



June 26, 2020

Lenore Heppler
Chief, Branch of Land, Minerals and Energy Resources
Oregon/Washington State Office
Bureau of Land Management

1220 S.W. 3rd Avenue
Portland, OR 97204
Submitted electronically to: lheppler@blm.gov

RE: Mt. Baker Geothermal Lease Sale

Dear Ms. Heppler,

On behalf of the 12 undersigned organizations and the tens of thousands of forest users, Washington residents and federal taxpayers which they represent, we are writing in response to the geothermal lease sale with in the Mt. Baker District of the Mt. Baker Snoqualmie National Forest scheduled for June 30, 2020.

Our organizations support efforts to responsibly develop renewable energy resources as the Northwest continues to wean itself off of non-renewable fossil fuels in an effort to do its part to mitigate climate change. We recognize that geothermal energy has important potential benefits in this regard as its development is now being pioneered here in Washington State.

However, we also feel strongly that renewable energy development is not appropriate everywhere, or at any cost. For example, areas that boast some of the last best wildlife habitat and connectivity or wild intact ancient forests are not compatible with geothermal development or even certain levels of exploratory drilling. In addition, landscapes where significant resources have been invested to restore watersheds for healthy fish populations and clean and safe drinking water significantly bias a cost/benefit analysis against development.

Past Involvement in this Issue

Many of our organizations provided detailed comments as part of the Mt. Baker Geothermal Consent to Lease Draft Environmental Assessment (EA) in 2015. In the final EA and the subsequent Consent to Lease document finalized by the Forest Service, many of our recommendations for stipulations to protect surface values like old-growth forests, free flowing rivers, municipal watersheds, critical salmon and wildlife habitat and inventoried roadless areas were included by the Forest Service.

We appreciate that the following areas have been removed from the project area because they are excluded from mineral leasing, either by Statute or Forest Plan direction.

- Mt. Baker Wilderness
- Mt. Baker National Recreation Area
- Sulphur Creek Botanical Area
- North Fork Nooksack Research Natural Area.

Stipulations Identified in the Final Consent to Lease Document by The Forest Service

It is our understanding that the two parcels (WA-2020-06-0002 including 4,964 acres & WA-2020-06-0003 including 3,518 acres) that will be up for lease on June 30 will be subject to the following finalized stipulations focused on protection surface values. Any lease that is purchased for either area will only allow “casual use” (driving existing roads, walking and surveying). If an exploratory drilling permit is applied for, the BLM will implement a public process pursuant to the National Environmental Policy Act soliciting public comment. If such a permit is ultimately approved, the stipulations will still apply to any exploratory drilling and related activities.

Special Stipulations (referenced in Appendix E & G of the leasing documentation)

1. **Monitoring of Thermal Features** - The Lessee is required to monitor the water quality and quantity of thermal features (e.g., springs or surface expressions) on the lease during any exploration, development, and production activities.
2. **Endangered Species Act** - The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 USC 1531 et seq., including completion of any required procedure for conference or consultation.
3. **Cultural Resources** - This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

No Surface Occupancy Stipulations

1. **Recommended Wild & Scenic Rivers** - No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). Within the 0.25-mile corridor from the high water mark on either side of the bank on all river segments designated as potentially eligible (recommended) for Wild and Scenic Rivers (WSR) status by virtue of a WSR inventory. For the

purpose of protecting those characteristics that contribute to the eligibility of these rivers at their highest potential classification.

2. **Developed Recreation Sites** - No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). On developed recreational facilities, special-use permit recreation sites (e.g. ski resorts and camps), and areas with significant recreational use where geothermal development is deemed incompatible; excluding direct use applications. For the purpose of maintaining the recreation opportunities and settings within developed recreation sites.
3. **Slopes > 40% & Soils with High Erosion Potential** - No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). On lands with slopes in excess of 40 percent and soils with high erosion potential. For the purpose of protecting soil resources from loss of productivity, preventing erosion on steep slopes, soil mass movement, and resultant sedimentation.
4. **Water Bodies, Riparian Reserves, Wetlands, Playas, & 100-year Floodplains** - No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). In areas identified as water bodies, Riparian Reserves, wetlands, playas, and 100-year floodplains. For the purpose of protecting the biological and hydrologic features of water bodies, Riparian Reserves, wetlands, playas, and 100-year floodplains.

Controlled Surface Use Stipulations

1. **Recreational Areas** - Surface occupancy or use is subject to the following special operating constraints: road construction, road reconstruction, and timber removal is prohibited to minimize the potential for adverse impacts to recreational values, both motorized and non-motorized, and the natural settings associated with the recreational activity. For the purpose of protecting natural settings associated with recreational activities including roads, hiking trails (including the Pacific Northwest National Scenic Trail), and semi-primitive nonmotorized and semi-primitive motorized management areas (MAs 1B and 1C).
2. **Visual Resources** - Surface occupancy or use is subject to the following special operating constraints: in areas with a Scenic Management System integrity level of high, activities and improvements shall be located, designed, and maintained to be either not evident or visually subordinate to the natural landscape. For the purpose of maintaining the Scenic Management System (SMS) integrity level for areas identified as high.
3. **Erosive Soils & Soils on Slopes > 30%** - Surface occupancy or use is subject to the following special operating constraints: In areas where slopes are greater than 30 percent and in areas classified as irreversible soils (S-8): (1) plan and conduct land management activities so that soil loss from surface erosion and mass wasting will not result in an unacceptable reduction in soil productivity and water quality; (2) surface erosion will be minimized by maintaining effective ground cover after cessation of any soil disturbing activity; (3) special transportation planning, design, layout, preconstruction, construction, and maintenance techniques may be required; (4) a geotechnical investigation would be conducted to analyze soil and geologic condition; and, would identify potential geologic hazards and make remedial grading recommendations; and (5) operator must routinely maintain roads and pads to minimize erosion. In areas of erodible soils, avoid excessive road grades, road embankments, ditches and drainages. For the purpose of minimizing the potential for adverse impacts to erosive soils as defined as severe or very severe erosion class based on the Natural Resources Conservation Services (NRCS) mapping.
4. **Riparian Reserves & Wetland Habitat** - Surface occupancy or use is subject to the following special operating constraints: On lands within 500 feet of Riparian Reserves or wetland vegetation: (1) use Best Management Practices to meet or exceed Water Quality Regulations for waters of the State (Washington Administrative Code, Chapter 173-20; (2) Maintain the bank, flood plain, and shore stability of all wetlands; and, (3) Roads would be located away from

drainage bottoms and avoid wetlands, if practicable. For the purpose of protecting the values and functions of Riparian Reserves and wetlands.

5. **Late Successional Reserves** - Surface occupancy or use is subject to the following special operating constraints: design mitigation measures that minimize detrimental effects to Late Successional Reserve (LSR) habitat. The lessee will be required to submit a plan to meet the resource management objectives of the LSR through special design, mitigation, or relocation. For the purpose of protecting late successional forests in the project area and ensuring that any subsequent geothermal development within Late Successional Reserves would be conducted in such a manner as to be neutral or beneficial to the creation and maintenance of late successional habitat.
6. **Inventoried Roadless Areas** - Surface occupancy or use is subject to the following special operating constraints: No new road construction, reconstruction or timber harvest is allowed in inventoried roadless areas per 36 CFR 294 Subpart B - Protection of Inventoried Roadless Areas. For the purpose of protecting the roadless character.

Timing Limitation Stipulation

1. **Deer & Elk Winter & Transition Ranges** - No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities. South Boulder Creek, Forest Service Road (FSR) 1123, and Rock Pit, FSR 1140, will be closed from October 1 to May 20. For the purpose of protecting deer and elk winter and transition ranges.
2. **Mountain Goat Winter & Spring Ranges** - No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities. Wells Creek, Forest Service Road 33, will be closed from November 1 to July 1. For the purpose of protecting mountain goat winter and spring ranges.

In closing, we appreciate the opportunity to clarify our expectations moving forward with any lease sales and permits in this area. Please be sure to send any future notices to the undersigned organizations in the future.

Feel free to contact Tom Uniack, Conservation Director for Washington Wild directly, or on behalf of the undersigned organizations, at 206-633-1992 or tom@wawild.org.

Sincerely,

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