August 13, 2024

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Subject: Significant and Unmitigated Watershed Degradation Due to Inadequate Erosion Control Measures on SunZia Roads and Disturbance Areas

Dear Ms. McCue, BLM State Directors, Arizona Land Commissioners, and County Supervisors:

This letter requests your timely attention to the extensive erosion and associated environmental damage occurring as a result of the access roads, tower pad sites, and pull/tension sites constructed without the specified safeguards by SunZia Transmission, LLC ("SunZia") in the San Pedro Valley ("Valley"). Because the erosion control measures required by the SunZia 2023 Plan of Development have not been implemented, rills, ruts, fissures, and gullies are

forming and soil and hydrological systems are being damaged. Please instruct appropriate personnel to take immediate steps to install the required water bars, additional silt fences, and related measures to counter the steam and watershed degradation that are actively unfolding.

The denudation and degradation of land surfaces and loss of soil productivity directly impact habitat and water quality. As plants are covered in sediment, water retention decreases, edge effects and habitat fragmentation increase, and the potential for invasive plant colonization increases (Figure 1) (2013 FEIS pp. 4-28, 4-64). As silts and clays are mobilized by precipitation, the decreased water quality in the San Pedro River and its tributaries negatively impacts fish, amphibians, aquatic invertebrates, and aquatic birds, either directly or by decreasing foraging success (2013 FEIS pp. 4-65 to 4-67).

Figure 1. Surface wasting below tower pad site S1-098/2, July 29, 2024.

In January of this year, Ms. Pearl Mast of the Cascabel Conservation Association sent an email to SunZia that asked, "*What happened to standard erosion control features required in POD for new roads?*" The issue was also raised as a serious concern by Archaeology Southwest representatives in the December 11, 2023 videoconference with BLM State Director Barnes and SunZia CEO Armistead. In the only response to date, Chase Taylor, Pattern Energy's Environmental Compliance Manager, replied to Ms. Mast on January 24, 2024:

> "Our current phase of road building is focused on ensuring that we have safe and sufficient access to support construction delivery. . . . Water management around these types of roads follow guidelines in our construction permits and are primarily focused on keeping sediment out of water bodies and are not focused on permanent road

> stability. To achieve this our team utilizes a range of temporary stabilization strategies such as mulching, wattles, erosion blankets, sterile seeding, silt fencing, soil compaction, crusting, surface roughening and a frequent inspection and maintenance process to repair and replace temporary erosion and sediment control devices. Inspections and observations are being made by our construction contractor's environmental team, our site management's environmental team, federal inspectors and representatives from soil and water conservation districts. This work is critical to preserving the natural environment during construction and ensuring that the site is ready for reclamation tasks once heavy construction is complete. More permanent infrastructure (that supports water flow and driver safety) are constructed following substantial completion. Permanent engineered features such as crowning, sloping, water bars, small culverts, native vegetation planting are not designed to withstand damage from heavy equipment such as concrete or water trucks, pole delivery, cranes etc. and are thus not built out until after those tasks are completed in a given area."

SunZia construction and monitoring crews have failed and are failing to prevent major erosion and stream siltation. SunZia tower installation in the Valley is complete, except where helicopter-placement is required. With "substantial completion" of all work by "heavy equipment such as concrete or water trucks, pole delivery, cranes etc.," it is past time for the installation of the water bars, cross ditches, and biodegradable silt fences, and for the removal of the downslope road berms not already destroyed by runoff.

SunZia's *Erosion, Dust Control and Air Quality Plan* (Plan of Development, Appendix A) describes mitigation measures for "Drainage Control" and "Reducing Short-Term Erosion and Sedimentation" (POD p. A6-7). The plan requires "drainage control structures to direct surface runoff away from the road surface to prevent rill and rut development and to control runoff and sediment discharges." These measures include detention basins, silt fences, water bars at appropriate intervals, rolling dips, ditches, culverts, and appropriate grades and inclination (POD pp. A6-7). Although SunZia has built a few detention basins and installed some silt fences, these efforts have been inadequate to prevent hundreds of rills and ruts on access roads (Figure 3), dispersion of silt fences (Figure 4), and fissures at tower pad and pull/tension sites (Figures 5 and 6).

Figure 3. Rills and ruts forming on access road near 32.359648°, -110.486519°, July 25, 2024.

Figure 4. Silt fences made of synthetic material dispersing into the drainages near 32.364137°, -110.492155°, July 29, 2024.

Figure 5. Fissured slopes at tower pad site S1-095/3, July 29, 2024.

Figure 6. Gullies forming on pull/tension sites near 32.364137°, -110.492155°, July 29, 2024.

We look forward to SunZia's timely implementation of erosion control measures attentive to the Valley's ecological integrity and cultural importance.

Sincerely,

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References:

U.S. Bureau of Land Management. (2013, June). *Final Environmental Impact Statement and Proposed Resource Management Plan Amendments for the SunZia Southwest Transmission Project.*

POWER Engineers, Inc. (2023, June). *SunZia Southwest Transmission Project Plan of Development*.

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