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## Suit filed against “Ruby” pipeline project

By James Mayer

The Center for Biological Diversity filed a lawsuit today challenging the 677-mile “Ruby” natural gas pipeline across Wyoming, Utah, Nevada, Oregon and California.

The pipeline will cross more than 1,000 rivers and streams, affecting habitat for several endangered fish species, and will use more than 400 million gallons of water over the next several years from an increasingly arid area, according to the center.

“Instead of creating an entirely new path of destruction, an existing pipeline route should have been utilized,” said Noah Greenwald, endangered species program director at the center.

The lawsuit, filed in the Ninth Circuit Court of Appeals, challenges the Bureau of Land Management’s decision to issue rights of way on federal lands and the U.S. Fish and Wildlife Service’s review of the project’s impacts on endangered species.

The challenge was filed in the Ninth Circuit because of a provision in the Energy Policy Act of 2005 that bypasses federal district court for challenges to energy projects.

The center argues that pipeline will have serious impacts on several endangered fish species, including the Lahontan cutthroat trout, Warner Creek sucker, Lost River sucker, Colorado pikeminnow and others.

The pipeline, which would be built by the El Paso Corporation, would cross 209 streams that serve as habitat



Map of the proposed “Ruby” pipeline, courtesy of the Bureau of Land Management (top); Lahontan cutthroat trout, one of the species that would be affected by the pipeline (bottom). Courtesy of the USFWS, Nevada Fish & Wildlife Office.

for these fish. The work could also include blasting through 143 streams to lay the pipeline and depleting flows with its substantial use of water, according to the center.

The center argues that the U.S. Fish and Wildlife Service failed to consider the potential for a pipeline rupture at stream crossings along the route.

“If there’s one lesson we should have learned from the Gulf disaster, it’s that things can and do go wrong when regulatory agencies don’t do their jobs,” said Greenwald.