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7 UNITED STATES DEPARTMENT OF ENERGY AND

8 BUREAU OF LAND MANAGEMENT

9 SOLAR ENERGY DEVELOPMENT

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11 PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

12 (PEIS)

13

14 PUBLIC SCOPING MEETING

15 EXCERPT OF PROCEEDINGS

16

17 March 3, 2011

18 7:00 p.m. to 8:12 p.m.

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21 705 S. Telshor Blvd.

22 Las Cruces, NM

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1 A P P E A R A N C E S

2 LINDA RESSEGUIE, Bureau of Land Management

3 JANE SUMMERSON, U.S. Department of Energy

4 JIM McCORMICK, Bureau of Land Management

5 HEIDI HARTMANN, Argonne National Laboratory

6 REPORTED BY: ANNE C. HALLETT, RPR

7 CCR No. 16

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1 C O N T E N T S

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3 PUBLIC COMMENTS:

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1 P R O C E E D I N G S

2 MS. TORRES SMALL: My name is Xochitl Torres.

3 I'm with Senator Udall's office. And we are just
4 encouraging the public to really participate and use
5 this opportunity, through March 17th, to make public
6 comments. This is a very important issue for our
7 region, and we want to make sure that everyone is
8 included and involved so that we can move forward.

9 MR. CLARK: I'm the only person that signed
10 up to speak. I hope that I'll inspire some other
11 people to get up and speak after me.

12 My name is Matt Clark, and I'm the Southwest
13 representative with the Defenders of Wildlife. We're
14 based in Tucson. Nationally, we're based in
15 Washington, DC. Defenders of Wildlife was founded in
16 1947, and we have more than one million members and
17 supporters across the nation, some of which I know are
18 in this room. And Defenders is dedicated to the
19 protection and restoration of wild animals and plants
20 in their natural communities. Thank you for this
21 opportunity to present our thoughts, general thoughts,
22 regarding the BLM and the DOE Solar PEIS. It's a
23 voluminous document and represents a lot of hard work,
24 and we recognize that, commend the bureau for taking
25 this step forward. Of 11,000 pages, I've got my

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1 comments shaved down to just a couple of pages, so
2 hopefully I won't take up too much time, but I do have
3 some important comments I'd like to share.

4 First of all, I think they will recognize
5 that climate change at least is an important issue,
6 whether or not you believe it's human caused. It's an
7 important issue that we need to tackle. And to reach
8 an 80 percent reduction in greenhouse gas emissions by
9 the year 2050 and avoid the worst effects of climate
10 change in the Southwest, which is ground zero, we will
11 need to tap into the enormous renewable energy
12 resources in the U.S. Our public lands can help to us
13 reach this goal, but because of the large size and
14 nature of the utility-scale renewable energy projects,
15 care must be taken in order to ensure that that places
16 chosen for development will result in the least impact
17 to wild places, important habitats, ecosystems, scarce
18 water resources, and important cultural and historic
19 sites. And that is why Defenders of Wildlife and other
20 leading national and regional conservation
21 organizations are getting behind zoned solar zones
22 approach or alternative for BLM's new solar energy
23 development program. We'll be submitting detailed
24 joint written comments on the draft PEIS along with our
25 partner organization, so a lot of the nitty-gritty

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1 details will be in those comments.

2 Generally, we believe a guided development
3 approach will not only avoid unnecessary impacts to
4 sensitive resources and wildlife, but if well screened,
5 solar zones will also create greater certainty for the
6 development community, that their proposed projects
7 will not meet with unexpected and costly delays due to
8 opposition from local communities or legal hang-ups.
9 So taking lessons learned from the past, such as the
10 fast-track projects that we've seen in California and
11 Nevada in the last couple of years, we can see that the
12 better screening and more guidance to the development
13 community up front could have saved many -- many, many
14 dollars and many headaches that resulted from trying to
15 make lemonade out of lemons, and I mean lemon of a
16 site. Some of the sites. Not all of them have been
17 problematic. As the old adage goes, it's all about
18 location, location, location. And this is -- could not
19 be more true in New Mexico, which is actually live at
20 the crossroads of five major bioregions and hosts a
21 spectacular diversity of habitats and ecosystems.

22 While we support the zone approach, we want
23 to be able to ensure that the identified zones are, in
24 fact, the right places for industrial-scale
25 development. For example, two zones in California, the

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1 Pisgah and the Iron Mountain, should be eliminated due
2 to high levels of conflict with wilderness and wildlife
3 values. And locally, we have concerns about portions
4 of the Mason Draw solar zone, solar energy zone,
5 particularly for wildlife -- pronghorn, mule deer,
6 potential Aplomado falcon habitat, potentially
7 restorable in some cases -- as well as overlap of the
8 portion of the Goodnight Mountains' citizens proposed
9 wilderness area on the northern end of the unit.

10 We have concerns that Red Sand is -- certain
11 portions where there are dunes and associated
12 vegetation communities that are dependent on shallow
13 groundwater for their persistence could be impacted if
14 there's a lot of usage of groundwater to cool solar
15 facilities there, so we're wondering, you know, which
16 technologies might be appropriate there in that zone,
17 perhaps, you know, very low water use or potable tank,
18 which would use a lot less water.

19 For the zones that are maintained -- No,
20 wait. I think I skipped -- I thought I put something in
21 my notes. But we are very much in support of the Afton
22 area. I think it has a lot of promise, and that's the
23 one that's closest to Las Cruces, and we think has
24 relatively very low conflicts and is already fairly
25 degraded, so we're encouraged by that site.

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1 For the zones that are maintained, we think
2 BLM should conduct a more thorough environmental review
3 of the proposal's impact on wildlife, water and other
4 important natural and cultural resources, some of which
5 we recognize will be looked at at the project level.
6 But still, at the programmatic level, we think a more
7 detailed job could be beneficial and increase the
8 likelihood that tiering would actually happen.

9 Lastly, we think the final plan should lay
10 out more clear guidelines for how the project should be
11 built and operated, so that potential harm to sensitive
12 landscapes and resources is avoided, minimized and
13 properly mitigated for.

14 The BLM's preferred solar development
15 alternative, by contrast -- and that's the big 22-
16 million-acre proposal -- not only does not provide the
17 screening and guidance needed to avoid conflicts and
18 delays, we think it sends exactly the wrong message to
19 the development community. It says -- my
20 interpretation of it says, "We are open to industrial-
21 scale development throughout the Cedar Mountains." I
22 don't know if you guys know the Cedar Mountains is
23 right by the boot heel, in the Southwestern part of the
24 states. Amazing area. Important for a lot of different
25 critters. It also says the Robledo Mountains, the Las

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1 Uvas complex, the grasslands, some of the last
2 remaining intact Chihuahuan desert grasslands, are open
3 for business. And envision that all these areas could
4 someday be a sprawling solar industrial complex. It
5 says, "We are so solar friendly, we are open to
6 proposals to develop potential wilderness areas
7 anywhere amongst half of a million acres of the Land of
8 Enchantment's wildest landscapes, areas that citizens
9 have gone out, inventoried and documented wilderness
10 characteristics and values, ecological values, historic
11 cultural sites." And I apologize for the sarcastic
12 nature of my comments, but I think it's important that
13 we send the right message to the development community
14 with this -- the way this program is structured.

15 Finally, the preferred alternative does not
16 adequately analyze impacts of development on this scale
17 to the environment and numerous BLM-sensitive and
18 special-status species. And the bottom line is it is
19 simply not focused enough to be meaningful or helpful
20 to the development community or the -- or the public.
21 And so we advocate for the following areas and the
22 preferred alternative to be removed from further
23 consideration for solar development. All citizen-
24 proposed wilderness areas, wildlife movement linkages
25 or corridors that have been identified by state,

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1 federal agencies or nongovernmental organizations,
2 lands adjacent to national park units, national
3 wildlife refuges and designated wilderness areas. For
4 instance, the preferred alternative has lands located
5 just north of the Bosque del Apache National Wildlife
6 Refuge as potential for wilderness -- or for solar
7 development. We think that's inappropriate in such a
8 sensitive area. And also, just crucial habitats for
9 all listed and special-status species, including BLM's
10 own sensitive species list. I think a much more
11 comprehensive job needs to be to look at all of these
12 habitats for all these species and make sure that we
13 can avoid the most important ones for sure.

14 In this case, less is truly more. We support
15 a zoned approach and encourage BLM to incorporate the
16 framework that BLM's -- Arizona BLM's restoration
17 design energy project, which is going on concurrently.
18 And for those of you who are not aware of this, this is
19 a pilot project that Arizona BLM is working on that is
20 looking at reclaiming and restoring or redeveloping
21 brown fields, abandoned mines, quarries and other
22 disturbed lands for looking at those sites as good
23 places for renewable energy development, as opposed to
24 our wild, more pristine landscapes.

25 And so we think this can be a model for how

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1 additional solar zone can be systematically identified,
2 screened and added to the system of solar zones in New
3 Mexico and, of course, the other five states. This
4 will allow for more than enough land to be identified
5 for solar energy development in order to quickly meet
6 our goals to foster our sustainable renewable energy
7 future. This will allow us to avoid mistakes of
8 damaging wildcat energy development patterns of the
9 past and enable us to actually be smart from the start
10 this time around. And, you know, just because renewal
11 energy is clean does not necessarily mean that it's
12 green. And I'm here to help to make sure that we do it
13 right this time around and put a voice out there for
14 trying our best to have a focused approach that avoids
15 conflicts, if not for our own conscience, then for
16 future generations who are depending on us to make the
17 right choices for our share of public lands.

18 And I know I've been talking for a while, but
19 I would like to close with a quote from Robert
20 Marshall, who was one of the architects of the
21 Wilderness Act. And in an issue of the 1937 edition of
22 Nature magazine, he was quoted saying, "Yet the
23 universe of the wilderness all over the United States
24 is vanishing with appalling rapidity. It is melting
25 away like the last snowbank on some south-facing

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1 mountainside during a hot afternoon in June." And this
2 was in 1937. And if he can only be here now to see
3 some of the choices that we're having to make.

4 And I hope that in our race to harness the
5 energy and heat from the sun to help meet our energy
6 needs and transition away from fossil fuels to
7 renewable energy, the decision makers with the BLM, the
8 development community, and the public at large, take
9 great care that we do not despoil what remains of our
10 wild natural heritage in the process. Thank you very
11 much.

12 MR. SCHEMNITZ: My comments will be brief in
13 contrast to our previous speaker. I'm the chairman of
14 the Southwest Consolidated Sportsmen. We have been
15 active for the last 30 years and meet each month on a
16 Wednesday at the university. We represent 15 different
17 clubs pertaining to wildlife, and approximately 1500
18 members in the county that indulge in hunting and
19 fishing.

20 Some of the things that our previous speaker
21 didn't mention I'll briefly comment on. The Afton
22 area, of course, has the least impact on wildlife
23 populations but will have considerable impact on the
24 citizens of Las Cruces, particularly in relation to the
25 smoothing over of the vegetation, destruction of

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1 existing vegetation, which, in combination with
2 frequent high winds up to 50, 60, 70 miles an hour,
3 will create a very serious air-pollution problem, and
4 that certainly is a factor that needs to be considered.

5 Water, of course, is the limiting factor for
6 wildlife, human life and survival in the desert and the
7 Southwest. And certainly water tables will decline and
8 contribute to a contingently aggravated water shortage,
9 as indicated, for example, by irrigated water from the
10 river, from the Rio Grande, will be in very short
11 supply this year.

12 So even though Afton has perhaps the least
13 impact on wildlife due to the fact that its vegetation
14 has deteriorated and a lot of wind erosion, undesirable
15 shrubs, and so forth, in contrast, the area Mason Draw
16 has some of the most desirable, pristine, ideal
17 grassland, and that is continuing to deteriorate in
18 many areas, particularly in this vicinity, due to the
19 invasion of creosote and mesquite.

20 So our (indiscernable), they believe that the
21 best substitute for energy, which is desirable and
22 necessary and then will be in short supply, will be a
23 nuclear kind of program. I personally don't favor
24 that, due to the history of Chernobyl and Five Mile
25 Island and so forth, and the long half-life of the

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1 various uranium and other elements that are involved.

2 I was pleased to then realize that wilderness
3 areas were being excluded and even strong supporters of
4 wilderness, and we even discussed in some detail the
5 representation of the BLM of the various alternatives
6 of the three in southwestern New Mexico, and certainly
7 an important area of concern.

8 The Southwest has two features: One is lots
9 of solar sunshine, and the other one is it's windy. The
10 wind farms may be a more desirable and less intrusive
11 aspect on the environment and on the landscape as a
12 substitute. We are strong believers in global warming
13 and the problems that are impacting wildlife
14 populations.

15 So our organization basically welcomes
16 frequent visitations and attendance by the various
17 agencies -- the Game and Fish Department, White Sands,
18 Fish and Wildlife Service -- and certainly almost every
19 meeting that I've been involved with had an individual,
20 a wildlife person, from the local BLM office. So
21 hopefully we can reconcile some of the problems and
22 develop a good program to enhance our -- fulfill our
23 energy needs.

24 Although our sportsmen represent the majority
25 of our people, we have frequent visitations by wolf

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1 people, the wilderness people and environmental types.
2 So we have to be very open-minded, legally and ethical
3 hunting. We just developed a new position situation
4 and a controversial issue, like all trapping of fur
5 bearers. I said I would be brief, and that pretty well
6 covers the gamut of our concerns and interests. And we
7 are always open to attendance by various people
8 interested in the wildlife issues, and we are very
9 concerned about ethical hunting practices, and that's
10 one of the things we highlight. And we are actively
11 concerned with some of the bills in the legislature,
12 some which we support, others that are obviously going
13 have an adverse impact on wildlife and wildlife
14 advocates. Thank you.

15 MS. HACKER: Hi. I was just concerned
16 because I just found out about this project. My name
17 is Gloria Hacker, and I'm not associated or affiliated
18 with anyone. I don't know very much about this
19 project. I just got an e-mail from an environmental
20 group that decided to come down. I've always been
21 concerned about what's happening to the environment
22 around us, you know, the wildlife, the degradation of
23 the land, and what my comment is, that I don't think
24 this really represents all the people. To me, most of
25 the community of Las Cruces probably doesn't even know

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1 that this is happening.

2 And because I'm not a scientific/technical
3 person, I can't imagine the scope of what this project
4 -- what it will look like; what it will do to the land
5 around us; will we see it from our windows, stretching
6 out to the horizon? I mean, it's sort of an unknown.
7 And my own feeling is, why can't we have energy more
8 localized, where we create energy in our own
9 communities instead of having to send it back distances
10 over wires and impacting the environment everywhere?
11 Why can't we design systems that are more central, that
12 are right in our own neighborhoods, for instance, or in
13 our own communities, so that we don't have to use up so
14 many resources? That's my comment. But I really think
15 that the overall community should have a chance to
16 comment. I don't think they really understand or know
17 about this project. So maybe there hasn't been good
18 communication, you know, through the media about this.

19 MR. CLARK: I'm back. My name is Matt Clark,
20 with Defenders of Wildlife, again. And I forgot to
21 refer to a few maps that I brought, or that I've made
22 and I wanted to show.

23 This map is kind of, again, hard to interpret
24 with the color coding, but basically the darker shades
25 of purple -- the shades of purple are basically

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1 verified habitat for the Aplomado falcon, which is an
2 endangered bird, that's -- various efforts working to
3 restore the bird to southern New Mexico. Actually,
4 I've heard some really exciting efforts. And this is
5 just a map that highlights a couple of areas of
6 suitable habitat. There's a potential habitat that's
7 been modeled. The BLM has also gone out and verified on
8 the ground some of the areas in the model, and that
9 indeed are high-quality or moderate-quality Aplomado
10 habitat. And this area is actually -- if you can see in
11 green, towards the southeastern corner, is where Mason
12 Draw solar energy zone is, for reference, and the areas
13 that are kind of black outline are the areas outside of
14 the solar energy zones that BLM has identified as
15 suitable and are preferred alternative. And actually,
16 the BLM has done a pretty good job of eliminating the
17 high and moderately suitable habitat for Aplomado
18 falcon from consideration. There are a couple of
19 examples where they missed some areas. For instance,
20 the two ovals you see circled, those are areas where
21 they have identified land as suitable for solar
22 development that do coincide with moderate or high
23 suitability, so we ask that those areas be also
24 excluded.

25 MALE SPEAKER: Do you want a pointer?

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1 MR. CLARK: Sure. That would be great. And
2 this guy could get up and talk a lot more about
3 Aplomado falcons than I can.

4 This area here, which is just north of the
5 Mason Draw unit, this whole area, even in through here,
6 as you can see in purple, stretches up a nice
7 contiguous grassland habitat.

8 And one other comment just on the Aplomado
9 falcon. There are a ton of them out there at the
10 moment, but we hope that some day they will be abundant
11 enough where they can actually be delisted. And I know
12 that the BLM locally has been working with the State
13 and is doing a lot of grassland restoration treatments
14 and is investing a lot of money and energy into doing
15 that. And I would just hope that the lands that are
16 identified for solar development, whatever alternative
17 is selected, that the areas that are targeted during --
18 that have already conducted restoration treatments or
19 that you are targeting for restoration treatments, you
20 don't include those in areas to open up for
21 development. And some of those might include areas that
22 have been verified as low-quality Aplomado habitat,
23 that could be restored or improved to a greater degree.

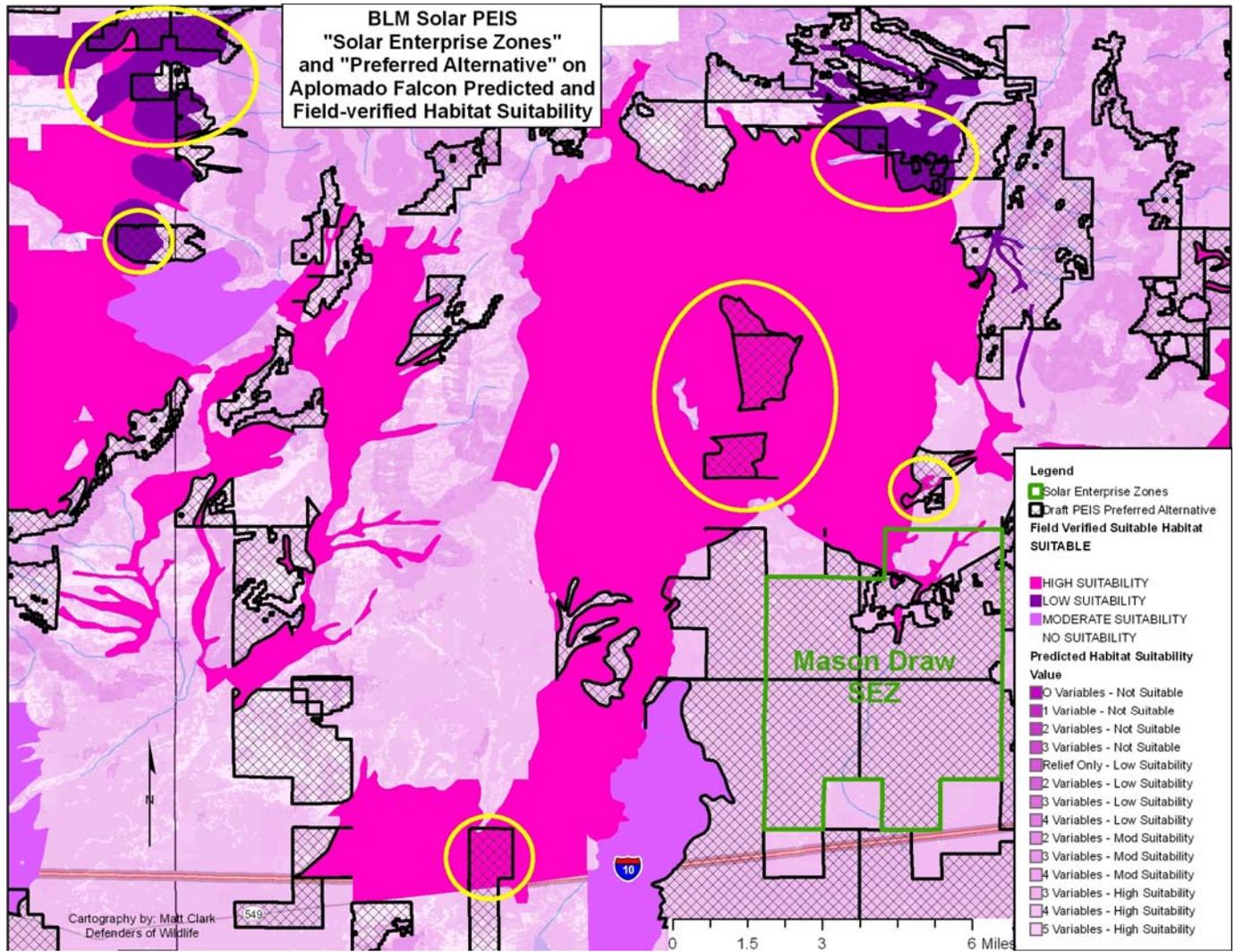
24 If you look at how the habitat lines up
25 against the preferred alternative, what you see is that

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1 everything surrounding the highest quality Chihuahuan
2 desert grasslands is -- would be open for development.
3 And so just a concern that if we, you know, develop
4 everything in between the high suitability habitats,
5 will those isolated areas or more isolated areas
6 persist or be functional for Aplomados? And also, are
7 we going to be losing opportunities in the future and
8 important connective habitats that should be -- that
9 would be more appropriately identified for restoration
10 than industrial solar development? So I think the
11 Aplomado is a great example of a wide-ranging species,
12 but this is just one. There are numerous other species
13 I think should be considered in a similar light. Thank
14 you.

15 (The proceedings concluded at 8:12
16 p.m.)

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Presented by Matt Clark, Defenders of Wildlife, Solar Energy Development Public Meeting, Las Cruces, NM 3-3-2011

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C E R T I F I C A T E

I, ANNE C. HALLETT, RPR, New Mexico CCR No. 16, DO
HEREBY CERTIFY that on March 3, 2011, the Proceedings
in the above-captioned matter were taken before me,
that I did report in stenographic shorthand the
Proceedings set forth herein, and that the foregoing
excerpt pages are a true and correct transcription to
the best of my ability.

ANNE C. HALLETT, RPR
Certified Court Reporter No. 16

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