

Board of Supervisors

Ann English
Chairman
District 2

Richard R. Searle
Vice-Chairman
District 3

Patrick G. Call
Supervisor
District 1



Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator
Interim Clerk

July 12, 2013

Director (210)
Attention: Brenda Williams
P.O. Box 71383
Washington, D.C. 20024-1383

**RE: Protest of SunZia Southwest Transmission Project
Final Environmental Impact Statement and
Proposed Resource Management Plan Amendments**

Dear Ms. Williams:

This letter has been prepared by the Cochise County Board of Supervisors on behalf of Cochise County as a local agency protesting the selected alternative in the SunZia Southwest Transmission Project Final Environmental Impact Statement (FEIS) and the Bureau of Land Management's misinterpretation of County jurisdiction with regards to coordination requirements for this project. Cochise County is submitting these comments as a Cooperating Agency under our BLM MOU for this Project and as a local agency under the Coordination Process.

On August 9, 2012, the Cochise County Board of Supervisors submitted a letter on behalf of Cochise County commenting on the BLM's Preferred Alternative in the SunZia Draft EIS, issued on May 25, 2012 (Attachment 1). In that letter, we respectfully requested that BLM select Subroute 4B of Route Group 4 as the Preferred Alternative in the Final EIS rather than Subroute 4C2c. We believe that Subroute 4B would be a better alternative to minimize impacts to sensitive rural communities (environmental justice and social and economic conditions issues) and cultural, paleontological, and water resources, as well as sensitive riparian habitat for biological resources. In addition, we expressed our concerns related to the Buffalo Soldier Electronic Test Range (BSETR) which is protected by Arizona Senate Bill 1387. The test range, which is used by the Electronic Proving Ground (EPG) and other missions stationed at Fort Huachuca, relies on extremely quiet Electromagnetic (EM) Spectrum for sensitive electronic testing of equipment vital to military missions and protection of military personnel

in theater. The unique topography and geology of the mountain ranges surrounding the BSETR create an extremely quiet EM spectrum. The EM spectrum within the BSETR is a natural resource that can be severely damaged by an increase in electromagnetic interference just as other natural resources, such as species habitat, can be impacted by projects. In addition to potential damage to this natural resource, the BSETR is of vital economic interest to Cochise County as well as the national security of the United States of America. These are the issues being protested this letter.

The responses provided in Appendix J of the FEIS (Attachment 2) to the comments in this letter were only limited to “Noted” in two of the five responses. In the remaining responses, BLM acknowledges that there are potentially significant environmental impacts as well as impacts to rural communities associated with either of these Subroutes and that mitigation will be required on either Subroute. However, the responses fail to acknowledge that Subroute 4C2c results in impacts to 161.2 miles, which is 28.2 miles longer than Subroute 4B’s 133.0 miles. This is an increase in environmental impacts of 21.2% that is unnecessary if Subroute 4B is selected as the preferred alternative. While indicating that impacts would be mitigated on each subroute, the report fails to justify the additional impacts to the environmental justice for mitigation as result of the additional costs of building a 28.2 mile longer transmission line and mitigating all the impacts of that additional 28.2 miles. These additional costs would unnecessarily increase utility rates for consumers of the electricity conveyed by the project which is a potential environmental justice issue for end users that remains unevaluated in this document.

With regards to cultural (archeological) resources, on page 2-106 of the FEIS, BLM acknowledges that Subroute 4B would have the least potential impact to known cultural resources. Table 4-19 on page 4-125 describes site density and a projection of potential sites for the subroutes. It notes that five times as much surveying has been completed for Subroute 4C2c as has been completed for Subroute 4B. The greater survey data available for Subroute 4C2c results in greater certainty and more accurate estimates of potential sites along that subroute. In general, surveys along Subroute 4B have been focused on areas of most likely sites which results in greater site density per survey length and a strong potential to overestimate site densities for areas along Subroute 4B.

In its evaluation of impacts to paleontological resources, on page 4-53 of the FEIS, BLM states that Subroute 4B is the third least paleontologically sensitive subroute in Group 4 while Subroute 4C2c is the second highest in Route Group 4.

The evaluation of Social and Economic Conditions acknowledges on page 4-246 that the effects of transmission lines generally resulted in a 10 percent or smaller reduction in property value. No comparison or discussion was included regarding the total reductions in property values for Subroute 4B or 4C2c. Based on the 21.2% increase in length of the transmission line along Subroute 4C2c, it is likely that the decrease in property values along this subroute will be approximately 21.2% higher than along Route 4B which has a potential for an environmental justice issue that has not been evaluated in this document.

In addition to the Environmental Justice issues raised above, we note that the FEIS, on page 4-256, indicates that the fewest impacts to environmental justice populations are expected to take place along Subroutes 4A and 4B.

The evaluation by BLM of impacts to water resources, on pages 4-60 and 4-61, indicates that Subroute 4B crosses and potentially impacts only 21 miles of Sole Source Aquifer versus 42 miles of Source Source Aquifer for Subroute 4C2c. The text on page 4-61 acknowledges that “Subroute 4C2c crosses more mileage of perennial and intermittent streams than the other subroutes, except for 4C3. As a result, the impact to water resources of Subroute 4C2c is twice the impacts of Subroute 4B.

BLM fails to address Fort Huachuca in its General Summary of Comments, choosing to instead focus only on White Sands Missile Range. Fort Huachuca was included in the italicized portion of the first paragraph of Chapter 5.5.3.2 on page 5-15 of the FEIS, but the general response fails to address the request to “Avoid building transmission lines in areas where military operations are conducted”.

Also in the General Summary of Comments, the San Pedro River is included in the italicized portion of the first paragraph of Chapter 5.5.3.4 on page 5-16 of the FEIS, but is not addressed in any specific manner in the response although it is addressed in an additional issue on page 5-17 of the FEIS. In the second instance, the response fails to address the impacts from the long length of the Subroute that parallels the San Pedro River. It is not just the river crossing that was raised in these comments.

Cochise County received a letter from the New Mexico State Director dated May 23, 2013, (Attachment 3) that indicates a lack of understanding or a misinterpretation of County jurisdiction for this project when he stated “*AZSLD, as a cooperating agency on the SunZia project is responsible for authorizing rights of-ways on their respective jurisdictional lands, including those within Cochise County. We are confident that the AZSLD, as well BLM will take into consideration existing county plans prior to authorizing rights-of-way on our respective land jurisdictions.*” The County took exception to this statement in its letter of response (Attachment 4). The SunZia Southwest Transmission Project is within lands administered by Cochise County, as determined by the State of Arizona.

Cochise County cannot and will not depend upon AZSLD or BLM to protect their interests. Cochise County has special expertise with respect to the environmental impacts SunZia Southwest Transmission Project will have on lands within their jurisdiction. That same expertise and local knowledge is not held by BLM and AZSLD, thus necessitating Cochise County’s participation in the NEPA process on this project. Cochise County is legally responsible for the protection of health, safety, and welfare of individuals and communities that may be affected by transmission lines.

Despite the obvious advantages of reduced impacts to sensitive rural communities (which includes environmental justice and social and economic conditions issues) and cultural, paleontological, and water resources, as well as sensitive riparian habitat for biological resources and avoided unnecessary mitigation costs that would occur with the selection of Subroute 4B, the BLM State Director has selected Subroute 4C2c as its preferred alternative. As a result, we are filing this protest and requesting that the State Director’s decision be overturned by substituting Subroute 4B for Subroute 4C2c in the

Preferred Alternative.

As the signatory of this letter, I am the person filing the protest. My address is 1415 Melody Lane, Building G, Bisbee, Arizona 85603. I may be contacted by telephone at 520-432-9200.

Sincerely,

A handwritten signature in black ink that reads "Ann English". The signature is written in a cursive, flowing style.

Ann English, Chairman
Cochise County Board of Supervisors

Cc: Patrick G. Call, District 1 Supervisor
Richard R. Searle, District 3 Supervisor
Michael J. Ortega, County Administrator
Jim Vlahovich, Interim Clerk of the Board

ATTACHMENT 1

Board of Supervisors

Richard R. Searle
Chairman
District 3

Patrick G. Call
Vice-Chairman
District 1

Ann English
District 2



Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk

August 9, 2012

Mr. Adrian Garcia, BLM Project Manager
Bureau of Land Management
SunZia Transmission Line Project
P.O. Box 27115
Santa Fe, NM 87502-0115
NMSunZiaProject@blm.gov

RE: BLM's Preferred Alternative in the SunZia Draft EIS, issued on May 25, 2012.

Dear Mr. Garcia,

The Cochise County Board of Supervisors would like to thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the SunZia Transmission Line Project (Project), and welcome participation as a coordinating agency throughout the NEPA process for the Project. *Cochise County respectfully requests formal recognition as a Coordinating Agency via a Memorandum of Understanding (MOU) to memorialize mutual expectations and commitments throughout the NEPA process.*

Cochise County recognizes the myriad benefits that SunZia will provide, including facilitating access to significant renewable energy resources and improving the infrastructure and reliability of regional grid systems. We understand that we share a responsibility to assist the Bureau of Land Management (BLM) in providing assessment of SunZia's alternatives and the potential economic, environmental and social impacts identified alternatives may have on Cochise County. It is critical that the BLM reaches out to stakeholders and potentially affected communities and parties for feedback prior to release of a Final EIS. The County recognizes the effort of the BLM in ensuring thorough review under the National Environmental Policy Act (NEPA) by being receptive to extensive input from numerous stakeholders in central and southern Arizona. The credibility of the process depends on incorporating that feedback into the Final EIS.

Following the guidelines set forth in the National Environmental Policy Act (NEPA), the DEIS identifies and analyzes a number of alternative routes and includes a Preferred Alternative route selected by the BLM, that being Subroute 4C2c. Cochise County, however, respectfully requests that the BLM select *Subroute 4B* of Route Group 4 as the Preferred Alternative in the Final EIS.

Cochise County believes that Subroute 4B would be a better alternative to minimizing impacts to sensitive rural communities and resources, including the significant archaeological, paleontological and water resources in the lower San Pedro River Valley. In fact, the impact on rural communities from the construction of a major transmission corridor with up to eight 135-foot towers every mile will not be insignificant if Subroute 4C2c is chosen as the Preferred Alternative in the Final EIS.

The BLM's Preferred Alternative parallels the San Pedro River for 45 miles, which would result in unnecessary negative impacts on the sensitive riparian habitat and water resources in the lower San Pedro River Valley, long identified as a unique ecosystem with high biodiversity, and the largest and best example of riparian woodland remaining in the Southwest. Subroute 4C2c has more mileage of greater impacts than Subroute 4B with respect to biological and water resources -- Subroute 4C2c is 161 miles long, while Subroute 4B is 133 miles long. With 28 more miles Subroute 4C2c has more impact on the environment than Subroute 4B, and will also encroach upon more wells than Subroute 4B. With more mileage comes more accessory construction, including roads, which would thus have greater ground-disturbing potential than Subroute 4B. What's more, Subroute 4C2c traverses a number of perennial feeder streams which would increase erosion risk. In addition, only 12 miles of the 45-mile portion of Subroute 4C2c that parallels the San Pedro River follows existing linear infrastructure. This is the only area along the San Pedro River where Subroute 4C2c follows an existing linear feature. This is an insignificant co-location of utility corridors, and does not make Subroute 4C2c a more environmentally-sound alternative than Subroute 4B. The BLM's Preferred Alternative would damage the San Pedro River Valley, a precious southern Arizona and national resource. Damage to this watershed will be very difficult to mitigate.

We have concerns that Subroute 4C2c would generate undue EMF interference which would consequently impact Ft. Huachuca's Electronic Proving Ground (EPG). It is supremely important to ensure that SunZia does not compromise Ft. Huachuca's mission. Subroute 4B minimizes impacts to military operations by completely avoiding Ft. Huachuca's EPG. In fact, representatives from Ft. Huachuca have indicated that significant mitigation would be required for any 500Kv line that would pass through their designated electronic testing range.

In summary, Cochise County believes that Subroute 4C2c's impacts to the San Pedro River Valley and its residents can be avoided by selecting Subroute 4B in the Final EIS. Subroute 4B better satisfies the numerous and varied concerns raised by the public, local governments and elected officials. The SunZia DEIS indicates that Subroute 4C2c was selected to maximize use of existing utility corridors and infrastructure, minimize impacts to sensitive resources, minimize impacts to residential and commercial uses, and minimize impacts to military operations. The County believes that *Subroute 4B* better meets these criteria. Subroute 4B as the Preferred Alternative in the Final EIS avoids additional impacts to water resources, has fewer impacts to

visual resources (which would achieve the BLM's visual resource management objectives), avoids any impacts to military missions at the U.S. Army's Fort Huachuca, and has substantially less mileage (and resultantly less environmental, paleontological, and social impacts). Furthermore, Subroute 4B impacts fewer known cultural resources and has impacts that are more effectively mitigated.

We wish to emphasize that the federal government does not supersede the authority of state and local control and decision making in siting transmission lines on property not owned by the federal government. Law demands that the BLM identify the least intrusive route for this project. The BLM has failed to do so in identifying Subroute 4C2c as the current Preferred Alternative.

On behalf of my fellow Board members, I thank you for the opportunity to comment on this important project, and we look forward to continued participation throughout the NEPA process.

Sincerely,



Richard R. Searle
Chairman, Cochise County Board of Supervisors

Cc: Patrick G. Call, District 1 Supervisor
Ann English, District 2 Supervisor
Michael J. Ortega, County Administrator
James E. Vlahovich, Deputy County Administrator
Karen Riggs, Interim Community Development Director
Beverly Wilson, Deputy Planning Director
Public Lands Advisory Committee
Gretchen Kent, PAIO Chief, Ft. Huachuca
Mike Pool, Acting Director, Bureau of Land Management
Ken Salazar, Secretary, Department of the Interior
Ray Suazo, Director, Arizona Bureau of Land Management
Mickey Siegel, SunZia DEIS Contractor, Environmental Planning Group

ATTACHMENT 2

Board of Supervisors

Richard B. Swartz
Chairman
District 3
Patrick G. Call
Vice-Chairman
Board 1
Ann English
District 2



Michael J. Ortega
County Administrator
James E. Vlahovich
Deputy County Administrator
Katie A. Howard
Clerk

August 9, 2012

Mr. Adrian Garcia, BLM Project Manager
Bureau of Land Management
SunZia Transmission Line Project
P.O. Box 27115
Santa Fe, NM 87502-0115
NMSunZiaProject@blm.gov

RE: BLM's Preferred Alternative in the SunZia Draft EIS, issued on May 25, 2012.

Dear Mr. Garcia,

The Cochise County Board of Supervisors would like to thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the SunZia Transmission Line Project (Project), and welcome participation as a coordinating agency throughout the NEPA process for the Project. *Cochise County respectfully requests formal recognition as a Coordinating Agency via a Memorandum of Understanding (MOU) to memorialize mutual expectations and commitments throughout the NEPA process.*

Cochise County recognizes the myriad benefits that SunZia will provide, including facilitating access to significant renewable energy resources and improving the infrastructure and reliability of regional grid systems. We understand that we share a responsibility to assist the Bureau of Land Management (BLM) in providing assessment of SunZia's alternatives and the potential economic, environmental and social impacts identified alternatives may have on Cochise County. It is critical that the BLM reaches out to stakeholders and potentially affected communities and parties for feedback prior to release of a Final EIS. The County recognizes the effort of the BLM in ensuring thorough review under the National Environmental Policy Act (NEPA) by being receptive to extensive input from numerous stakeholders in central and southern Arizona. The credibility of the process depends on incorporating that feedback into the Final EIS.

Cochise County • 1415 Melody Lane, Building G • Bisbee, Arizona 85603 •
(520) 432-9200 • FAX (520) 432-5016 • e-mail: board@cochise-az.gov
www.cochiseaz.gov

1

	1588	Response to Comment
<p>1588</p> <p>2</p> <p>Following the guidelines set forth in the National Environmental Policy Act (NEPA), the DEIS identifies and analyzes a number of alternative routes and includes a Preferred Alternative route selected by the BLM, that being Subroute 4C2c. Cochise County, however, respectfully requests that the BLM select <i>Subroute 4B</i> of Route Group 4 as the Preferred Alternative in the Final EIS.</p>	<p>The BLM acknowledges that there are potentially significant environmental impacts, as well as impacts to rural communities associated with either of the alternative routes (subroutes 4B or 4C2c). The BLM Preferred Alternative was selected because it would meet BLM's purpose and need for action; maximize the use of existing utility corridors and infrastructure; and minimize impacts to sensitive resources, river crossings, residential uses, and commercial uses. The BLM's decision will include provisions for mitigation measures to avoid or reduce the impacts to the extent practical.</p>	
<p>3</p> <p>Cochise County believes that Subroute 4B would be a better alternative to minimizing impacts to sensitive rural communities and resources, including the significant archaeological, paleontological and water resources in the lower San Pedro River Valley. In fact, the impact on rural communities from the construction of a major transmission corridor with up to eight 135-foot towers every mile will not be insignificant if Subroute 4C2c is chosen as the Preferred Alternative in the Final EIS.</p>	<p>Although the BLM Preferred Route (Subroute 4C2c) is longer than the alternative Subroute 4B, a greater proportion of the route would be consolidated with existing utility corridors, where access for construction could be more available. Impacts to sensitive riparian habitat and water resources have been analyzed for each of the alternatives, and the potential for soil erosion impacts are included in the discussion of Section 4.3.2 of the DEIS. As stated, the application of Standard and Selective mitigation measures described in Section 2.4.12 of the DEIS would be effective to reduce soil erosion and other impacts to riparian habitat and water resources for either of the alternative routes.</p>	
<p>4</p> <p>The BLM's Preferred Alternative parallels the San Pedro River for 45 miles, which would result in unnecessary negative impacts on the sensitive riparian habitat and water resources in the lower San Pedro River Valley, long identified as a unique ecosystem with high biodiversity, and the largest and best example of riparian woodland remaining in the Southwest. Subroute 4C2c has more mileage of greater impacts than Subroute 4B with respect to biological and water resources -- Subroute 4C2c is 161 miles long, while Subroute 4B is 133 miles long. With 28 more miles Subroute 4C2c has more impact on the environment than Subroute 4B, and will also encroach upon more wells than Subroute 4B. With more mileage comes more necessary construction, including roads, which would thus have greater ground-disturbing potential than Subroute 4B. What's more, Subroute 4C2c traverses a number of perennial feeder streams which would increase erosion risk. In addition, only 12 miles of the 45-mile portion of Subroute 4C2c that parallels the San Pedro River follows existing linear infrastructure. This is the only area along the San Pedro River where Subroute 4C2c follows an existing linear feature. This is an insignificant co-location of utility corridors, and does not make Subroute 4C2c a more environmentally-sound alternative than Subroute 4B. The BLM's Preferred Alternative would damage the San Pedro River Valley, a precious southern Arizona and national resource. Damage to this watershed will be very difficult to mitigate.</p>	<p>Comment noted</p>	
<p>5</p> <p>We have concerns that Subroute 4C2c would generate undue EMF interference which would consequently impact Ft. Huachuca's Electronic Proving Ground (EPG). It is supremely important to ensure that SunZia does not compromise Ft. Huachuca's mission. Subroute 4B minimizes impacts to military operations by completely avoiding Ft. Huachuca's EPG. In fact, representatives from Ft. Huachuca have indicated that significant mitigation would be required for any 500Kv line that would pass through their designated electronic testing range.</p>	<p>The BLM has identified a Preferred Alternative route, Subroute 4C2c which crosses multiple jurisdictions to include the complete proposed action, based on the rationale provided above (see comment No. 2). However, the BLM's authority is limited to the grant of application for new right-of-way crossing Federal land, and does not have authority to grant right-of-way on state, private or other non-federal lands. A relatively small proportion of the alternative corridors have been surveyed for cultural resources; only the known cultural resources that have been documented in the DEIS studies to date. Intensive cultural resource surveys will be conducted prior to construction of the Project, for which a mitigation plan will be prepared to address treatment of identified cultural resources.</p>	
<p>6</p> <p>In summary, Cochise County believes that Subroute 4C2c's impacts to the San Pedro River Valley and its residents can be avoided by selecting Subroute 4B in the Final EIS. Subroute 4B better satisfies the numerous and varied concerns raised by the public, local governments and elected officials. The SunZia DEIS indicates that Subroute 4C2c was selected to maximize use of existing utility corridors and infrastructure, minimize impacts to sensitive resources, minimize impacts to residential and commercial uses, and minimize impacts to military operations. The County believes that <i>Subroute 4B</i> better meets these criteria. Subroute 4B as the Preferred Alternative in the Final EIS avoids additional impacts to water resources, has fewer impacts to</p>	<p>Cochise County • 1415 Melody Lane, Building G • Bisbee, Arizona 85603 • (520) 432-9200 • FAX (520) 432-5016 • e-mail: board@cochise.az.gov WWW.DEIS09-07.R01</p>	

5 visual resources (which would achieve the BLM's visual resource management objectives), avoids any impacts to military missions at the U.S. Army's Fort Huachuca, and has substantially less mileage (and resultantly less environmental, paleontological, and social impacts). Furthermore, Subroute 4B impacts fewer known cultural resources and has impacts that are more effectively mitigated.

We wish to emphasize that the federal government does not supersede the authority of state and local control and decision making in siting transmission lines on property not owned by the federal government. Law demands that the BLM identify the least intrusive route for this project. The BLM has failed to do so in identifying Subroute 4C2e as the current Preferred Alternative.

On behalf of my fellow Board members, I thank you for the opportunity to comment on this important project, and we look forward to continued participation throughout the NEPA process.

Sincerely,



Richard R. Searle
Chairman, Cochise County Board of Supervisors

- Cc: Patrick G. Cail, District 1 Supervisor
Ann English, District 2 Supervisor
Michael J. Ortega, County Administrator
James E. Vlahovich, Deputy County Administrator
Karen Riggs, Interim Community Development Director
Beverly Wilson, Deputy Planning Director
Public Lands Advisory Committee
Gretchen Kent, PAIO Chief, Ft. Huachuca
Mike Pool, Acting Director, Bureau of Land Management
Ken Salazar, Secretary, Department of the Interior
Ray Suazo, Director, Arizona Bureau of Land Management
Mickey Stegel, SunZia DEIS Contractor, Environmental Planning Group

Cochise County • 1415 Melody Lane, Building G • Bisbee, Arizona 85603 •
(520) 432-9200 • FAX (520) 432-5016 • e-mail: board@cochise.az.gov
www.cochise.az.gov

ATTACHMENT 3



IN REPLY REFER TO

NM-114438
2800 (9320)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

New Mexico State Office

P.O. Box 27115

Santa Fe, New Mexico 87502-0115

www.blm.gov/nm



May 23, 2013

Darling Geomatics
Attn: Mary Darling
U of A Tech Park
9040 Rita Road, Suite 2350
Tucson, AZ 85747

Dear Ms. Darling:

The Bureau of Land Management (BLM) has received your letter dated April 16, 2013, relative to the proposed SunZia Southwest Transmission Line Project. Your letter was submitted on behalf of Cochise County, Arizona. You have requested that Cochise County be a Cooperating Agency as well as a Coordinating Agency in the preparation of the Environmental Impact Statement (EIS) for the project.

The BLM is in the final stages of the project and is in the process of issuing a Final Environmental Impact Statement (FEIS) within the next few weeks. Although we are in the final stages of this project, the BLM will extend Cochise County an invitation to participate as a Cooperating Agency. Attached you will find a draft Cooperating Agency Memorandum of Understanding (MOU) for Cochise County to review and approve to participate as a cooperating agency.

With regards to your request to be a "Coordinating" agency, the BLM, in accordance with the Federal Land Policy & Management Act of 1976 (FLPMA), does not provide for the creation of "coordinating agencies." Section 202 (C) (9) of FLPMA (43 U.S.C. 1712), provides that the BLM is responsible "to the extent consistent with the laws governing the administration of public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies of the State and local governments within which the lands are located." The FLPMA further states that the land use plans of the Secretary shall be as consistent with state and local plans to the maximum extent that the Secretary finds consistent with Federal law and purpose of the FLPMA. When addressing inconsistencies between our BLM plans and plans of state and local governmental entities, the BLM has the responsibility to ensure that our BLM land use plans are as consistent with existing officially approved and adopted resource related plans, policies, or programs of other Federal agencies, Indian Tribes, and local governments that may be affected, see 43 CFR 1610.3-1 and 1610.3-2.

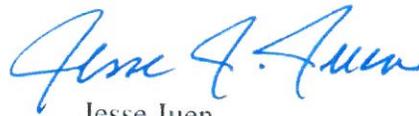
The BLM is aware of the Cochise County Comprehensive Plan, the varying alternative routes under consideration for the SunZia project do not traverse Cochise County administered lands.

Routes currently under consideration in Arizona, including those with Cochise County are either under the jurisdiction of the Arizona State Land Department (AZSLD), private ownership, or BLM jurisdiction.

The AZSLD, as a cooperating agency on the SunZia project is responsible for authorizing rights-of-ways on their respective jurisdictional lands, including those within Cochise County. We are confident that the AZSLD, as well BLM will take into consideration existing county plans prior to authorizing rights-of-way on our respective land jurisdictions.

Should you have any questions concerning the draft MOU attached, please contact BLM Project Lead Adrian Garcia at (505) 954-2199.

Sincerely,



Jesse Juen
State Director

ATTACHMENT 4

July 11, 2013

BLM State Director
Mr. Jesse Juen
P.O. Box 27115
Santa Fe, New Mexico 87502-0115

NM-114438 / 2800 (9320)

RE: SunZia Southwest Transmission Project – Cochise County Cooperating Agency Status and Coordination Request

Mr. Juen,

Thank you for your letter of May 23, 2013 regarding Cochise County Cooperating Agency status on the SunZia Southwest Transmission Project. I am providing you with additional information to assist you in understanding the County’s “administered lands” per your statement: *“The BLM is aware of the Cochise County Comprehensive Plan, the varying alternative routes under consideration for the SunZia project do not traverse Cochise County administered lands. Routes currently under consideration in Arizona, including those with Cochise County are either under the jurisdiction of the Arizona State Land Department (AZSLD), private ownership, or BLM jurisdiction.”*

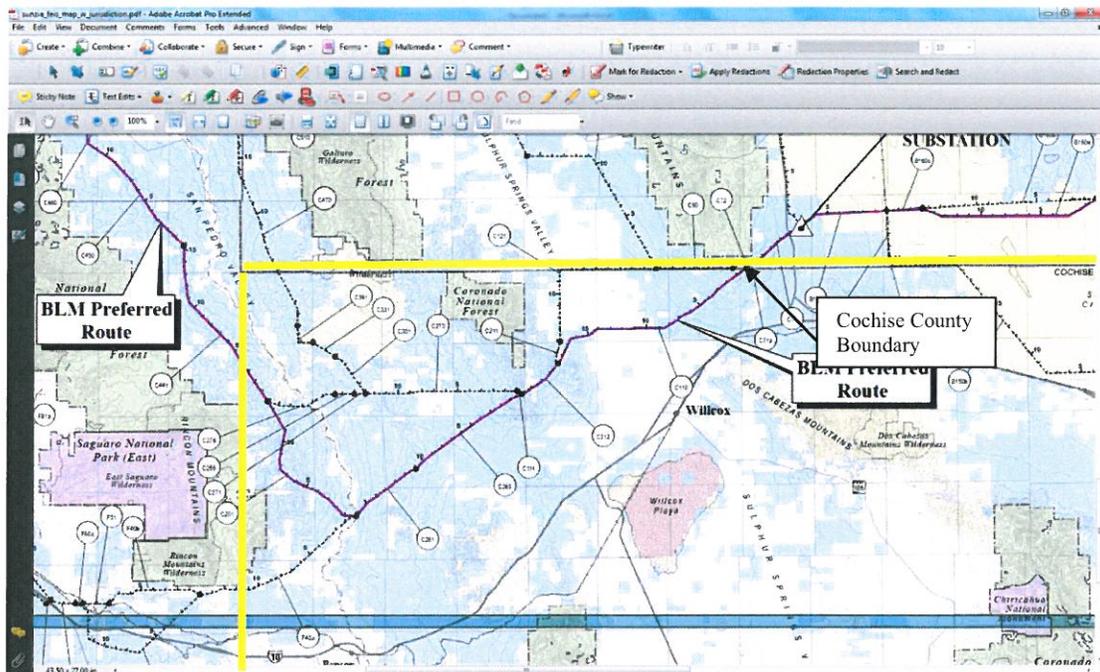


Figure 1. SunZia Southwest Transmission Line Proposed Route Through Cochise County

Issue 1. County Jurisdiction

Issue 1. County Jurisdiction

As shown in Figure 1 above, the SunZia Southwest Transmission Project is within lands administered by Cochise County, as determined by the State of Arizona.

The County's "area of jurisdiction" for comprehensive planning and for zoning regulations, is defined very broadly by the State of Arizona in A.R.S. § 11-801.2: "Area of jurisdiction" means that part of the county outside the corporate limits of any municipality."

A.R.S. § 11-802 enables counties to "conserve and promote the public health, safety, convenience and general welfare and pursuant to this chapter, shall plan and provide for the future growth and improvement of its area of jurisdiction, coordinate all public improvements pursuant to the plan, form a planning and zoning commission to consult with and advise it regarding matters of planning, zoning and subdivision platting and, in the manner provided in this chapter, adopt and enforce those rules, regulations, ordinances and plans as may apply to the development of its area of jurisdiction."

Cochise County administers County laws, including County land use plans, water and watershed plans, and environmental and natural resource laws and policies within the Proposed SunZia Transmission Line Route. Cochise County is legally responsible for the protection of health, safety, and welfare of individuals and communities that may be affected by transmission lines.

Issue 2. Whether BLM and AZSLD will take into consideration existing county plans

On behalf of Cochise County, as their agent, I take exception to your statement that "AZSLD, as a cooperating agency on the SunZia project is responsible for authorizing rights of-ways on their respective jurisdictional lands, including those within Cochise County. We are confident that the AZSLD, as well BLM will take into consideration existing county plans prior to authorizing rights-of-way on our respective land jurisdictions."

Cochise County cannot and will not depend upon AZSLD or BLM to protect their interests.

As defined in 40 CFR 1508.5, Cochise County has special expertise with respect to the environmental impacts SunZia Southwest Transmission Project will have on lands within their jurisdiction. That same expertise and local knowledge is not held by BLM and AZSLD, thus necessitating Cochise County's participation in the NEPA process on this project.

As a Cooperating Agency with "administered lands" within the SunZia Southwest Transmission Project Area, Cochise County will be submitting a letter of protest on the EIS. The letter of protest will include a statement about how Cochise County has been disenfranchised from the NEPA process due to BLM's reluctance to recognize the County's jurisdiction and special expertise.

Respectfully submitted by:



Mary Darling, Acting on Behalf of Cochise County

