

April 17, 2013

Mr. Jesse Juen
Bureau of Land Management
Authorizing Officer
SunZia Southwest Transmission Project
PO Box 27115
Albuquerque, N.M. 87502-0115
Sent via email to jjuen@blm.gov

Dear Mr. Juen:

Please accept these comments on behalf of the Sierra Club's Grand Canyon (Arizona) Chapter, Center for Biological Diversity, Sky Island Alliance, Archaeology Southwest, Tucson Audubon Society, Arizona Wilderness Coalition, Coalition for Sonoran Desert Protection, Tohono O'odham Nation, and Cascabel Working Group. You have received requests for a Supplement to the SunZia Transmission Line Project Draft Environmental Impact Statement (DEIS) from the Winkelman and Redington Natural Resources Conservation Districts and the Cascabel Working Group. We are supportive of those requests and would like to add our voices to the request for a Supplement. Our organizations have a significant interest in this project and have been involved since it was first proposed. We commented during scoping and also on the DEIS, and participated in various meetings and open houses. Our members have worked for decades to protect the affected lands and have enjoyed hiking, backpacking, bird watching, and other recreational activities in these areas.

The Bureau of Land Management (BLM) produced an inadequate Draft Environmental Impact Statement (DEIS) because it failed to consider important information that was provided to it prior to the drafting of the DEIS and failed to include it and allow the public to review and comment on it. This is contrary to the intent of NEPA and to developing sound and informed decisions. The BLM should not withhold information from the public for review and comment; rather, it should use the information to inform the DEIS, or state clearly why it is not using the information.

A key provision of the National Environmental Policy Act (NEPA) is that there should be an opportunity for informed participation by the public in the development of an Environmental Impact Statement (EIS). The BLM left out critical information on the project relative to use by non-renewable energy projects, such as the proposed gas-fired Bowie Generating Station and omitted consideration of SunZia's projected uses and feasibility by the High Plains Express Project. By not providing this information in the DEIS, the public had no opportunity to review and comment on it or consider it in the context of the alternatives offered. Because of that, a supplement to the DEIS is warranted as the public should have an opportunity to read and comment upon it prior to the completion and release of the Final EIS

Please refer to the letter from the NRCs regarding a timeline regarding their repeated request to ensure that accurate information was included and disclosed, including the submission of the High Plains Express Project Economic Feasibility Study. The BLM had opportunity to include this information, but has refused to do so.

In addition to this failure to respond or include the information, the BLM has failed to provide an adequate DEIS in other ways as well. CEQ regulations direct that the DEIS include a description of the



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No Action alternative (40 CFR 1502.14[d]). In its brief description of NEPA's No Action alternative requirement, BLM failed to actually set forth any analysis of the consequences – both good and bad – of not allowing the SunZia project. This has also been true in its public presentations, including one before the Tohono O'odham Nation Legislative Council in December of 2012.

The BLM indicates that there is “potential for additional actions” if the SunZia project is denied. No specific information is provided to explain such potential, however. A full and accurate depiction of the status quo (without a SunZia transmission project) is essential to any analysis of the No Action alternative. Such status quo should include pending additional actions, such as the proposed Southline and Centennial West transmission lines. Similarly, any evidence of transmission shortages within a state should be clearly identified, if such shortages in fact exist. Omission of this information and failure to provide the public with an opportunity to review and comment on the implications make this DEIS flawed and warrant a supplement.

The BLM did not confirm California's willingness to purchase energy transmitted by this proposed power line in the DEIS process, which means there are fundamental flaws in the analysis. (SC cites Meader, CWG, 2010)

Finally, several significant issues have been raised by consulting parties in the Section 106 process that have yet to be resolved. These include the consideration of minor modifications to the current proposed corridor alignments, the development of more complete survey information and clarification on BLM's and the project proponents' responsibilities to comply with the National Historic Preservation Act (NHPA) throughout the life of the project. The additional time afforded all parties through the preparation of the supplement to the DEIS will facilitate resolution of these issues and will assist BLM's efforts to coordinate the NEPA and NHPA requirements as outlined in the BLM Washington Office and Advisory Council on Historic Preservation guidance memorandum.

For all of the reasons stated above, we request that BLM act immediately to develop the supplement to the SunZia DEIS. This will afford the public the opportunity to review and comment on significant information and have a clearer picture relative to this project. We ask that a 90-day comment period accompany the release of a Supplement.

We would appreciate due consideration and a timely response.

Thank you.

Sincerely,



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(The Cascabel Working Group is signing on to this letter in support of the additional issues that it raises.)

