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To: The New Mexico Office of the Bureau of Land Management (BLM)

From: Lower San Pedro Watershed Alliance

Regarding: Scoping Comments on SunZia Transmission, LLC's application for amendment

These comments are submitted via the BLM's ePlanning website.

The SunZia transmission proposal is now entering its **third** National Environmental Policy Act (NEPA) process over a 12-year period, currently seeking to amend its existing right-of-way grant. At this point in the long and controversial history of SunZia's various attempts to obtain federal and state permits, the Lower San Pedro Watershed Alliance (LSPWA) submits the following comments requesting that the BLM address issues, studies, and alternatives in the next Environmental Impact Statement that consider more than SunZia's current corporate interest in lining up just enough political support to obtain permits in New Mexico.

Furthermore, LSPWA requests that issues, studies, and alternatives contrary to SunZia's corporate interest be considered in the **main body** of next environmental review document, not conveniently dismissed and buried in a public comment appendix by an environmental contractor who is being paid by SunZia, as took place to a high degree during the prior SunZia NEPA processes.

The LSPWA is an all-volunteer conservation organization, based in the lower San Pedro watershed of Arizona, with an abiding interest in protecting our last remaining major desert river ecosystems. Unfortunately, SunZia proposes to parallel **both** of the major north-south desert rivers in the region as a path for the longest new industrial-scale electrical infrastructure corridor currently being proposed by a private corporation in the arid Southwest.

SunZia was among the first of the privately-promoted transmission proposals to be submitted under the Obama administration to purportedly respond to the need for increased capacity to transport renewable energy. However, two other Obama-era transmission proposals for the same region have now surpassed SunZia in obtaining permits, mainly because their basic design concepts had far less adverse environmental impact and were more attractive to renewable

energy market interests. SunZia was proposed at a time when the nation was seeking an increase in renewable energy production, but also at a time when the nation was relatively naïve about the best strategies for achieving this goal.

With private corporations seeking access to state, federal, and private lands for renewable energy generation and transmission, there were bound to be winners and losers. It is vitally important that we review each project proposal carefully, and in the context of other competing proposals, in order to avoid unnecessary and permanent environmental impacts. At this point in history, we know a lot more than we did at the beginning of the Obama administration about which basic design concepts for renewable energy transmission are more likely to succeed in striking a favorable balance between benefits and adverse impacts.

Meaningful public participation in determining the scope of alternatives and issues that will be addressed and analyzed in the next SunZia Environmental Impact Statement (EIS) is prescribed in rules and case law associated with NEPA. To make an informed decision about SunZia's requested amendments, it is essential to respect NEPA's mandate for meaningful public participation, because the public does not have the professional lobbying resources at its disposal that have been employed by SunZia for over a decade of trying to "squeak by" the various permit processes at the state and federal levels, despite major public and institutional opposition arising from siting conflicts.

After SunZia received a Record of Decision from the BLM six years ago, SunZia's permit application at the Arizona Corporation Commission was approved by a narrow 3-to-2 margin, following an extended set of hearings in which there was compelling testimony in opposition to SunZia that painstakingly detailed extensive adverse impacts to an area of unique biological wealth and rich cultural resources found along the most remote and previously undisturbed stretch of the San Pedro River. Part of this evidence included a letter written in 2012 to the BLM by SunZia's own project manager admitting that this route would be ecologically inappropriate [page J-737 in the SunZia Final EIS of 6/14/2013].

SunZia's application for a state permit in New Mexico was denied by a 4-to-0 margin by the Public Regulatory Commission. With the currently proposed amendments and a pledge of cash payments to Socorro County, SunZia is attempting to line up just enough political support to squeak by the New Mexico approval process. However, their new amendments would increase impacts along the Rio Grande, now proposing to cross or skirt **two** National Wildlife Refuges, not one, as in the prior EIS. Both of these Refuges (Sevilleta and Bosque del Apache) are vital at a hemispherical scale to successful bird migration and breeding. Major transmission lines, towers, and guy wires can pose significant strike hazards for bird life, especially during times of poor visibility.

While SunZia attempts to salvage their cash investment in various permit quests, conservationists continue to point out that the project has a basic flaw with its design concept that would cause continuously increasing and permanent adverse impacts to both of the major

desert river ecosystems in the region. If this new industrial-scale infrastructure corridor is established, it will attract additional linear infrastructure proposals to the same corridor in the future.

Alternatives other than those that favor SunZia's permit quest must be analyzed in order to make an informed decision about a new set of amendments that would cause even greater ecological impacts than previously documented in their last EIS process. Here are the alternatives and issues raised by LSPWA that must be included in SunZia's next EIS in order for the Department of Interior to make an informed decision regarding a transmission proposal that would cause permanent and cumulative adverse impacts to both of the major north-south river ecosystems in the region:

- 1) Any **changes in lighting requirements** for SunZia's proposed towers and lines (in order to obtain Federal Aviation Administrative approvals) must be analyzed with regard to all applicable resource categories. Lighting can have profound ecological impacts in a riparian zone.
- 2) Impacts and cumulative effects to all resources in New Mexico and Arizona affected by the requested amendments must be re-analyzed from what was memorialized in SunZia's original EIS, particularly with regard to additional lands sought for construction staging, permanent access roads, new route alternatives, and new substations. Given the magnitude of miles/acreage of additional permanent access roads, miles/acreage of each new route alternative, and the fact that the former EIS is a critical part of the evidentiary basis for seeking state permits, **a comprehensive table of all proposed changes that were not analyzed in the first EIS should be prepared, followed by a detailed analysis of additional impacts associated with these changes**, including changes that were not disclosed in the recent Notice of Intent, such as new lighting requirements by the Federal Aviation Administration.
- 3) Given the trend of the SunZia proposal toward increasing adverse ecological impacts to both of the major north-south river ecosystems in the region and the new perspectives the nation has gained during the past decade about the importance of minimizing the length and impacts of proposed tie-lines for renewable energy transmission, it is essential that **project abandonment** be analyzed as an alternative in the next EIS. This can be analyzed in terms of both positive and negative impacts. When a project proposal languishes for such a long period of time and is surpassed in permitting by other transmission proposals that avoided paralleling our last remaining river ecosystems in the region, this abandonment alternative must be analyzed for the sake of future generations. Analyzing project abandonment as an independent alternative is reasonable, because it is the most direct way to consider if it is a good idea for federal agencies to amend additional resources management plans for a project that has embraced a highly controversial route design concept from the beginning. With our desert river ecosystems vanishing, now is not the time to throw good resources after bad.

- 4) ***Other rational route alternatives should be considered under Component 3 in the Notice of Intent:***
- a) If SunZia's objective is to move New Mexico's wind energy into southern and central Arizona, the Southline Transmission Project has already provided an east-west pathway that does not follow the region's last remaining natural desert river ecosystems. SunZia should consider routes located east of the White Sands Missile Range, routes that ultimately would connect to the Southline project in southern New Mexico. There is no urgent need to duplicate the function of the Southline project, particularly since Southline has surpassed SunZia in the permitting process and has avoided following the major desert river ecosystems in the region by co-locating most of their transmission project with an established industrial-scale infrastructure corridor.
 - b) If national energy policy is truly focused on replacing fossil-fueled energy with renewable energy, SunZia should consider a route that parallels Highway 60 westward from Socorro County to the large coal-fired generators located in Springerville, Arizona. This route could begin at the Rio Grande crossing that is co-located with the planned and permitted Western Spirit line. Such a route would avoid requiring amendments to the Rio Grande conservation plans associated with the Sevilleta National Wildlife Refuge and the Cibola National Forest, as well as avoid construction of a new industrial-scale infrastructure corridor parallel to both the Rio Grande and San Pedro River. This route alternative is similar in design concept to the Western Spirit Line, in that it minimizes the distance and impacts of a renewable energy tie-line by connecting to the Western Grid at the closest access point where transmission capacity is being freed up with the retirement of coal-fired energy.
- 5) Include in the EIS all third-party studies related to the economic feasibility of the SunZia transmission proposal. Promotional hype by the applicant about cost effectiveness and marketability can be very misleading to the public, investors, and regulators. It is not uncommon for a speculative project to fail after adverse environmental impacts have already occurred. Disclosure of actual third-party economic feasibility studies for long-distance tie-lines that purport to transport over 90% renewable energy must be included in the main body of the EIS before the next Record of Decision is considered. These highly relevant studies were buried in the public comment appendix of the last SunZia EIS, where they could conveniently be ignored by the decision makers.
- 6) Include in the EIS the stated power purchase interest of all utility partners involved in the SunZia project, such as the Salt River Project in Arizona, disclosing both the amount and source of electrical energy desired to be transported by SunZia.
- 7) Include in the EIS a third-party career vetting analysis of each principal owner involved in the SunZia project, with particular attention to the success rate of all prior project proposals.

As a nation, we are a lot smarter about renewable energy transmission options than we were in 2008 at the beginning of the Obama administration. We have observed that it is better to reduce grid connection distances by identifying connection points where transmission capacity is increasing due to the retirement of fossil-fueled generation plants, minimize ecological impacts by co-locating the project with existing major landscape disturbance, and site transmission projects in the arid Southwest so that renewable energy development avoids the construction of enormous new transmission corridors along our last remaining desert river ecosystems. These factors are major reasons why both the Southline transmission project and the Western Spirit transmission project have surpassed SunZia in obtaining necessary permits.

Continuing to develop a web of low-impact and appropriately-scaled renewable energy tie-lines rather than planning “mega-corridors” through ecologically sensitive lands will also reduce vulnerability to major transmission interruptions due to the loss of a single power corridor, and provide easier access for distributed generation of renewable energy. Because of the extremely high cost of adding new access points (substations) for additional renewable energy generators along 500,000-volt electrical lines, a long privately-held tie-line of this type tends to centralize and monopolize the supply and transportation of electrical energy to the major demand centers.

Conclusion:

Please include project abandonment and the two additional routes we suggested for Component 3 as analyzed alternatives in SunZia’s next EIS. Additionally, please document and analyze all changes proposed in the Notice of Intent and any other project proposal changes not specified in that Notice, provide a detailed “change analysis” relative to impacts documented in the first SunZia EIS, and vet this project proposal as requested in points 5, 6, and 7, as listed above. All seven of these points are directly related to making an informed decision about continuing to support this particular transmission project proposal.

Respectfully submitted by the chair of the Lower San Pedro Watershed Alliance on behalf of our board of directors,



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