scour. A landslide study conducted after the 1996 storm event found that landslide incidence on roads was 0.5 landslides per road mile, and landslide incidence within young harvest units was 12.2 landslides per square mile. A pipeline corridor across Fish Creek watershed will likely create conditions similar to roads and young harvest units. It should also be noted that similar large floods occurred in Fish Creek causing geologic reshaping and damage to human infrastructure in 1927 and 1964.

The significant scale and comprehensive nature of this watershed restoration effort after the flood was unprecedented at its time in the Pacific Northwest. It is due to these concerns and watershed management history discussed that Bark requests the corridor not intersect with Fish Creek. If it cannot be re-routed to avoid the Fish Creek watershed, it should be deleted.

### **4. The Corridor overlaps the home range of the new White River wolf pack**

For the first time in almost 70 years, there is an ESA-listed wolf pack in Mt. Hood National Forest, dubbed the “White River Pack.” The Oregon Department of Fish & Wildlife confirmed evidence of the wolves using areas near White River and the Mount Hood National Forest and has designated the region an “area of known wolf activity.” An announcement from the Confederated Tribes of Warm Springs’ wildlife department notes that wolf pups born in August 2018 represent the first verified wild wolf pups born on the tribe’s land since the 1940s.<sup>9</sup>

Corridor 230-248 runs along the entire boundary area between the White River on Mt. Hood National Forest and the Warm Springs Reservation. As the wolves are a new presence in the area, the potential conflict between their home range and future development of the energy corridor has not been examined in any detail. Bark requests

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<sup>9</sup> [https://www.dfw.state.or.us/Wolves/wolf\\_program\\_updates.asp](https://www.dfw.state.or.us/Wolves/wolf_program_updates.asp)

that the next phase of the corridor analysis probe into the potential that developing the corridor would increase human/wolf conflict.

**5. The corridor intersects the Pacific Crest National Scenic Trail and other important recreation areas, violating protective Visual Quality Objectives.**

If developed, this corridor would cross the Pacific Crest Trail, a federally designated National Scenic Trail. It would also disrupt the experience of users at the popular Timothy Lake recreation area, with its extensive system of trails, and it would also cross a federally designated Wild and Scenic River. These crossings would significantly diminish these distinctive recreational resources. Developing this corridor is inconsistent with the Visual Quality Objectives (VQOs) for sensitivity level 1 trails and designated viewsheds in the Forest Plan, and would require amending to the standards and guidelines in that Plan.

Those standards are in place precisely to deter this sort of incremental damage at the project-by-project level, and the cumulative effects of that damage. MHNH has identified recreation as its largest niche, surpassing logging and other forms of resource extraction. In order to preserve the appeal that serves the recreating public and brings in the recreation revenue that sustains it, the MHNH must prioritize its landscapes and scenery preservation. This cannot be achieved by further diminishing the already low standards set by the Forest Plan's Visual Quality Objectives.

The PCT follows the crest of the mountains and offers vistas of the landscape at many different places where the permanently-cleared pipeline corridor would be visible within the Middleground (.25 to 5 miles from the trail.) Considering the recreational importance of vistas from a trail a National Scenic Trail renowned for its wilderness character ought to have a minimum VQO of "retention" for the Middleground. This could not be achieved if corridor 230-248 was developed.

**6. The corridor's many river crossings conflict with the Wild & Scenic Rivers Act and Northwest Forest Plan**

The Wild and Scenic Clackamas River is classified as "scenic" at its intersection with the energy corridor. The river has five categories determined "outstandingly remarkable": recreation, fish, wildlife, historic, and vegetation. Section 7 of the Wild and Scenic Rivers Act specifically prohibits the FERC from permitting projects that would interfere with the outstanding or its scenic, recreational, fish or wildlife values. The appropriate standard under Section 7(a) is whether the project would invade the designated river or unreasonably diminish the scenic, recreational, fish or wildlife values present at the date of designation.

In addition, the corridor crosses six Tier 1 key watersheds Mt. Hood National Forest: Fish Creek, Upper Clackamas, Oak Grove Fork of the Clackamas River, Clear Creek,

East Fork of the Hood River and the White River. Tier 1 Key watersheds should be managed for the conservation of at-risk salmonids and other resident fish species.<sup>10</sup>

The corridor also crosses through Key Site Riparian Areas, where rights-of-ways are prohibited, and more than a dozen Riparian Reserves, which must be managed to comply with the Aquatic Conservation Strategy. Regarding rights-of-way, the Northwest Forest Plan requires adjustments made to projects "to eliminate adverse effects that retard or prevent the attainment of Aquatic Conservation Strategy objectives. If adjustments are not effective, eliminate the activity."<sup>11</sup>

The two most controversial river crossings in the Mt. Hood National Forest, Clackamas River and Fish Creek, are both virtually unavoidable if the corridor remains in the southside of Mt. Hood National Forest.

### **7. Clearcutting Late-Successional Reserves conflicts with the Northwest Forest Plan**

The Northwest Forest Plan is clear about logging in Late-successional Reserves (LSRs): "There is no harvest allowed in stands over 80 years old."<sup>12</sup> Corridor 230-248 passes through an LSR adjacent to the Clackamas River with forest stands that are clearly more than 80 years old. The loss of these forests would have lasting impacts to the ecosystem and undeniably degrade habitat in this watershed. Any corridor development would require a total loss of forest characteristics, including removal of all snags, downed woody debris and other integral decadent components to terrestrial habitat. This degradation is yet another way that developing this corridor would be out of compliance with the Northwest Forest Plan.

### **8. Developing this corridor conflicts with the Mt. Hood Land & Resource Management Plan**

When corridor 230-248 was being evaluated for the development of the Palmar Pipeline the Forest Service prepared comments for FERC that included a detailed list of the specific forestwide guidelines that a pipeline on this route would not comply with. These include:

- FW-018 – “The combined cumulated detrimental impacts, occurring from both past and planned activities, or detrimental soil compaction, puddling, displacement, erosion or several burned soil should not exceed 8 percent of the activity area.”
- FW-019 – “Landings, non-transportation system roads, and dispersed recreation sites should be included within the 8 percent.”
- FW-020 – “Ground machine yarding of logs should not occur.”
- FW-022 – “The combined cumulated detrimental impacts, occurring from both past and planned activities, or detrimental soil compaction, puddling,

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<sup>10</sup> Northwest Forest Plan Standards & Guidelines, B-18.

<sup>11</sup> Northwest Forest Plan Standards & Guidelines, C-37.

<sup>12</sup> Northwest Forest Plan Standards & Guidelines, C-12.

displacement, erosion or severely burned soil should not exceed 15 percent of the activity area.”

- FW-023 – “Landings, non-transportation system roads, and dispersed recreation sites should be included within the 15 percent.”
- FW-080 – “Within 100 feet of a riparian management area, no more than 10 percent of a project activity area (e.g. timber harvest unit or recreation site) should have exposed or compacted soils.”
- FW-081 – “No more than 5 percent of a project activity area (within a riparian area) shall be in a compacted, puddled, or displaced soil condition.”
- FW-082 – “At least 95 percent ground cover (e.g. vegetation, duff or litter) shall be maintained within all project activity areas (within riparian areas).”
- FW-083 – “Ground disturbing activities should not occur in saturated soil areas.”
- FW-104 – “Special aquatic habitat (e.g. alcoves, secondary and overflow channels, ponds and wetlands) and associated subsurface aquatic habitat (hyporheic zone) shall be maintained in natural condition or enhanced in both quantity and quality.”
- FW-498 – “Within recreational segments, a VQO of Partial Retention in the foreground and middleground shall be prescribed – as seen from the river, river banks, U.S. and State Highways, Forest Highways and roads, trails and recreation facilities within the corridor.” The corridor refers to a Wild and Scenic River corridor.

## **9. The abstract does not address the danger of pipeline leaks to natural resources**

As the infrastructure to transport fossil fuels across the United States grows ever larger, this corresponds to an increase in pipeline-related accidents. Fossil fuel pipelines leak and even explode. Hundreds of pipeline accidents, spilling millions of gallons of gas and oil into the waterways of the United States, have occurred over the past 20 years.<sup>13</sup> For example, during the first *half* of 2017, fossil fuel pipelines in the United States had four major explosions, leaked 19 million cubic feet of natural gas and spilled 388,744 gallons of crude oil.<sup>14</sup> The nation’s most controversial pipeline, the Dakota Access pipeline, had three oil leaks in 2017.<sup>15</sup> After the third spill in April 2017, Dallas Goldtooth, a campaigner with the Indigenous Environmental Network, commented that “[t]his spill serves as a reminder that it is not a matter of if a pipeline spills, it’s a matter of when a pipeline spills.”<sup>16</sup>

Along with being Wild & Scenic, the Clackamas River provides the municipal drinking water supply for nine municipalities and hundreds of thousands of people. If the

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<sup>13</sup>[https://en.wikipedia.org/wiki/List\\_of\\_pipeline\\_accidents\\_in\\_the\\_United\\_States\\_in\\_the\\_21st\\_century](https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century), see also <https://www.nrdc.org/onearth/spill-tracker>

<sup>14</sup>[https://en.wikipedia.org/wiki/List\\_of\\_pipeline\\_accidents\\_in\\_the\\_United\\_States\\_in\\_the\\_21st\\_century](https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century)

<sup>15</sup> <http://www.businessinsider.com/the-dakota-access-pipeline-sprung-2-new-leaks-2017-5>

<sup>16</sup> *Id.*

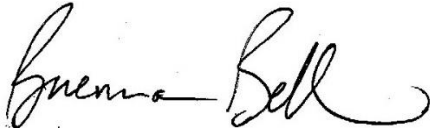
corridor were ever developed to transport oil a pipeline leak would pose a significant threat to the drinking water supply. If the corridor carried gas, any leaks this could increase the chance of igniting a wildland fire. The abstract should examine the very real conflicts that arise from pipeline leaks along this route.

### **Conclusion**

For the above reasons, as well as all the conflicts identified in the WWEC Settlement agreement and the Corridor Abstract, Bark strongly urges that Corridor 230-248 be deleted from the WWEC. Any future energy development that requires transport in northern Oregon should use pre-existing corridors or identify routes that do not have such extensive conflicts with federal laws and regulations, as well as the potential for so many adverse ecological impacts.

Thanks for considering this comment. We look forward to further participation in the corridor review process.

Sincerely,

A handwritten signature in black ink that reads "Brenna Bell". The signature is written in a cursive style with a long, sweeping tail on the letter "l".

Brenna Bell  
Staff Attorney/Policy Coordinator