

Can Northern Pass Cross the White Mountain National Forest?

As proposed, Northern Pass does not meet the high standards of the WMNF Management Plan

Northern Pass (NP) has no land rights in the White Mountain National Forest (WMNF). NP proposes to locate its HVDC transmission line in the 17-mile inclusive Special Use corridor that the United States Forest Service (USFS) has granted to PSNH on a limited, renewable basis. This corridor, which crosses the National Scenic Appalachian Trail and is visible from Franconia Notch and I-93, was granted in the late 1940s for the essential purpose of bringing electricity to North Country towns.

NP must obtain a Special Use Permit (SUP). The application was filed on 6/28/2011. The USFS will not make its decision on the SUP until after the DOE's Final Environmental Impact Statement (EIS) is available (likely 2-3 years from now). The USFS's "screening" response to NP's preliminary application deferred the key determination on "public interest" until the final EIS is complete.

The terms and conditions of the WMNF Land and Resource Management Plan will govern whether or not the USFS grants the SUP. (Federal legislation, regulations and Forest Service directives may also pertain.) NP's project must be consistent with the terms, conditions, and requirements of the WMNF Management Plan (16 USC 1604(i)). NP's proposed route crosses three WMNF "management areas" (MAs): 2.1 (General Forest); 6.1 (Semi-Primitive Recreation); and 8.3 (National Scenic Appalachian Trail). Each has different requirements that must be met.

As proposed, NP fails to meet the high standards of the WMNF Plan for the areas it would cross.

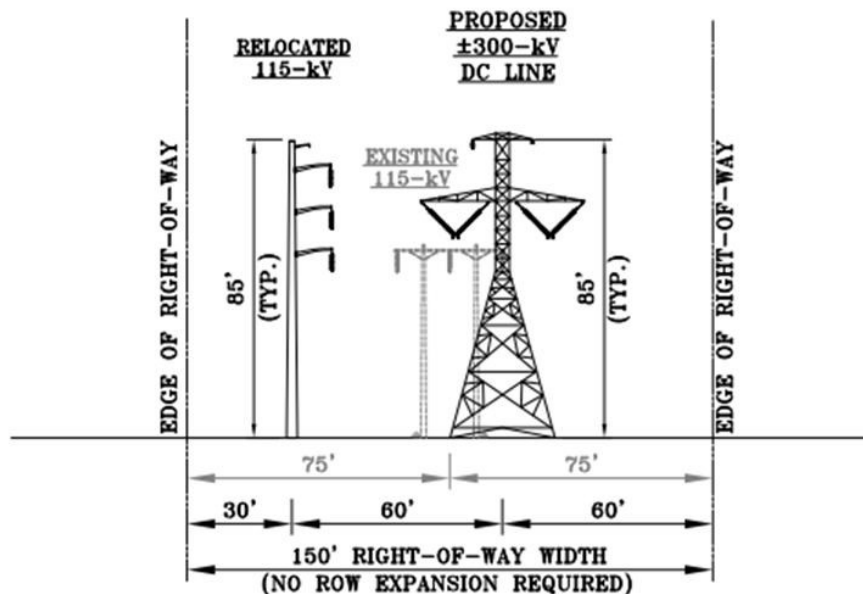
Three specific examples of NP's failure to meet WMNF Management Plan rules:

1. The general WMNF rule: "**Private uses of National Forest System land must not be authorized when such uses can be reasonably accommodated on other lands**" - WMNF Management Plan, Forest-Wide Management Direction, S-1(a), p. 2-9 (emphasis added). NP is a merchant (private) line. Other reasonable alternatives exist, e.g., burial on state right of ways. The USFS is obligated not to take the developer's cost or profit into consideration.
2. The WMNF rule for crossing the Appalachian Trail: "**New utility lines or rights-of-way are prohibited unless they represent the only feasible and prudent alternative to meet an overriding public need**" - WMNF Management Plan, MA 8.3 Appalachian Trail, S-3, p. 3-48 (emphasis added). NP is a new utility line. No federal, regional or state regulatory agency has found that Northern Pass is "needed," much less in some "overriding" way.

Other feasible and prudent alternatives exist, including burial in state rights of way or even demand reduction through conservation or other measures.

3. The WMNF rule for visual impacts on the Appalachian Trail: The “**Scenic Integrity Objectives**” for MA 8.3 (Appalachian Trail) are stated as **mandatory standards** and are “**Very High**” or “**High**.” These levels of scenic protection require landscape character that (1) is **unaltered**, meaning the landscape “is intact with only minute if any deviations” (Very High) or (2) **appears unaltered**, meaning the landscape “appears intact” and any deviations “must repeat the form, line, color, texture and pattern common to the landscape character so completely and at such scale that they are not evident” (High) – WMNF Management Plan, MA 8.3 Appalachian Trail, S-1, S-2, p. 3-52; see also definitions.

As currently proposed, NP adds **material scenic impacts** to the existing SUP corridor. Even the newly-suggested 85’ “typical” tower height (which almost certainly will involve some higher towers) exceeds the tree cover. The redesigned and relocated PSNH AC transmission line would also be substantially taller and more visually invasive. The cross-sectional area of the structures (including PSNH’s line as redesigned and relocated) – that is, the total structure volume that is visible to an observer -- is substantially more massive and would be several multiples of the current PSNH lines, as NP’s own diagram shows:



ROW CROSS SECTION
WHITE MOUNTAIN NATIONAL FOREST

(Additional WMNF management rules, e.g., lines to be buried “if feasible,” would prohibit NP as well.)

If NP's proposal is inconsistent with the terms and conditions of the WMNF Management Plan and does not meet mandatory its standards, will the SUP be denied?

It should be, but there is a process to amend the WMNF Management Plan for a specific project ("Forest Plan Amendment and Revision," pp. v-vi.). Two recent examples are the Susquehanna-Rosemont transmission line and Sunrise Power Link. However, neither is a close factual analogy to NP. At best, a project-specific amendment is a remote possibility for NP unless political pressure or mitigation offers override WMNF Management Plan rules. **A significant body of EIS comments and an ongoing change.org petition have already registered vigorous public opposition to NP's proposed private use and negative impacts on the scenic integrity of the WMNF and the National Scenic Appalachian Trail.**



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