

United States Senate

WASHINGTON, DC 20510

August 19, 2013

Hon. Sally Jewell
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Jewell:

Thank you for your work to promote clean energy development and address the serious threat of climate change to our nation. My state of New Mexico has a tremendous potential for renewable energy production and New Mexicans are eager to be part of the solution in increasing our energy independence and reducing our greenhouse gas emissions while creating much-needed jobs.

A transmission project critical to New Mexico's renewable energy development may be facing another delay, potentially leading the project to be halted altogether. The SunZia transmission line will help deliver wind and solar energy generated in New Mexico to the major western energy demand centers. Without access to those markets, New Mexico's renewable energy resources will remain isolated and largely untapped.

The Bureau of Land Management (BLM) completed its draft environmental impact statement (EIS) for the project on May 29, 2012, and published the final EIS on June 14, 2013. Among many others, the Department of Defense (DoD) and White Sands Missile Range (WSMR) are cooperating agencies.

In a May 2011 letter, the DoD indicated its approval of the BLM's preferred route for the transmission line under the condition that a portion of the route was shifted to the north—a shift which is reflected in BLM's final preferred route. In fact, this route was originally suggested by WSMR in a letter dated March 2010. In July 2011, a letter from the DoD Siting Clearinghouse gave the SunZia project a "green" status, subject to the conditions of the May 2011 letter. As the Siting Clearinghouse is tasked with the responsibility to act as "a 'one-stop-shop' for comprehensive, expedited evaluation of energy projects and their potential effect on DoD operations," both the BLM and the project sponsors relied on the approval of this route by the DoD Siting Clearinghouse as an indication that the route was acceptable to the defense installations affected by the project.

WSMR, as a cooperating agency, continued to express its preference for several alternate routes, which were considered in the draft EIS. However, those routes were ultimately rejected by the BLM in the draft EIS because of unavoidable conflicts with other federal lands and proximity to

residential areas. Ultimately, the preferred route selected by BLM met the criteria set by the Clearinghouse, including the northern shift requested in the May 2011 letter.

After the publication of the draft EIS, WSMR and DoD informed BLM that they could not support the preferred alternative because of conflicts with the testing mission at WSMR, despite the original clearance of the preferred route by the DoD Siting Clearinghouse. The DoD requested a supplemental EIS to reconsider a more northerly route that had already been evaluated and eliminated earlier in the NEPA process, which would have added at least a year to the approval process.

While BLM was considering the request for a supplemental EIS, DoD again reconsidered its routing preferences and indicated to BLM that the route they requested consideration of through a supplemental EIS would not meet WSMR's needs, and asked BLM to reopen the EIS scoping process and consider a much different route outside the scope of the EIS study area—a scope that was finalized in June 2010. Returning to the scoping process would have led to a delay of years, and BLM determined that its existing EIS fully considered all reasonable alternatives and met the requirements of NEPA. BLM published the final EIS on June 14, 2013.

Reopening the EIS would not be the first delay. According to the timeline originally agreed to by the BLM and the project sponsors, the draft EIS was scheduled to be published in January 2010, with a final record of decision by the end of 2010. With an expanded scope and a supplemental EIS, a record of decision would be unlikely before the end of 2014, representing a delay of at least four years. Moreover, DoD and WSMR have not yet provided any assurances that the route that they currently prefer will still be acceptable to them at any time in the future. Without such assurances, there is no guarantee that an expanded scope and supplemental EIS will lead to a final siting decision. Citing these delays, the project's investors earlier this year informed then-Interior Secretary Ken Salazar that the project is in danger of being canceled.

If the project is withdrawn, it will significantly damage New Mexico's prospects for large-scale renewable energy development. Without the ability to sell wind and solar energy outside the state, the demand for commercial scale renewable energy development will remain low. A study by New Mexico State University and the University of Arizona found that construction of the SunZia project and associated renewable energy projects would bring up to 34,900 private sector jobs to the state of New Mexico. In this time of economic instability, New Mexico needs the jobs and economic opportunities this project would bring. Moreover, further delays in this review process may discourage investors from considering other projects in New Mexico because of the potential difficulty in navigating siting conflicts in the state.

Additionally, another delay on this project threatens the credibility of the DoD Siting Clearinghouse process. SunZia was selected as an early "fast track" project for the nine-agency Rapid Response Team for Transmission and was intended to act as an example of how DoD and the Department of the Interior could work together to resolve energy siting conflicts quickly and collaboratively. If the EIS is reopened despite the fact that BLM's preferred route follows the criteria of the Clearinghouse's approval letter, other federal agencies and project sponsors will not be able to rely on the Clearinghouse in their own siting processes, rendering it irrelevant.

I appreciate the tremendous work that all the federal agencies involved in the review of SunZia have done to fully evaluate the impacts of the project on federal resources and missions. WSMR is a one-of-a-kind facility that provides capabilities vital to our national security. Both BLM and WSMR, in addition to the other cooperating agencies, have dedicated years to determining the effects of the proposed project.

The federal government has a critical role to play in promoting renewable energy and reducing our nation's greenhouse gas emissions. Our nation's public lands are a tremendous asset in developing clean energy resources, and the successful development of transmission projects like SunZia are vital to our economy and our clean energy future. Thank you for your steadfast commitment to combating climate change and for your assistance on this important issue.

Sincerely,



MARTIN HEINRICH
United States Senator