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September 23, 2010

Mary Wagner
Regional Forester
Appeal Deciding Officer
USDA Forest Service
333 SW 1st Avenue
Portland, OR 97204

RE: Appeal and Petition for Stay on the Record of Decision for Mt. Hood National Forest Geothermal Leases, submitted by email to appeals-pacificnorthwest-regional-office@fs.fed.us

Dear Ms. Wagner:

Pursuant to 43 CFR 215, please consider the following protest of the Mt. Hood National Forest Geothermal Leases.

Decision Title: Record of Decision – Mt. Hood National Forest Geothermal Leases.

Description: This Decision would make 8,082 acres within the pending geothermal lease applications on the Mt. Hood National Forest administratively available for geothermal leasing.

Project Location: Hood River and Barlow Ranger Districts within Hood River County, Oregon

Date of Decision: August 2010

Name of Deciding Officer: Mary Wagner, Regional Supervisor

APPELLANTS' INTEREST: In accordance with Pub. L. 102-381, Title III, Sec. 322(c), Oct. 5, 1992 and 36 CFR 215.11, Bark submitted comments on, and expressed interest in, this project and is entitled to appeal. Members of Bark use and enjoy the area affected by this project for various recreational, aesthetic, and scientific pursuits including but not limited to: hiking, nature study, solitude, bird watching, fishing, and hunting.

REQUEST FOR RELIEF: Bark respectfully requests that the Forest Service withdraw the decision being appealed and —

1. Reconsider the adjustments that were made to the original Programmatic Environmental Impact Statement for Geothermal Leasing,
2. Include guidance for Forest Service staff that includes specific procedure for administering geothermal exploration, applications, and leases on Mt. Hood National Forest,

3. Within this guidance, address the use of categorical exclusions (CE) as it pertains to site-specific geothermal leases.
4. Deny all backlogged lease applications.

REQUEST FOR STAY: In accordance with 36 CFR 215.10(b) all implementation of this project must cease until 15 days after the appeal is decided.

Bark's 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. Bark believes that the development of geothermal will cause or lead to unnecessary and lasting damage to the Hood River watersheds, as well as adversely effect designated wilderness areas.

REQUEST FOR STAY: In accordance with 36 CFR 215.10(b) all implementation of this decision must cease until 15 days after the appeal is decided.

Bark's 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. Bark has concerns that the development of geothermal will have a lasting and detrimental effect on the Hood River watershed and other important cultural and recreation resources.

BACKGROUND:

Under the 2005 Energy Policy Act, federal land management agencies were tasked to form a programmatic environmental analysis looking at all renewable energy sourcing and transmission. In 2008, the Forest Service and the Bureau of Land Management worked together to form massive programmatic directives for expanding geothermal sourcing onto 192 million acres of public lands. Leasing applications had been piling up on land managers because there was no clear system or incentive for processing them. This effort intended to "fast-track" those existing applications and creates an easier system for processing future applications. Many of the programmatic changes that have been proposed are in conflict with current management plans and in some cases would override land designations that are intended to protect areas from destructive development and extraction.

On September 19, 2008, comments were submitted by the Wilderness Society in response to the Draft Programmatic Environmental Impact Statement for Geothermal Energy Leasing. Bark was one of several organizations to sign onto these comments after including some of our organizations concerns to the collective effort.

Although geothermal is considered by most to be a renewable energy source and a necessary component to our future energy need solutions, the proposal brings up several large concerns for Bark and other public lands advocates. One of the most pressing questions in American energy debates is the issue of transmission lines. Currently, our networks of power and pipeline corridors have been created to meet sources that we are trying to move beyond, particularly international sources that come in through coastal ports and boundaries. If we are to look towards domestic, renewable energy, our energy grid will need to be retrofitted to connect a new portfolio of sources to a growing population of consumers. The current proposal for geothermal leasing does not include the cumulative impacts of the needed transmission corridors for the sources to be economically viable for commercial interest. However, transmission corridors bring expansive ecosystem issues and must be considered as a part of

all energy sourcing. We do not believe that any leases should be considered or permitted until a transmission corridor planning process has been completed.

There are currently roughly 2,400 megawatts of installed geothermal electricity generation in the western United States, less than 1% of total U.S. generation capacity. The PEIS forecasts that within the planning area, 12,100 megawatts is commercially viable. Such massive development of resources will have significant impacts to the public lands and other resources that we depend on from these lands. By only providing a framework for lease by lease development, this proposal offers no guidance for land managers to assess the cumulative impacts of so much concentrated development.

In addition, rather than opening up millions of acres to geothermal leasing, the Forest Service and Bureau of Land Management need to be enabling individual forest supervisors to work with state agencies, other local leaders and energy companies to come up with ways to help create the most localized energy networks possible. Locking our national forests and public lands into a continuation of corporate subsidy for large industry development will only add to the burden felt by decades of subsidizing big timber.

In the 1990 Mt. Hood Land and Resource Management Plan (LRMP), geothermal leases are lumped into the Minerals Management section of the forestwide standards and guidelines. This antiquated view of resource extraction is unacceptable and should not be relied on for guidance with this current development. This management plan is outdated and must be revised before such large programmatic changes are applied to forest management.

In conversation with Forest Service staff, we have growing concerns that the guidance laid out in the PEIS and Decision has not provided a clear process for exploration, application and implementation of geothermal development. Some of the areas with the most lack of clarity are expanded on below. We are concerned that there may be more points of confusion that we may not be capable of identifying. We hoped that by including a Forest-level Decision, Mt. Hood National Forest would be filling in the gaps left by the national directives by providing this guidance for the responsible district rangers and also for stakeholders in the public to understand how geothermal development will be considered on a site-specific level.

THE PUBLIC HAS NOT BEEN GIVEN ADEQUATE INFORMATION TO COMMENT ON THIS DECISION

Several information gaps are specifically missing from the PEIS and the subsequent decision. A definition of development in a "No Surface Occupancy" area does not exist in the environmental analysis of geothermal development. This term is captured (also in quotes) in the Mt. Hood LRMP (FW 397) and then referenced back to the LRMP throughout the PEIS. And yet, there is never a description of how this could simultaneously exist with a subsurface development in regards to geothermal development. In the Mt. Hood LRMP, geothermal is captured in the mining section. With mining the surface disturbance could happen at a far distance from the end subsurface mining activity. However, it is not clear if this is possible with regards to geothermal.

Should the development include directional drilling to capture the geothermal energy, then there needs to be a cumulative effects analysis done to include the origin of the drill. The best example to show this concern is OROR 017327 S36, the small parcel that is adjacent to the Mt. Hood Wilderness, we do not support the designation of this area for geothermal development. The parcel falls, not only adjacent to the Mt. Hood Wilderness area, but also appears to fall entirely within an Inventoried Roadless Area. We are glad to see that the Forest Service has acknowledged their legal obligations for inventoried roadless areas. However, if the entire parcel falls within a roadless area, how is development even possible?

This parcel also falls over a portion of the Bluegrass Ridge Trail #647. This is a popular route into the alpine wilderness of Mt. Hood. This trail was not included in the analysis of recreation impacts in the Geothermal PEIS. Because of the potential impacts to the cultural resources and visual quality that could be a cause from geothermal development, we request more information about what it means to have an entire parcel fall under a stipulation that “does not allow surface development of geothermal resources (ROD at 2-5).” Why not just eliminate the parcel and deny the lease outright?

In conversation with the Mt. Hood National Forest staff, we have become concerned about the lack of directive for geothermal leasing on the site-specific level. In our PEIS comments, we expressed concern for the level of analysis that was included for the individual leases that were being considered, as well as the parcels that were designated for national forests. Therefore, we are expecting thorough environmental assessments, impact statements and public involvement for all future lease applications. The use of a categorical exclusion (CE) would lead to an arbitrary and capricious decision. We request that the Mt. Hood National Forest recognize this and continue to employ the highest standards of environmental analysis and public involvement under NEPA.

We understand that renewable energy development has created new challenges along with new opportunities for our national forest system. Our intention is to maintain ongoing communication with the agencies as this evolution occurs.

Thank you,
//s//
Amy Harwood
Program Director