

Cascabel Working Group
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Submitted by Electronic Mail and U.S. Mail July 5, 2013

Mr. Adrian Garcia, Project Manager
SunZia Southwest Transmission Project
Bureau of Land Management
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Dear Adrian:

Enclosed are replies to the Environmental Planning Group's (EPG's) responses to comments made by the Cascabel Working Group in its primary commentary on the SunZia Draft Environmental Impact Statement. The attached summary pairs our responses directly with EPG's responses for easy comparison, and I am including a copy of EPG's annotated version of our comments for reference.

The following are the most important reasons for our replies to EPG's responses:

- Some responses are unrelated to the comments that were made.
- Some responses misinterpret or do not fully understand the comments that were made.
- Some responses avoid the issues that were raised and employ tangential arguments to address them.
- Some of the information that EPG's responses contain is inaccurate or incomplete.

Instead of incorporating the substance of public comments into the FEIS as fully as possible to complement the DEIS, in most cases EPG uses any possible argument or statement to dismiss them. Rather than duly consider what was submitted, EPG expediently dispenses with it to comply with NEPA's administrative requirement to respond somehow. As our attached reply to EPG's responses states, "The dismissal of public commentary by the BLM (or EPG) in its responses is so sweeping and biased that it brings into question the validity of the process."

Using selective information that supports only a particular view of the project does not fulfill the purpose of an environmental impact statement. The resulting analysis circumvents the objectives of the National Environmental Policy Act and the purpose of public engagement and comment.

We intend to provide critiques of EPG's responses to our other comments and a summary of other errors or deficiencies that remain in the Final Environmental Impact Statement.

Thank you for considering these comments.

Sincerely,

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Attachments (2)

cc: Mr. Jesse Juen, New Mexico State BLM Director (letter only)

**Response to BLM responses to Cascabel Working Group comments on
the SunZia Draft Environmental Impact Statement**

CWG Submission: Primary response letter written by Norm “Mick” Meader and Pearl Mast dated August 20, 2013

FEIS Page No.	Comment No.	BLM Text
J-542	1	<p>(a) The BLM Preferred Alternative for the proposed action is to grant right-of-way for two 500 kV transmission lines. The BLM has considered other options including alternate transmission routes and transmission technologies such as system upgrades, but they were eliminated because they would not be practicable and feasible as described in Section 2.3.3.</p> <p>(b) The Bowie Power Station site is located approximately 14 miles from the TEP 345 kV transmission line corridor, and permits have been issued for a separate 345 kV transmission line to allow interconnection between the Bowie Power Station and the existing TEP transmission system at the Willow 345 kV substation.</p>
CWG Response:		<p>(a) This response is unrelated to the reasons for the statement that we made. Our statement is unrelated to the issues raised in Section 2.3.3. It is based upon assessments by Arizona and California utilities that they can meet their projected renewable power needs without importing power from New Mexico. More local generation and transmission facilities can fulfill SunZia’s purpose, which greatly accentuates SunZia’s financial risk and makes it likely that the project will be underutilized. Other alternatives can meet all of the power needs that SunZia would if necessary.</p> <p>(b) This response is unrelated to the reasons for the statement that we made. The SouthWestern Power Group proposed SunZia specifically to serve as another delivery option for its Bowie, Arizona power plant. The SunZia Willow 500-kV substation will be sited near the permitted but not built 345-kV Willow substation for the Bowie plant, facilitating power exchanges between the two substations so that Bowie power can be directly loaded onto SunZia. Without SunZia transmission capacity, power delivery options for the Bowie plant through TEP’s lines are very limited, which restricts its economic viability. Building SunZia would eliminate these restrictions and is a fundamental reason why the SouthWestern Power Group proposed the project. The majority of Bowie’s power will be delivered through SunZia if both projects are built.</p>
J-544	2	<p>As stated, portions of the Preferred Alternative Segment 4C2c are parallel to the San Pedro River and some portions are parallel to a pipeline. After crossing the river, the distance between the transmission line route and the river would vary from about 3 to 5 miles, within the San Pedro River Valley (see Figure M5-1W). The Project could impact many of the valley’s conservation values generally listed in Tables 1-3 of this letter, although many of these would not be affected by the preferred alternative route. In particular, the Redington Ball Court, 7B Ranch, Muleshoe Ranch Preserve and Joint Management Area, Three Links Farm, lower Hot Springs Canyon, Adobe Preserve North, and others would not be affected. This impacts to values or lands listed in these have been documented in Chapter 4 of the DEIS.</p>
CWG Response:		For the first 30 miles going north from where the project crosses the San Pedro

		<p>River, the distance between the Preferred Alternative and the river averages about 2.5 miles (measured in ArcGIS Explorer). At the north end of that segment, the alternative then intersects a pipeline, which it follows for 12 miles, as noted, before continuing north for 5 miles in a new corridor. The total distance following the valley is 47 miles. After reaching the pipeline, the average distance of the route from the river is about 5 miles. The remainder of this statement is basically correct.</p> <p>All of the areas are listed to emphasize the great importance of the valley's conservation values and the enormous effort made to protect them. This project impacts the valley's conservation values as a whole, which cannot be avoided with this alternative.</p>
J-544	3	<p>Although the preferred alternative route would cross and parallel the area delineated as the Collaborative Conservation Initiative for the Lower San Pedro Valley (Figure 1), the route would closely parallel the existing two, 345 kV transmission lines near the (Narrows) river crossing, which would avoid serious impacts to, or conflicts with, conservation values or lands within the area.</p>
CWG Response:		<p>The preferred alternative is nearly coincident with the western boundary of the FWS proposal for the first 30 miles that the alternative is in the valley. This is the major impact of concern. Such close proximity negatively impacts the area's conservation values. Crossing the river near the Narrows helps confine impacts there, but the greater impacts of concern occur as the project follows the valley northward. This conflict should be noted.</p>
J-544	4	<p>As stated, the preferred alternative route would cross the Catalina/Rincon-Galiuro corridor. Although these lands had been considered part of the State Land Reform initiative at one time, they are composed of primarily Arizona State Trust lands, leased for grazing, and have not been designated for conservation purposes by the Arizona State Land Department.</p>
CWG Response:		<p>The State Land Reform initiative is an ongoing process and has not been abandoned. Maps for the initiative were more fully updated in 2012 for future efforts to achieve land reform. The Catalina/Rincon-Galiuro corridor is one of the primary blocks of State Trust Land still being considered for permanent conservation status. For an update on this corridor as a proposed conservation block, see the Sonoran Institute's website at http://www.sonoraninstitute.org/state-trust-land-conservation-profiles/southern-arizona-trust-lands-considered-for-conservation.html.</p>
J-546	5	<p><i>Allen Flat</i> – The SunZia transmission lines would cross over the TEP lines near the river crossing, allowing the use of spur roads to be built to the existing access roads. The roads would not prevent antelope from crossing the corridor.</p> <p><i>San Pedro Crossing</i> – Vegetation maintenance would require tall trees to be cut to provide clearance between the conductors, but would not require clear-cutting of riparian vegetation.</p> <p><i>Little Rincon</i> – In response to comments received during the scoping process and additional analysis of the corridors provided for review at that time, the study team made several modifications to alternative route alignments within the study area, including the alternative Subroute 4C2c.</p> <p><i>Paige Canyon</i> – Comment noted.</p> <p><i>Roble and Soza Canyons/A-7 Ranch</i> – As stated, the preferred alternative is located on lands in between the A-7 Ranch parcels held by Pima County. The Project would require easements to be obtained on Arizona State Trust Lands</p>

		<p>that are currently leased for grazing and would not prohibit future conservation management efforts by Pima County.</p> <p><i>Buehman Canyon</i> – The preferred alternative crosses private lands in this area, but none are held by Pima County.</p> <p><i>Six-Bar Ranch/Edgar Canyon</i> – Comment noted.</p>
	CWG Response:	<p><i>Allen Flat</i> – Our comment was included after viewing the preferred alternative across Allen Flat using ArcGIS software. We noted the great distance between it and Tucson Electric Power Company’s lines. We assumed that one of the advantages of routing SunZia with TEP’s lines would be to use TEP’s maintenance road to install and service SunZia’s lines. This does not now appear to be the case. An entirely new road beneath SunZia’s lines would seem necessary. With the current spacing between TEP and SunZia lines, using spur roads from TEP’s service road to install and service SunZia’s lines will disturb a greater land area than merely building a new road beneath SunZia. It will be possible to use TEP’s service road with SunZia for a short distance near the San Pedro River crossing where the two lines will cross, as noted. Reducing the distance between SunZia’s and TEP’s lines across Allen Flat would permit the usage of TEP’s service road to reduce impacts. This should be noted and considered.</p> <p><i>San Pedro Crossing</i> – Comment noted.</p> <p><i>Little Rincon</i> – Comment noted.</p> <p><i>Paige Canyon</i> – Comment noted.</p> <p><i>Roble and Soza Canyons/A-7 Ranch</i> – While the route is located on State Trust Land across the ranch, Pima County manages the ranch as a whole – including its State Trust Land – for its conservation values. Routing SunZia here reduces those values and devalues Pima County’s conservation investment. This should be noted. The associated deeded land was acquired with ~\$20 million of public funds.</p> <p><i>Buehman Canyon</i> – The preferred alternative crosses Buehman Canyon on a narrow strip of State Trust Land that is bounded on both sides by private land held by Pima County and the Bellota Preservation Corporation. All of this private land has conservation easements on it. Such close proximity of the project to these lands negatively impacts their conservation value. Merely not siting the project on this private land does mean that those lands are not affected and that their conservation values are not diminished. These indirect impacts should be noted.</p> <p><i>Six-Bar Ranch/Edgar Canyon</i> – Comment noted.</p>
J-547	6	<p>The alternative Subroute 4B would cross Aravaipa Creek between the two Wilderness areas, as stated. For clarification, the corridor centerline of the alternative route would be approximately 3.5 miles from the Aravaipa Canyon Wilderness (the nearest) and 5.5 miles from the Galiuro Wilderness boundaries.</p>
	CWG Response:	<p>This clarification is noted. Please note that Subroute 4B comes within 0.5 miles of the boundary of the area included by the Bureau of Land Management in its Aravaipa Ecosystem Management Plan, a draft of which was completed in 2010 in cooperation with the Arizona Game and Fish Department and the Nature Conservancy, with substantial input from the Sky Island Alliance. The block of BLM land closest to the route would be managed more intensively to conserve its conservation values because of this. This plan is available at http://www.blm.gov/az/st/en/info/nepa/environmental_library/wilderness_manag</p>

		ement/aemp.html . Also note that the U.S. Forest Service is proposing to extend the Galiuro Mountains Wilderness to include the roadless area at the north end of the Galiuro Mountains District of the Coronado National Forest, which would be within 1.5 miles of Subroute 4B. Full information is available at http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5284429.pdf
J-549	7 and 8	Comment noted.
CWG Response:		Comments noted.
J-550	9	Please see Response to Comment No. 1.
CWG Response:		Please see our response to Response to Comment No. 1.
J-550	10	<p>(a) Recent projections from the Western Electricity Coordinating Council (WECC) in a table titled, “2022 Common Case Loads and RPS Requirements in WECC Region, Modified as needed for DG Assumptions” (http://www.wecc.biz/committees/BOD/TEPPC/20120106/Lists/Minutes/1/2022%20Renewables_FINAL_20120206.xlsx last visited October 2, 2012) show that approximately 55,765 GWh of new renewable generation will need to be added to the WECC Region (i.e., California, Nevada, Arizona, and New Mexico) between 2011 and 2022 in order to meet RPS. By comparison, DEIS Table 1-1 indicates a projected need for 58,654 GWh of renewables by 2020 and 70,794 GWh by 2025.</p> <p>(b) The deliverability, destination, and cost-competitiveness of the electricity carried on the proposed SunZia transmission system are subject to future negotiations. Subscription of SunZia’s available transmission capacity is dependent on the customers of the transmission line (i.e., generators planning to sell energy) and their associated buyers (i.e., utilities, cooperatives, other energy consumers); therefore, it is unknown and speculative to predict which energy markets SunZia’s future (but currently unidentified) customers may serve. Further, electricity on the transmission system is in a constant state of fluctuation and is dependent on a number of factors (e.g., changes in energy demand, addition of transmission, addition of generation resources, fossil generation, project closures due to economics, age and regulations etc.). Future electrical paths for electricity transported by SunZia will be determined based on available transmission capacity and contractual arrangements in place at the time SunZia becomes operational.</p>
CWG Response:		<p>(a) These responses do not acknowledge or incorporate the information provided. This statement merely reiterates the amount of renewable energy needed to meet renewable portfolio standards during a certain time period; it does not acknowledge that all of this power can be adequately provided by sources within the targeted states and that all states are projected to meet their own standards without New Mexico’s power or SunZia’s transmission capacity. This does not mean that SunZia could not deliver some of the power used to meet these goals, but SunZia is not necessary to meet them. The FEIS needs to openly acknowledge this. California will need most of the power referenced, and the state will be able to provide that full amount without projects such as SunZia, as noted by Michael Picker, California’s Senior Advisor for Renewable Energy Facilities, and articles published in energy industry journals. By the time that SunZia is completed, more than 80% of the generation needed to meet California’s 33% RPS will be in place.</p> <p>(b) These statements seem unrelated to the comments provided. If the markets for SunZia’s power cannot be reasonably determined before the project is built, then the project cannot be built. These must be determined within acceptable</p>

	limits before financiers will consent to finance the project. A compilation of regional utilities and their projected power needs would demonstrate the most prospective purchasers of power and will be required to convince financiers of the project's viability.
J-550	<p data-bbox="375 329 410 359">11</p> <p data-bbox="477 329 1430 464">The cumulative impacts analysis in the DEIS (Section 4.17) accurately reflects the current status of the future transmission project proposals, as there is insufficient information available about the listed project proposals to understand their purpose and need statements, benefits, or potential environmental impacts.</p> <p data-bbox="477 474 1425 772">The range of alternatives considered included potential transmission line routes that could provide electrical interconnections with renewable energy resources located primarily within the Qualified Resource Areas (QRAs) for wind energy, in south-central New Mexico, and the QRAs for solar energy located in southwestern New Mexico (e.g., BLM designated Afton Solar Energy Zone) and southeastern Arizona. Alternatives due west from the northern portion of the study corridors in New Mexico (High Plains Express Transmission Project and the Centennial West Clean Line Project) would not be practical or feasible to achieve this objective.</p> <p data-bbox="477 785 1425 982">The proposed Southline Transmission Project (345 kV), located between southwestern New Mexico and southeastern Arizona, could transport additional electricity generated from sources in those areas; however, the purpose and need for the Southline project is different than for the SunZia Project. The Southline project's capacity would be limited according to the plan to construct portions of the proposed transmission lines within existing rights-of-way."</p>
CWG Response:	<p data-bbox="477 989 1425 1224">This response avoids the reality of competing projects and how they influence SunZia's need and viability. It is the responsibility of the agency overseeing the evaluation of any project to fully determine all of the alternative ways that the project's stated objectives might be met, most importantly how the capacities of overlapping projects could affect the project. With the exception of the High Plains Express Project, whose future is uncertain, all of the listed projects are active and overlap with SunZia in delivering power westward from similar areas.</p> <p data-bbox="477 1234 1401 1434">Both the Lucky Corridor and Power Network New Mexico projects are far enough along to directly compare them with SunZia at this point, and the Southline draft environmental impact statement will be released in the third quarter of 2013. The BLM oversees the NEPA review of this project also, and information from that review can and should be exchanged to strengthen the analysis of SunZia.</p> <p data-bbox="477 1444 1425 1780">These competing projects will provide access to the same Qualified Resource Areas noted above to some extent. The Centennial West, Lucky Corridor, and Power Network New Mexico projects will <u>all</u> compete with SunZia in their potential to deliver wind-generate electricity from east-central New Mexico westward to Arizona and California, and the Southline project will compete with SunZia in its potential to deliver solar-generated power from southwestern New Mexico westward to Arizona and California. These overlapping functions should be listed and considered. All of these projects would duplicate SunZia's function to some extent, and sufficient information is known about their purpose, capacity, and status of development to include them in the SunZia EIS.</p> <p data-bbox="477 1791 1417 1887">This duplication of power distribution must be fully considered to prevent the wasteful and uneconomic construction of excess capacity and unnecessary environmental impacts. This has not been done. These other projects may achieve</p>

		<p>the same basic ends with fewer overall environmental impacts than SunZia.</p> <p>Regarding the Southline Project, it will perform the same physical function that SunZia will across southwestern New Mexico and southeastern Arizona. If purpose is defined by function, then the purpose of both of these projects for this area is the same. They will compete for the very same generation sources, they will deliver power in the very same way – albeit it through somewhat different routes – and they will address any congestion on Path 47 in the very same way. This overlap needs to be fully considered to prevent the wasteful construction of excess transmission capacity across this region.</p> <p>If a consortium of utilities were building transmission capacity together to meet their mutual needs, they would never consider constructing multiple projects simultaneously in this way. They could not justify this to their ratepayers or utility commissions. They would choose between projects and build them sequentially as needed, and if needed.</p>
J-552	12	<p>As reflected in the proposed action, the SunZia Project was designed to increase transmission capacity by at least 3,000 MW, and may ultimately be designed to increase transmission capacity by up to 4,500 MW. The Applicant identified the 3,000 MW mark as a minimum increase based upon the existing demand for increased transmission capacity to relieve congestion, improve reliability, and provide future energy sources, including renewables, with access to market, balanced by marketing factors and engineering constraints. Please also see response to Comment No. 11.</p>
CWG Response:		<p>Please see our response to the Response to Comment 11. This much capacity has not been proposed to meet a determined need. This is a highly speculative project that is oversized as proposed and unlikely to be fully utilized in the time frame required to justify its scale. The project proponent has scaled the project the maximum size possible to obtain the permits and right-of-way needed to build that much transmission capacity if it appears that much capacity can be used someday. It is questionable and unknown at this point whether it ever will be. The specific markets for the power that SunZia may carry have not been comprehensively assessed or quantified with the type of feasibility study that any utility would undertake before constructing such a project. Enormous uncertainty thus surrounds the project, making it difficult to objectively evaluate or justify.</p>
J-553	13	<p>Please see response to Comment No. 11.</p>
CWG Response:		<p>This response is unrelated to the comment. The High Plains Express Project provides the only publicly available baseline for evaluating SunZia’s feasibility and the factors that determine whether the project can be built. SunZia has provided no complementary study of the same breadth to assess these and the conditions required to support the project’s construction. The High Plains Express Project feasibility study should be referenced and summarized in the SunZia Environmental Impact Statement to help decision makers evaluate the project. While the study will not fully apply to SunZia, it provides essential insights into the factors affecting the project’s feasibility and scope. It is the best study of its kind available for the Bureau of Land Management to use in assessing SunZia as fully and accurately as possible. SunZia was an integral component of the High Plains Express Project and was broken off from it to become a separate project. This relationship should be duly noted in the environmental impact statement along with relevant conclusions from the study.</p>
J-554	14	<p>Please see response to Comment No. 10.</p>

CWG Response:		Please see the response to the Response to Comment No. 10. Rather than dismissing this information summarily as is done here, the BLM (or EPG) should use it to update and enlarge the environmental impact statement to the fullest degree possible. The information is highly relevant to assessing the project’s purpose and need. An adequate environmental impact statement cannot be produced by using selective information that supports only a particular view of the project. This results in an incomplete evaluation that does not fulfill the objectives of the National Environmental Policy Act (NEPA) or the purpose of public engagement and comment.
J-555	15	Please see response to Comment Nos. 1 and 10.
CWG Response:		Please see the responses to Responses to Comments 10 and 14. It is the intent of an environmental impact statement to comprehensively review and summarize all of the relevant information that characterizes a project and its impacts, most importantly that concerning a project’s purpose and need. The information provided in our commentary complements that given by the project proponent and the draft environmental impact statement. While this information may differ from or challenge what the DEIS provides, it broadens the perspective on the project and helps characterize its possible use. Although federal policymakers and the project proponent may be disinclined to use this information because it potentially reflects negatively on the project and raises doubts about it, the oversight agency is obligated to include the most important points to fulfill its mandated role as an impartial and objective arbiter of the process. <i>The dismissal of public commentary by the BLM (or EPG) in its responses is so sweeping and biased that it brings into question the validity of the process.</i>
J-555	16	As provided in the Memorandum of Understanding between the SunZia Southwest Transmission Project’s Applicant (SunZia Transmission, LLC) and the BLM, it is the Applicant’s responsibility to reimburse the federal government for expenses to process the right-of-way application under a cost recovery agreement. Financing by the federal government is not a condition of the Proposed Action.
CWG Response:		Comment noted.