

Bullish proposal threatens local roadless area

Sarah Gilman - Aspen Daily News Staff Writer

Wed 10/24/2007 11:01AM

http://www.aspendailynews.com/archive_22342

The Bull Mountain pipeline would be placed in the same area as this existing gas line that has a 20-foot-wide cut

Conservation groups fight proposal to dig Bull Mountain gas pipeline through Clear Fork Divide

The Clear Fork Divide rises northwest of the Crystal River in a rolling system of ridges and swales, prickling with winter-naked aspens and a black cloak of old-growth spruce and fir. The 120,000-acre roadless complex, remote and starkly beautiful in its fresh mantle of snow, connects Battlement Mesa and Grand Mesa to the West Elk Mountains, dropping into Thompson Creek on to the east and into Mamm and Divide Creeks — both drainages in the midst of a natural gas drilling boom — to the northwest.

This spine is a critical habitat linkage for big game and other wildlife, explained Wilderness Workshop Director Sloan Shoemaker from the cockpit of a small aircraft as EcoFlight pilot Bruce Gordon pulled a tight, stomach-spinning turn over the Clear Fork. But this seemingly pristine chunk of land near Carbondale may also be slated for a new 20-inch natural gas pipeline that would open a 50- to 150-foot-wide swath for heavy truck traffic through eight miles of the designated roadless area.

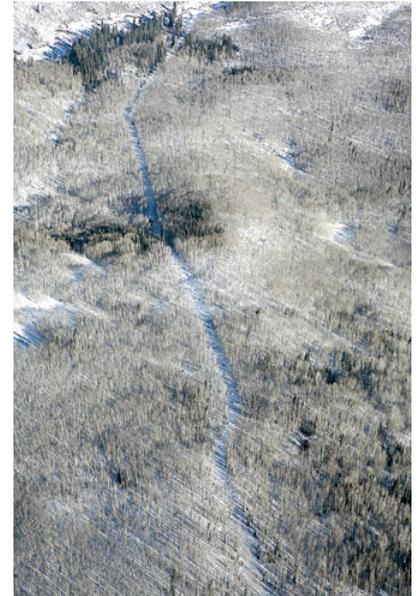
Off the left wing, Shoemaker pointed out the Bull Mountain pipeline's proposed trajectory along an existing buried gas pipeline, visible from the air as a subtle white path — perhaps 20 feet wide — cut through the aspen trees. "The evidence of the existing pipeline is so scant you can barely see it," Shoemaker said. "They're proposing a 150-foot-wide construction zone. That's orders of magnitude greater."

And once construction is finished, there would be a 50-foot permanent easement across the roadless area.

In theory, the Clear Fork should be protected from the construction of what Shoemaker refers to as a "de facto" road by a California judge's reinstatement of President Bill Clinton's 2001 Roadless Rule, which protects over 50 million acres of National Forest lands from the development of any new roads, late last year.

But the draft environmental impact statement for the Bull Mountain project lists the proposed pipeline route through roadless lands as the "preferred alternative" and refers to the corridor for heavy equipment and truck travel that would pass through the Clear Fork as a "temporary construction right of way" instead of a road.

"That couldn't pass the laugh test," Shoemaker said. "The Forest Service is trying to push the boundaries of the roadless rule," a move Shoemaker's Carbondale-based nonprofit, as well as a handful of other conservation groups, worries could set a dangerous precedent and open up other protected lands.



The pipeline

The Bull Mountain Pipeline, the project of Houston-based energy company S.G. Interests, would pass underground through two national forests -- the White River and the Grand Mesa-Uncompahgre-Gunnison -- as well as a portion of Bureau of Land Management land, to connect two existing natural gas compressor stations. There are actually several alternative routes proposed for the underground pipe, two of which would follow existing roadways and be more expensive and 10 to 20 miles longer than the 25-mile length proposed in the "preferred alternative," which follows an underground gas line that serves Aspen and Carbondale through the roadless area.

The BLM and the Forest Service are still quietly mulling their decision -- expected early next year -- on whether or not to give out the special-use permit that would allow the pipeline construction to proceed across public land, according to Forest Service spokeswoman Lee Anne Loupe.

"It's complex," she said.

The two affected national forests are in the midst of drafting "letters of concurrence," essentially formal recommendations of action, to the BLM, Loupe said. Based on input and the final environmental impact statement, the BLM will then issue a final decision on if and how the project will go forward.

For now, Loupe said, all of the alternative pipeline routes, including a "no action" alternative, where no pipeline would be built, are under consideration. "Until the decision is actually out, it's all speculation," she said.

Energy company optimistic

But Shoemaker said he's heard rumblings through "various channels" that the Forest Service will recommend in favor of the route through roadless lands, and S.G. Interests is optimistic that the project will go forward as planned.

"We still feel pretty confident that this is going to happen," said S.G. Interests Vice President of Operations Shaun Gordy.

Gordy explained that the company chose the route along the existing pipeline through the roadless areas because it will have the "least environmental impact."

"Along the road we'd have to move 30 times more dirt and we'd be cutting down a bunch more trees," he said. "Our goal is to be as environmentally sensitive as we can. The pipeline would go down an existing right of way. (And with revegetation), several years from now it will be hard to even recognize that it's there."

The alternative routes for the pipeline would also cost the company twice as much money, Gordy noted.

The pipeline -- which could transport up to 400 million cubic feet of gas a day into the national grid -- would open the way to gas development on S.G. Interests' 65,000 acres of federal mineral leases, many of them held jointly with Gunnison Energy, in the area, Gordy said. "Given the demand for natural gas right now, that will benefit local and state government (in taxes and royalty fees) and supply gas to meet national demand."

Meanwhile, Gordy said, the environmental effect would be negligible. If the company gets a special-use permit for the pipeline, he added, construction will likely begin next summer after elk and deer calving season is over.

'It's about protecting wild places'

But the Wilderness Workshop and others say putting the pipeline through a roadless area is illegal.

“The roadless rule defines a road as a motor vehicle travel way over 50 inches wide,” regardless of whether it is temporary, said Earthjustice attorney Robin Cooley, who represents the Wilderness Workshop and the High Country Citizens’ Alliance.

Classifying a 50- to 150-foot travel corridor for trucks and equipment to drive on as anything but a road “defies logic,” she said. “Our concern is that if the Forest Service can just avoid the roadless rule by labeling roads as anything other than roads, it may open up other roadless areas” to development, she said, setting a dangerous precedent.

For now, the groups’ course of action is to wait and see what the BLM decides, she said. “We’ve submitted our comments and expressed our concerns. We hope they take those to heart.”

If the agencies decide to grant S.G. Interests the permit allowing the construction of the pipeline through the roadless area, the conservation groups may sue. Under BLM regulations, a BLM decision goes into “full force and effect” right away with no appeals process, she said, leaving few alternatives.

“This is not about trying to shut down oil and gas,” said Shoemaker, pointing to the two alternative routes for the pipeline, which the Colorado Division of Wildlife also favors as the least harmful to wildlife. “This is about protecting wild places, whatever the threat.”

Wilderness Workshop is in the midst of drumming up support to turn the Clear Fork Divide Roadless Area, as well as other White River National Forest “gems” totaling several hundred thousand acres, into congressionally designated wilderness so that it will be protected in perpetuity.

“We don’t think it’s too much to ask industry to forgo some of their fat profit margin to protect the public good, to protect lands held in public trust,” Shoemaker said. “The overwhelming majority of the American public speaks in favor of protecting roadless lands.”

msarah@aspdailynews.com