

APPENDIX E-3

Comment Letters from Groups and
Nonprofits



4619 EAST ARCADIA LANE • PHOENIX, ARIZONA 85018

Jan. 17, 2006

John Kalish/ Billie Blanchard, BLM/CPUC
c/o Aspen Environmental group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002
fax (800) 886-1888

Dear John Kalish/ Billie Blanchard:

On behalf of the 2300 members of the Maricopa Audubon Society here in central Arizona, I am writing to you regarding Southern California Edison's proposal to construct the Devers-Palo Verde No. 2 Transmission Line Project. Our chapter objects to the proposal because of the proposed routes' significant negative environmental impacts. We also question the need for this line. We greatly enjoy the untrammled aspect and habitat of the Kofa NWR.

First of all, putting this line through the KOFA National Wildlife Refuge is totally unacceptable. Our members spend many hours and days in the KOFA wildlife refuge in nature study, birdwatching and wildlife habitat studies.

This proposal will further fragment habitat and negatively impact desert tortoises and desert big horn sheep. Furthermore, it will open the area to possible invasion of non-native plants species and illegal off-road vehicle use.

Second, I strongly question the need for this line. This project has been in a near "finalized" form for over 15 years and California seems to be getting along just fine without the new power line. Besides, Phoenix is the fifth largest city in the nation and one of the fastest growing areas in the nation. It is likely that in the near future, the Phoenix- metro area will consume all of the power generated in the area and therefore will not have any additional electrical energy to transport out of the area. Why then, is this line needed to bring power to California?

Have any non-development alternatives been considered? Can California institute energy conservation programs equivalent to the amount of energy this line will carry? Can clean, renewable, and sustainable energy sources be implemented at a level where this transmission line is not needed?

We encourage Southern California Edison and the California Public Utilities Commission to examine the implementation of conservation programs equivalent to the amount of energy this line will carry and to look to environmentally-friendly, renewable, and sustainable energy sources like solar, wind, or biomass, to offset the need for this line.

Thank you for considering my comments. Please keep the Maricopa Audubon Society informed about any developments on this issue.

Sincerely,

A handwritten signature in black ink that reads "Robert A. Witzeman, M.D." The signature is written in a cursive style with a large, prominent 'R' and 'W'.

Robert A. Witzeman, M.D., Cons. Chair, Maricopa Audubon Society 602 840-0052,
witzeman@cox.net



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January 20, 2006

John Kalish/Billie Blanchard
BLM/CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002
Sent via email dpv2@aspeneq.com and facsimile (800) 886-1888

Dear John Kalish and Billie Blanchard:

I am writing these scoping comments on behalf of the Sierra Club's Grand Canyon Chapter and our more than 13,000 members in Arizona regarding the Devers-Palo Verde No. 2 Transmission Line Project (DPV2) being proposed by Southern California Edison. Our members use and enjoy many of the public lands along the proposed route and the alternate routes. Our members also have long been involved in protecting the habitat and the wildlife and wildlands along these routes. The Sierra Club has a significant interest in this project.

We strongly question the purpose and need for this transmission line. According to the scoping document, "...the proposed project is needed to create supply reliability and cost stabilization for electricity throughout California." SCE goes on to assert in the document that the goals are to increase California access to low-cost energy, enhance competition among generating companies in California, provide an incentive for development of future energy suppliers, and provide increased reliability of supply. All of these could better be accomplished by investing in conservation, efficiency and renewables. We ask that this be analyzed in the draft Environmental Impact Statement for this project.

This proposed transmission line has been on the books for over 15 years and California has gotten along just fine without the new power line. While some might point to the rolling blackouts in California several years ago. It is quite clear that those rolling blackouts in 2001 were not due to the lack of transmission, but were caused by manipulation of the energy market ala Enron. According to the *Christian Science Monitor*, "FERC investigators say Enron and other energy traders engaged in "gaming" the system in order to inflate prices. The agency found that Enron's famously Byzantine strategies involved deceit and purposely false information." (August 19, 2002 edition) *The New York Times* indicated similar problems, "In the midst of the California energy troubles in early 2001, when power plants were under a federal order to deliver a full output of electricity, the Enron Corporation arranged to take a plant off-line on the same day that California was hit by rolling blackouts, according to audiotapes of company traders released here on Thursday." (February 4, 2005)

We also question the purpose and need for this project, because we question whether there will be excess energy in Arizona to export to California. Phoenix is the fifth largest city in the nation and one of the fastest growing areas in the nation. It is likely in the near future that the metro area will consume all of the power

generated in the area and therefore will not have any additional electrical energy to transport out of the area. Why then, is this line needed to bring power to California?

We think that there are reasonable alternatives to this line that have not been considered. California can help meet its energy needs and provide more stability by focusing on energy efficiency and conservation programs. These are the least costly and most reliable ways to reduce demand. California can also consider additional investments in environmentally-friendly, renewable, and sustainable energy sources such as solar and wind. While an agency is not required to consider every possible alternative, it must consider reasonable alternatives "necessary to permit a reasoned choice." Headwaters, Inc. v. Bureau of Land Management, 914 F.2d 1174, 1180-81 (9th Cir. 1990).

Energy efficiency and clean renewable energy technologies are cheaper and better solutions than investing in more fossil fuel plants and long transmission lines. A recent study from UC Berkeley demonstrated that investment in renewable energy and energy efficiency creates more jobs than does investment in fossil fuel generation.¹

On Tuesday, Dec. 13, 2005 the California Public Utilities Commission (PUC) unveiled its version of the Million Solar Roofs program, called the California Solar Initiative. (See http://www.cpuc.ca.gov/PUBLISHED/COMMENT_DECISION/51992.htm) The initiative proposes an 11-year, \$3.2 billion incentive program to install 3,000 megawatts of solar on a million homes, businesses, farms, schools and municipal buildings. This program and a future expansion of it could also help meet the needs of consumers in California.

According to the U.S. Department of Energy, our total solar electricity generation capacity in the U.S. is approximately 1 million megawatts². Wind can and must also be an important part of the mix. In reviewing wind maps, there are many places throughout the United States that are ideal for generating electricity from wind. This technology is currently providing reliable electricity at costs competitive (4-6 cents per kWh) with traditional energy generation throughout the U.S.³ Countries like Denmark already generate 20% of their electricity from wind.⁴

The proposed route for this transmission line would cut through the KOFA National Wildlife Refuge. The KOFA (after King of Arizona Mine) National Wildlife Refuge was created in 1939 and contains 665,400 acres of desert habitat. The KOFA Wilderness area was created in 1990, after the first line was installed, and is approximately 516,300 acres in size. While there was a clause in the Desert Wilderness Act that excluded a right-of-way for the second line to cross the KOFA Wilderness, the Sierra Club has always considered this incompatible with the wilderness and with the refuge. "The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management and where appropriate, restoration of the fish, wildlife and plant resources and their habitats with the United States for the benefit of present and future generations of Americans." Under no circumstances is this transmission line compatible with that mission. This should be evaluated intensely in any National Environmental Policy Act documents.

¹ Daniel M. Kammen, Kamal Kapadia, Matthias Fripp (2004). "Putting Renewables to Work: How Many Jobs Can the Clean Energy Industry Generate?" A Report of the Renewable and Appropriate Energy Laboratory, University of California, Berkeley. <http://ist-socrates.berkeley.edu/~rael/renewables.jobs.pdf>

² U.S. Department of Energy, www.eia.doe.gov/emeu/cabs/usa.html

³ U.S. American Wind Energy Association, <http://www.awea.org/pubs/factsheets/Cost2001.PDF>

⁴ Archer, Cristina L. and Mark Z. Jacobson, *Evaluation of global wind power*, Journal of Geophysical Research, Vol. 110.

A second power transmission line would further fragment and reduce the quality and quantity of habitats on the KOFA National Wildlife Refuge. By that standard alone the proposed new 500 KV is incompatible with the mission of the refuge. The Right-of-Way (ROW) through KOFA is prime desert big horn sheep and desert tortoise habitat. The line will also obstruct the natural view of the area which is pristine desert landscape.

The KOFA National Wildlife Refuge is especially important desert tortoise habitat because it is contiguous with the Yuma Proving Ground and together they provide a larger protected habitat for Sonoran desert tortoise.

Nearly 400 acres would be affected through the KOFA National Wildlife Refuge, by the measured right-of-way that is 130 feet wide and 24 miles long. More than likely, however, additional land will be affected as construction vehicles travel along the first line's ROW and then across to the new ROW or completely out of the limits. This wide corridor, 560 feet wide, (130 + 300 + 130) could eliminate the necessary ground cover or protection needed by some species to traverse this area, making a boundary to limit their domain or an area of prey if they try to cross the ROW. This proposal would also open up the area to more invasive non-native plant species via the soil disturbance, increased traffic, etc.

Mitigation of negative impacts to plant resources (i.e., transplanting cacti) was not successful during construction of the first power line. Major disturbances would occur at each of the 85 tower sites during construction for the pouring of the concrete footings and the equipment necessary to erect the towers and string the electric lines. Additional impacts would include establishment of invasive plant species in the disturbed areas and the increased probability of illegal use of the ROW by off-road vehicles.

The primary route is not an environmentally friendly route to plan the ROW, but the alternative routes are not good routes either. The proposed routes destroy pristine desert views, cross critical desert habitat, go through populated areas, and would destroy desert environments. That is just another reason to question the need for this project.

We are submitting these comments today as that is the posted deadline date, but would like to submit supplemental comments when we have had an opportunity to review this further. Thank you for considering our comments. Please keep us informed on this project.

Sincerely,

Sandy Bahr
Conservation Outreach Director
Sierra Club – Grand Canyon Chapter



Arizona Wilderness Coalition

Working Together to Protect Arizona's Wild Lands and Waters

PO Box 2741 Prescott, AZ 86302 - (928) 717-6076 - www.azwild.org

1-20-06

RE: Comments for proposed Devers-Palo Verde No. 2 Transmission Line Project

Dear John Kalish and Billie Blanchard:

Thank you for this opportunity to offer comments on the proposed Devers-Palo Verde No. 2 Transmission Line Project. The Arizona Wilderness Coalition's (AWC) mission is to permanently protect and restore Wilderness and other wild lands and waters in Arizona for the enjoyment of all citizens and to ensure that Arizona's native plants and animals have a lasting home in wild nature. The AWC has a membership of about 1,000 people.

In general the Arizona Wilderness Coalition is opposed to new projects that impact our natural desert landscape. The existence of the Devers-Palo Verde No. 1 line already has significant impacts to the native flora and fauna and recreational resources in AZ. The construction of more lines will surely further impact these resources and we hope that an alternative that does not construct more power lines can be found.

The Arizona Wilderness Coalition would like the EIR/EIS to address the following issues:

1. The transmission of power from AZ to CA has numerous social, environmental, and economic impacts that should be addressed.
 - a. Is it socially fair to create power in AZ only to ship it to CA, while AZ residents suffer the impacts to air quality, visual resources, and wildlife habitat?
 - b. What about AZ's continued population growth and our need for power? Will selling power to CA just force AZ to construct more powerplants in the future because we have already agreed to sell power to CA. What are the longterm impacts to AZ's air quality by needing more power generating facilities.
 - c. CA is often seen as a state that has a high regard for the environment and closely regulates industry to protect it. If CA's regulations make it easier to create power in AZ because of environmental compliance issues, then CA must address its power needs within its own boundaries through conservation and development of new sources within its own borders, not simply go next door and harm AZ's environment. This issue must be fully explained in the EIS as it relates to environmental and social justice
2. Can SCE implement new conservation measures and renewable energy sources to account for CA's power needs?
3. Please address the impacts to areas of BLM that are currently being considered for protection of wilderness characteristics in the Ranegras Plain region east of the Kofa NWR.

4. How will SCE ensure that no part of the project impacts existing wilderness through trespass during construction?
5. How will SCE ensure that construction activities stay within the designated ROW.
6. The Kofa NWR is a place that should be protected from destructive projects, such as new powerlines, how does this project help achieve the protection of the outstanding natural resources in the Kofa NWR?
7. In the event that the line is constructed please consider the following options
 - a. Is it possible to upgrade the existing towers to carry additional lines? Why or why not?
 - b. Can the corridor be smaller to limit impact on the desert landscape?
 - c. How many miles of new road will be constructed? Roads have significant impact on wildlife and natural hydrologic cycles. How will SCE mitigate these impacts?
 - i. The existence of roads encourages the spread of noxious weeds, specifically Saharan mustard.
 1. SCE should analyze and propose implementation of a plan to deal with the spread of noxious weeds.
 - a. Yearly monitoring and eradication should occur to mitigate the impacts caused by the existence of roads to construct and maintain the power lines. Please outline how this will be done.
 - ii. How will temporary roads and disturbances be restored?
 1. How much money will be allocated to restoration activities?
 - d. What assistance will SCE give to BLM, USFWS, and AZ Game and Fish to maintain existing wildlife population levels?
 - i. How will this be monitored?
8. What mitigation measures will be used to limit the impacts/death of birds perching on the power lines and towers?
9. The impacts of the existing and new power line to wildlife migration are present.
 - a. Can SCE assist BLM in acquiring and enhancing other wildlife corridors to help mitigate the impacts of this project?
 - b. Saddle Mtn is between the Harquahala switching yard and PVNGS.

Can SCE purchase private lands to the south of Saddle mtn to help BLM maintain this valuable wildlife corridor?

10. The Harquahala West alternative seems to be the most logical alternative to reach the switch yard. Why is this not the proposed route?

11. Placing the entire power line in the I-10 corridor should be considered as an alternative as it already has significant impacts to wildlife movement.

Thank you for this opportunity to offer comments on this project. If you have any questions regarding the Arizona Wilderness Coalition comments please feel free to call.

Sincerely,

Jason Williams
AZ Wilderness Coalition
Regional Director
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Prescott, AZ 86302
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