

WEST-WIDE ENERGY CORRIDORS Overview/Key Points

New transmission is needed to achieve the Obama administration and Department of Interior goals for rapid, responsible development of the West's vast renewable energy resources, which does not neglect protection of our public lands. The West-wide Energy Corridors, designated for oil, gas, and hydrogen pipelines and powerlines on federal lands, should be a powerful tool in achieving those goals. Unfortunately, the corridors signed-off on by the Bush administration this January move us backward, not forward, in our efforts to create a smart western grid that will help lead us to a cleaner, safer energy future. The corridors can become a part of the solution, but fixing the errors of the previous administration is critical to making them a useful tool. Fixing the corridors will involve correcting parts of the designations to ensure that:

- priority is given to providing access to clean, renewable energy, in cooperation with state, regional and local efforts;
- new pipelines or powerlines are actually needed (i.e., energy needs cannot be met by increased efficiency, conservation, distributed generation or other means);
- special or sensitive public lands are avoided altogether;
- risks and opportunities on federal and other affected lands are realistically and thoroughly assessed, so that risks can then be avoided or minimized and opportunities for better transmission are not missed; and
- once appropriate locations are identified, projects on federal lands are presumptively limited to those corridors.

The corridor designations were not based on access to renewable energy and so do not facilitate renewables development. Further, because of failures to consider the actual impacts of the corridors and to engage the public and state and local governments, the designated corridors still affect National Park Service areas, National Monuments, National Wildlife Refuges, habitat for threatened and endangered species, and proposed wilderness, among other special places and values, and miss opportunities to designate preferable locations.

The new administration has the opportunity to remedy these errors by building on the information already compiled and revising the PEIS, to better meet America's energy needs without sacrificing the integrity of our public land legacy.

BACKGROUND

Statutory Direction – Section 368 of the Energy Policy Act of 2005 requires the Secretaries of Agriculture, Commerce, Defense, Energy and Interior, in consultation with the Federal Energy Regulatory Commission (FERC), other governments, industries, and other interested parties, to **designate energy corridors on federal lands**. The agencies are required to complete any environmental reviews and **incorporate the corridors into existing land use plans** as part of the designation process. Section 368 also requires that the agencies establish procedures to ensure that additional corridors are designated promptly and to **expedite applications for construction** of pipelines and facilities within the designated

corridors. As required, corridors were first designated in the 11 Western States.¹ A process to designate corridors in the remaining states has also commenced.

Corridor Definition – For purposes of this process, “energy corridors” are areas on public lands in which **oil, gas and hydrogen pipelines and electricity transmission and distribution facilities** will be housed. The exact location of these facilities in the corridors will not be finally determined until specific projects are approved. The width of most corridors will be **3500 feet** – approximately 2/3 mile – although some may be narrower and many of the proposed corridors are larger – up to 5 miles wide. In essence, these are areas that are deemed suitable for industrialization to accommodate pipelines and power lines.

Controversy – The speed at which the last administration moved, the lack of access to renewables, the limits on effective scrutiny, and the lack of sufficient protections for public lands have led to congressional action, in addition to widespread public concern. A bi-partisan letter (sponsored by Rep. Raul Grijalva (D-AZ) and Rep. Sue Kelly (R-NY)) was sent to the Secretaries in December, 2006, urging a more cautious approach. Legislation was proposed in 2007 to revise Section 368 to add a study of energy needs and opportunities for increasing access to renewable energy, as well as to avoid special places and minimize damage to the public lands. In April, 2008, two House subcommittees held a joint hearing on the flaws of the West-wide Energy Corridor process. A number of governors of the affected states submitted formal “consistency reviews” highlighting their concerns with the Final PEIS and its failures to address their formal policies. Congressional attention and concern have continued.

Quick Facts about the West-wide Energy Corridors:

- Corridors cover 6,000 miles over almost 3 million acres.
- Areas within the designated corridors are essentially deemed appropriate for pipelines and powerlines.
- More than 160 land use plans have been automatically amended to permit use of the energy corridors;
- Applications for construction of pipelines, powerlines and related facilities are expedited – including environmental reviews, which will be “tiered” back to the general NEPA analysis done in the PEIS and thus will be limited.
- Large-scale buildup within these corridors becomes more likely – the Draft PEIS contemplates that about **9 individual 500-kv transmission lines**, as many as **35 liquid petroleum pipelines** (each consisting of a 32-inch-diameter pipe and a 100-foot construction ROW) or up to **29 natural gas pipelines** (42-inch-diameter pipe and 120-foot construction ROW) could be supported within a 3,500-foot-wide corridor.

MAJOR CONCERNS

Sources of energy are not identified/renewable energy sources are not prioritized – Federal agencies have enacted policies and made commitments to encourage the use of public lands to support development and transmission of renewable energy. More than 20 states and the District of Columbia have enacted renewable portfolio standards, which require electricity providers to obtain a minimum percentage of their power from renewable energy resources by a certain date. Most western states are also engaged in facilitating development and transmission of renewable energy. Yet the PEIS does not identify sources of energy that will be moved through proposed corridors (so preferences for transporting energy from wind power over coal-fired power plants could be implemented) or otherwise prioritize transmission of renewable energy sources.

¹ Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

Ignoring effects and opportunities on adjacent lands – The agencies artificially limit consideration of impacts on adjacent lands (federal, state, tribal and private) by only looking at the effects on the federal lands where corridors are designated, even though the power lines and pipelines must cross these lands - some of which contain sensitive resources and other special places and some of which provide opportunities to designate preferable corridors (which were ignored). The agencies must acknowledge the likely paths of these corridors, in order to minimize damage and maximize options.

Missed Opportunities for Renewables:

The State of New Mexico has recommended several specific corridors to help meet their renewable energy development commitments. Both the Governor and the Secretary of the State Energy, Minerals and Natural Resources Department recommended consideration of corridors:

- from the Willard area in east-central New Mexico to Belen near I-25;
- from the east to the west across the state along I-40; and
- heading northwest out of the eastern part of the New Mexico, then west in the northern part of the state.

Despite their obligations to coordinate with State governments and assure consistency with their policies and programs, the agencies did not even consider these recommendations. Utilities, renewables project developers, and others have also advocated for alternate corridors for renewables, but the designations ignore those recommendations.

Endangering special places - Numerous comments highlight the importance of **avoiding areas** such as Wilderness, National Parks, National Wildlife Refuges, National Monuments, threatened, endangered and sensitive species habitat, and other special or vulnerable places, as well as the need to complete a thorough analysis of environmental consequences and potential mitigation measures. While the agencies have avoided some special areas, corridors are designated through these areas or in locations that will otherwise affect them. Further, the PEIS does not even include Wilderness Study Areas in its list of “sensitive resources.”

Endangering special values – The agencies were also urged to protect **threatened and endangered species** (including by complying with the Endangered Species Act) and to protect the nation’s **cultural history** (including by complying with the National Historic Preservation Act) and. The agencies have declined to prioritize compliance with the NHPA and ESA, although the investigation and consultation processes prescribed by these Acts could ensure that artifacts and endangered species are identified and protected before areas are made targets as energy corridors. **In fact, the National Marine and Fisheries Service (one of the 2 agencies that must be consulted under the ESA if a proposal**

may affect a species or habitat) formally disagreed with the agencies’ decision that there is not an effect on special status species from corridor designation and concluded that it should be consulted. The designations missed an opportunity to assess the presence of cultural resources or important wildlife habitat on a landscape level and take proactive steps to avoid it *before* projects are proposed.

No assessment of other options to improve transmission or supply – The agencies do not consider other ways to meet energy needs that will cause less damage and disruption, such as upgrading existing transmission to improve efficiency, energy conservation, demand-side management, or distributed generation opportunities.

Ignoring cumulative impacts – The agencies did not look at the **overall effect on the landscape** of these contiguous eleven Western States, and the many resources it contains. Further, the agencies’ obligation to analyze impacts must encompass not only the proposed corridors, but also the cumulative impacts of the

corridors, taken together with the impacts of **other existing, proposed, or reasonably foreseeable projects**, on the environment. Thus, the agencies must analyze the cumulative impacts not just of the proposed corridors, but also of other projects that will impact resources in common with this proposed action. For instance, the BLM is currently evaluating or has approved a number of **other programmatic environmental impact statements**, such as those addressing Vegetative Treatments, Wind Development, and Solar Development. Section 1221 of the Energy Policy Act of 2005 also requires DOE to conduct a study and designate national interest electric transmission corridors, which has already designated a 50-million acre area in California and Arizona, in which environmental review will be compromised through FERC's ability to override state and federal agencies and through condemnation of private lands. These significant impacts must not be ignored.

Existing rights-of-way are not carefully examined for compatibility with expansion/increased use – While existing rights-of-way and development should be among the first places considered for designating energy corridors, not all existing rights-of-ways, even those along highways, are appropriate places for a 3,500-foot wide corridor or intensified energy development; many are narrow and have, to date, had limited impacts on the surrounding lands. Adding multiple oil, gas and hydrogen pipelines and/or huge powerlines and related transmission facilities **would transform the nature of the use, radically increasing existing impacts** on the ecosystem.

Powerlines and pipelines are not limited to energy corridors – If the designated energy corridors are the best locations for pipelines and powerlines, then the PEIS should also require that every effort be made to ensure that future projects are kept within these areas, which would **protect the remaining lands**.

SPECIFIC EXAMPLES OF IMPACTS TO SPECIAL PLACES

New Mexico

A corridor runs through **Sevilleta National Wildlife Refuge**, which is home to a vast array of important and endangered species, including desert bighorn sheep and bald eagles, as well as Gunnison prairie dogs. While the proposed corridor includes an existing right-of-way and follows a highway, large-scale use of the corridor will necessarily interfere with the protection of the wildlife in the Refuge, which is why conservation groups have advocated for corridors not to be placed in wildlife refuges. The corridor also passes through the **Rio Grande** corridor (one of the most stressed rivers in the country), habitat for the endangered Pecos sunflower and two State Wildlife Refuges, which are not even acknowledged. While the width of the corridor is limited to 1,500-feet through Sevilleta National Wildlife Refuge, but this is not a uniform approach to corridors through wildlife habitat or even for the remainder of this corridor, which will still damage other resources.

Nevada

Two corridors pass through or adjacent to the **Desert National Wildlife Refuge**, which is home to desert bighorn sheep, as are the three Wilderness Areas (Delamar Mountains, Arrow Canyon and Meadow Valley) bordering the corridor to the east of the Refuge, so that construction in the corridor will likely impact all of these populations. The Refuge also provides habitat to the threatened desert tortoise, so the corridor is likely to harm its habitat, as well. Cumulative impacts from the corridor must be considered in conjunction with the intensive development already occurring on all of the other land around the existing highway and corridor to the east of the Refuge.

Idaho

A corridor runs for 16 miles through the **Snake River-Birds of Prey National Conservation Area**, which was established to protect one of the densest known raptor populations in North America including the habitat of the raptor prey base as well as the nesting and hunting habitat of raptors within the conservation area. There are no requirements for any corridors in National Conservation Areas to comply with the management priorities set out in the legislation establishing them.

Arizona

A mile-wide corridor bisects **one of the largest rock art concentrations in the state of Arizona**, involving hundreds of petroglyphs. The area contains a large Hohokam village site and important prehistoric trails used by both the Hohokam and Patayan peoples, increasing its importance, and has been found by the Arizona State Historic Preservation Office to have high potential for listing on the National Register of Historic Places. The site is entirely on private lands that lie immediately south of the designated corridor. While existing pipeline and transmission lines have, with careful assessment, managed to avoid direct impacts to the resources, further concentration of facilities make continued avoidance unlikely, especially since the agencies have refused to analyze the risk to non-federal lands that are just yards away.

Another corridor crosses into the proposed **Tumacacori Highlands Wilderness**, introduced by Representative Grijalva in 2007 and expected to be reintroduced this year.

Utah

A 3,500-foot corridor is designated for 20 miles through the **Grand Staircase-Escalante National Monument**. The corridor does not follow an existing road and is in an area frequented by hikers, backpackers, hunters, and horseback riders for a remote and primitive experience. The corridor runs past the Buckskin Mountain area and crosses the Paria River, which has been declared by the BLM as suitable for inclusion into the Wild and Scenic Rivers System based on its outstandingly remarkable scenic, recreational, wildlife, geological, historic, and riparian values. From the intersection point with the corridor, the Paria flows immediately through the Paria Canyon/Vermillion Cliffs Wilderness Area and on down to the Colorado River. How this river will be impacted has not been evaluated in the PEIS.

A corridor that is miles wide is designated along the border of **Arches National Park**, where development would impact the experience of the park. Running through some of the most spectacular scenic vistas in Southern Utah, this corridor will actually run through the canyon bordering the park. Neither impacts to this important area adjacent to the park nor the need for such pipelines and/or transmission lines have been assessed.

California

A corridor crosses through the **Whiskeytown-Shasta-Trinity National Recreation Area**, which is co-managed by the National Park Service and Forest Service.

Oregon

A corridor traverses **three Wild and Scenic River segments** in the Mt. Hood National Forest, as well as the popular **Pacific Crest Trail**. Most of this corridor does not track any locally designated rights-of-way, construction of transmission lines, pipelines, and related facilities. Construction in the corridor will destroy mature and old-growth forest stands that were set aside years ago to protect the threatened northern spotted owl. The corridor also crosses streams, creeks, and rivers that provide critical habitat for protected populations of salmon and provide clean drinking water for communities downriver. Most of these impacts were not disclosed, let alone evaluated, in the designation process.