Appendix C
Agency Correspondence



303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 201

Ms. Jan Biella, Acting SHPO Department of Cultural Affairs Bataan Memorial Building 407 Galisteo Street, Suite 236 Santa Fe. New Mexico 87501

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Ms. Biella:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

This project is applying for a Certificate of Convenience and Necessity with the New Mexico Public Regulation Commission. As part of the application process SPS has authorized an assessment of the environmental effects that could occur as a result of the proposed project, hence the reason for this letter to your office.

TRC Environmental Corporation (TRC) has begun collecting background data to support various permits and planning documents required for constructing the proposed transmission line. TRC has recently completed a field inspection of the proposed transmission route to identify any constraints in the project area. Although no major concerns were identified, we wanted to reach out to your agency to ask for any comments or concerns you may have about the proposed project.

If you require additional information please feel free to contact me at (505) 761-0099.

Sincerely,

TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

Hourd & Hige

cc: Kelli Boren, SPS



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November 14, 201

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Sincerely,

TRC

Howard Higgins, PhD

Vice President TRC Environmental Corporation

Howd & Hogen

cc: Kelli Boren, SPS

Attachment

for NM State Mistoric Preservation Officer

We recommend that a cultural

resources survey be conducted of all areas that will be disturbed by construction.



303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Mr. Louis Gordon City of Clovis Planning & Zoning PO Box 760 Clovis. New Mexico 88101

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Mr. Gordon:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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Sincerely,

TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

found & Higa

cc: Kelli Boren, SPS

From: <u>Louis Gordon</u>
To: <u>Degutis, Erin</u>

Cc: <u>Higgins, Howard (Albuquerque, NM-US); Boren, Kelli D</u>

Subject: RE: Request for Consultation: Proposed SPS Substation and 230kV Transmission Line Project (Curry & Roosevelt

Counties, NM)

Date: Friday, November 18, 2011 11:25:35 AM

The City has no concerns about the project. Permitting will be done through the City, up to 5 miles which will require submission of building plans. For specifics on the permitting process please contact Pete Wilt, the Director of the Department of Building Safety at 575 763 9609.

Let me know if I can be of further assistance.

Sincerely,

Louis Gordon
Planning and Zoning Administrator
575 763 9639
575 763 9617 Fax
Igordon@cityofclovis.org

From: Degutis, Erin [mailto:EDegutis@trcsolutions.com]

Sent: Monday, November 14, 2011 4:35 PM

To: Louis Gordon

Cc: Higgins, Howard (Albuquerque, NM-US); Boren, Kelli D

Subject: Request for Consultation: Proposed SPS Substation and 230kV Transmission Line Project

(Curry & Roosevelt Counties, NM)

Good Afternoon Mr. Gordon.

Please see the attached letter regarding a request for consultation for the SPS Roosevelt County Substation to Pleasant Hill Substation and Pleasant Hill Substation to Oasis Connection Point 230kV Transmission Line Project in Curry and Roosevelt Counties, New Mexico.

Please let me know if I can provide additional information or assistance.

Kindest regards,

Erin A. Degutis, RLA, AICP, LEED AP Senior Project Manager



7761 Shaffer Parkway, Suite 100, Littleton, CO 80127 T: 303.395.4048 | F: 303.792.0122 | C: 505.796.2736

Email: EDegutis@TRCSolutions.com

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303.792.5555 PHONE 303.792.0122 FAX

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November 14, 2011

Ms. Angela Fogerson Central Curry Soil and Water Conservation District 918 Parkland Drive Clovis, New Mexico 88101

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Ms. Fogerson:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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Sincerely,

TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

found & Higa

cc: Kelli Boren, SPS

Degutis, Erin

From: Marette, Brandon (Littleton, CO-US)
Sent: Friday, December 16, 2011 12:48 PM

To: Degutis, Erin
Subject: FW: e-mail working?
Attachments: Playa0002.pdf

Something else to save in the supporting documentation.

She said we're good with the re-route.

From: Fogerson, Angela - NRCS, Clovis, NM [mailto:Angela.Fogerson@nm.nacdnet.net]

Sent: Friday, December 16, 2011 12:33 PM **To:** Marette, Brandon (Littleton, CO-US)

Subject: e-mail working?

Brandon,

Please let me know if you need any additional information.

Angela Fogerson

Central Curry Soil and Water Conservation District 918 Parkland Drive Clovis, NM 88101 575-762-4769 ext 126

From: Marette, Brandon (Littleton, CO-US) [mailto:BMarette@trcsolutions.com]

Sent: Friday, December 16, 2011 12:27 PM **To:** Fogerson, Angela - NRCS, Clovis, NM

Subject: e-mail working?

Thanks for looking into this playa for me.

Brandon B. Marette, M.S., CWB, PWS Biologist



7761 Shaffer Parkway, Suite 100, Littleton, CO 80127 T: 303.395.4085 | F: 303.792.0122 | C: 720.437.0474

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Customer(s): DELBERT SOURS

District: CENTRAL CURRY SOIL & WATER CONSERVATION DISTRICT

Field Office: CLOVIS SERVICE CENTER

Agency: USDA/NRCS Assisted By: Chris Teske

Legal Description: NE 1/4 Sect. 26- 3N-36E



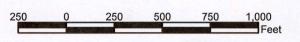


Practices (polygons)

Delbert_Sours-----190503-Consplan

playa_Buffer_Output.shp

Resource Inventory (Polygon)





Playa Restoration Program

Date: 8/1/2007

Customer(s): RICKY MORRIS

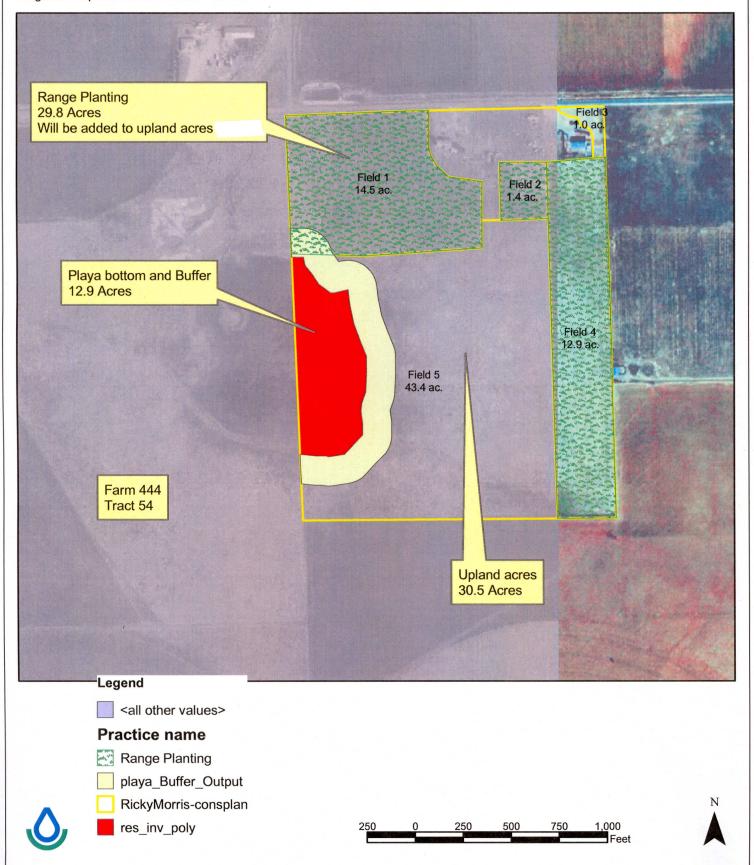
District: CENTRAL CURRY SOIL & WATER CONSERVATION DISTRICT

Legal Description: NW1/4 Sec 25- 3N -36E

Field Office: CLOVIS SERVICE CENTER

Assisted By: Chris Teske

State and County: NM, CURRY





303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Mr. Jeff Robinson (6PD-R) Environmental Protection Agency Region 6 Main Office 1445 Ross Avenue, Suite 1200 Dallas, Texas 75202

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Mr. Robinson:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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Sincerely,

TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

Hourd & Hige

cc: Kelli Boren, SPS

From: Randy Pitre/R6/USEPA/US

To: "Degutis, Erin" [EDegutis@trcsolutions.com]
Cc: Jeffrey Robinson/R6/USEPA/US@EPA

Date: 11/17/2011 08:08 AM
Subject: Proposed SPS Substation and 230kv Transmission Line Project

Erin,

From our conversation the other day, it appears that your project near Clovis, New Mexico does not appear to have an air emissions source that will need to receive an air permit. In the event that your project will require an air permit you should contact the New Mexico Environmental Health Department to process your application. Any other environmental applications should be coordinated through the New Mexico State Agencies.

Randy L. Pitre
Environmental Scientist
EPA Region 6, Air Permits Section
Office: (214) 665-7299
Fax: (214) 665-6762



303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Mr. Hira A. Walker, PhD Conservation Services Division New Mexico Department of Game and Fish P.O. Box 25112 Santa Fe. New Mexico 87504

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Mr. Walker:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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Sincerely,

TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

Hourd & Higa

cc: Kelli Boren, SPS

Subject:	

Monday, November 14, 2011 6:01 PM
Degutis, Erin; Cunningham, Kenneth, DGF; Jankowitz, Rachel J., DGF; Watson, Mark L.,

Walker, Hira, DGF [Hira.Walker@state.nm.us]

DGF; Higgins, Howard (Albuquerque,NM-US); Kelli.D.Boren@xcelenergy.com

FW: Request for Consultation: Proposed SPS Substation and 230kV Transmission Line Project (Curry & Roosevelt Counties, NM)

Attachments: LTR AgencyConsultation NMGF 111114.pdf

Erin,

From:

Sent:

To:

Thank you for your request letter. As I will begin maternity leave after this Friday and I am in the Endangered Species Program, I am forwarding on your request for consultation to our technical guidance staff (Mark Watson, Terrestrial Habitat Specialist, Rachel Jankowitz, Energy Specialist, and Ken Cunningham, Assistant Chief – Technical Guidance Program) who deal with such requests.

Best, Hira

Hira A. Walker, PhD
Non-game and Endangered Species Ornithologist
Conservation Services Division
Department of Game and Fish
PO Box 25112, Santa Fe, NM 87504
or
1 Wildlife Way, Santa Fe, NM 87507
Phone: (505) 476-8109
Fax: (505) 476-8128

From: <u>Marette, Brandon (Littleton, CO-US)</u>

To: Degutis, Erin
Subject: FW: survey?

Date: Monday, November 21, 2011 10:09:18 AM

Looks like surveying would be included under BMPs.

From: Hayes, Chuck L., DGF [mailto:chuck.hayes@state.nm.us]

Sent: Monday, November 21, 2011 10:08 AM To: Marette, Brandon (Littleton, CO-US)

Subject: RE: survey?

Mr. Marette,

There are no specific for a survey of New Mexico state threatened or endangered species under the New Mexico Wildlife Conservation Act.

A pertinent statue for compliance regarding take of endangered species would be 17-2-41 NMSA, which statues that it is illegal to take (harass, hunt, capture, kill, or attempt to do so) any endangered species. There is nothing in New Mexico state law or regulation analogous to the federal Section 7 consultation requirements. Some project proponents do conduct surveys for state-listed species to ensure that take does not occur, but the state laws and regulations regarding endangered species are not nearly as prescriptive regarding preventive measures as those regarding compliance with the take provisions.

I hope this helps. Feel free to let me know if you have any other questions about this.

Chuck

Chuck Hayes

BISON-M (http://bison-m.org)/Share with Wildlife Coordinator

New Mexico Department of Game and Fish

One Wildlife Way Santa Fe, NM 87507 505-476-8111 cell 944-5477

chuck.hayes@state.nm.us

Support New Mexico's Wildlife...Buy a Hunting, Fishing, or Trapping License and give to the Share with Wildlife Program.

From: Marette, Brandon (Littleton, CO-US) [mailto:BMarette@trcsolutions.com]

Sent: Friday, November 18, 2011 9:51 AM

To: Hayes, Chuck L., DGF

Subject: survey?

Chuck,

What are the state statutes/regulations regarding when to survey for an animal?

For instance, do I need to survey before construction for a state endangered, threatened, and Sensitive taxa (informal)?

Brandon



303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Ms. Rachel Armstrong Natural Resources Conservation Service Clovis Service Center 918 Parkland Drive Clovis. New Mexico 88101

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Ms. Armstrong:

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TRC

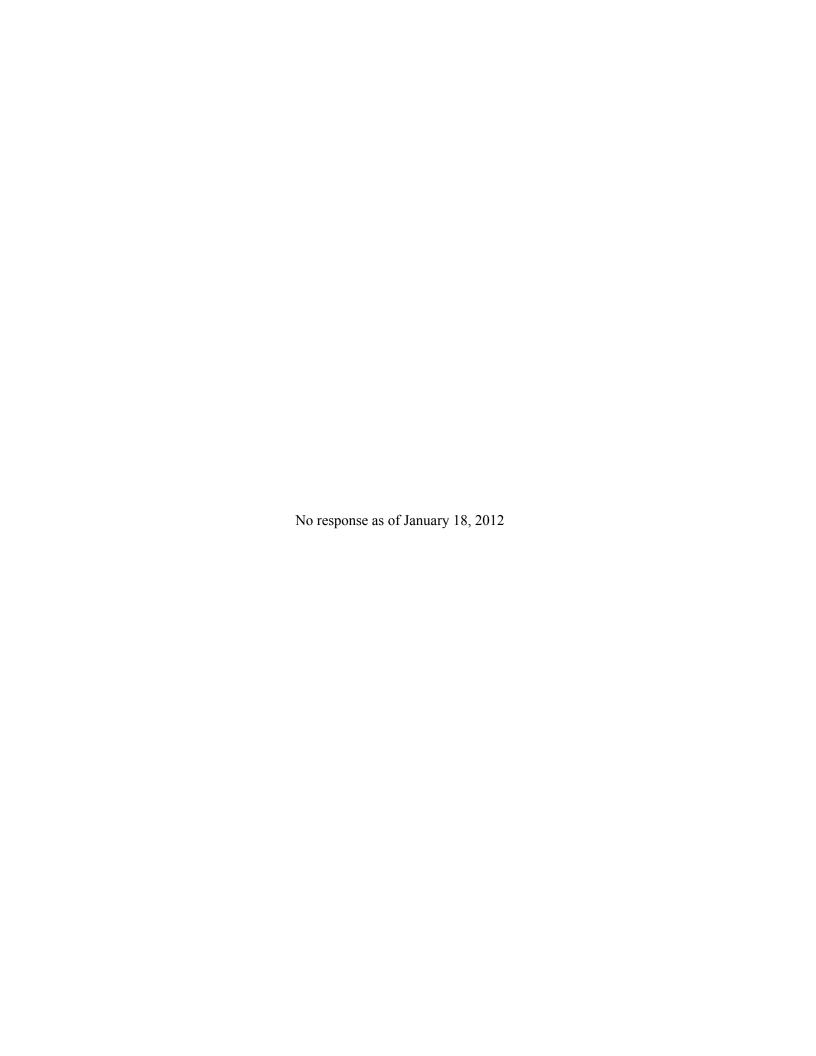
Howard Higgins, PhD

Vice President

TRC Environmental Corporation

Hourd & Higa

cc: Kelli Boren, SPS





303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Mr. Alan Stineley U.S. Army Corps of Engineers Albuquerque District 4101 Jefferson Plaza NE Albuquerque, New Mexico 87109

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Mr. Stineley:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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TRC

Howard Higgins, PhD

Vice President

TRC Environmental Corporation

Hourd & Higa

cc: Kelli Boren, SPS

From: Steinle, Allan E SPA [Allan.E.Steinle@usace.army.mil]

Sent: Monday, November 14, 2011 4:56 PM

To: Deautis, Erin

Lillard, Jennifer J SPA Cc:

Subject: RE: Request for Consultation: Proposed SPS Substation and 230kV Transmission Line

Project (Curry & Roosevelt Counties, NM) (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Ms Degustis,

Am in receipt of your information and have assigned the project to Jennifer Lillard for reply. You can reach Jennifer at (505) 342-3185. She is also copied above if you want to e-mail her. Feel free to call me as well if you cannot reach Jennifer

Allan Steinle Chief, Regulatory Division USACE, Albuquerque District 4101 Jefferson Plaza NE Albuquerque, NM 87109 (505) 342-3282 office (505) 331-0848 bb

customer service survey: http://per2.nwp.usace.army.mil/survey.html

Website: http://www.spa.usace.army.mil/reg/



DEPARTMENT OF THE ARMY ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS

4101 Jefferson Plaza NE Albuquerque, New Mexico 87109 505-342-3185 Fax 505-344-1514

November 17, 2011

REPLY TO ATTENTION OF:

Regulatory Division New Mexico/Texas Branch

SUBJECT: Action No. SPA-2011-00534-ABQ, Electrical Transmission Line, New Substation & Improvements near City of Clovis, Curry & Roosevelt Counties, New Mexico

Howard Higgins TRC Environmental Corporation 4221 Balloon Park Road NE Ste A Albuquerque, New Mexico 87109-5809

Dear Mr. Higgins:

The U.S. Army Corps of Engineers (Corps) is in receipt of your letter dated November 14, 2011 concerning Southwestern Public Service Company's proposal to install electrical transmission lines, a new substation and improvements near the City of Clovis, Curry & Roosevelt Counties, New Mexico. The activity involves construction of two 230-kilovolt single-circuit transmission lines, a new substation and improvements to an existing substation. We have assigned Action No. SPA-2011-00534-ABQ to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

A Department of the Army permit is required under Section 404 of the Clean Water Act for the placement of dredged or fill materials into waters of the United States. The project site may contain waters of the U.S. If the project proponent or any of its contractors work, or plan to work, in a river, stream, or wetland, they may be required to obtain a Department of the Army permit.

I have enclosed a brochure describing the Corps regulatory program for your information. A series of nationwide permits are available which may be sufficient for some work, if all terms and conditions are met. Many of the nationwide permits require pre-construction notification to the Corps of Engineers and regional conditions may apply. In many cases, a water quality certification is required from the appropriate water quality authority.

We will provide a letter of determination of permit requirements on request, provided that we are furnished with information sufficient to determine whether waters of the United States would be affected by the proposed project. Summaries of the nationwide permits and information about the regulatory program are available on our web page at www.spa.usace.army.mil/reg/

If you have any questions concerning our regulatory program, please contact me at 505-342-3185 or by e-mail at Jennifer.J.Lillard@usace.army.mil. At your convenience, please complete a Customer Service Survey available on-line at http://per2.nwp.usace.army.mil/survey.html.

Sincerely,

Jennifer J. Lillard Regulatory Specialist

Enclosure

1. Regulatory Program Brochure



303.792.5555 PHONE 303.792.0122 FAX

www.TRCsolutions.com

November 14, 2011

Ms. Debra Hill U.S. Fish & Wildlife Service New Mexico Ecological Services Field Office 2105 Osuna NE Albuquerque, New Mexico 87113

Re: Proposed Electrical Transmission Line, New Substation and Substation Improvements, Curry and Roosevelt Counties, NM

Dear Ms. Hill:

Southwestern Public Service Company, a subsidiary of Xcel Energy, proposes to construct two 230-kilovolt single-circuit transmission lines, a new substation, and improvements to an existing substation in the vicinity of Clovis, New Mexico. The area is depicted in the attached figure. The purpose of the proposed project is to mitigate overloads and voltage conditions, and improve reliability of the existing transmission system in the region. The planned route is proposed to be constructed mostly on private lands in late 2013 and 2014.

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Vice President

TRC Environmental Corporation

Hourd & Higa

cc: Kelli Boren, SPS



United States Department of the Interior

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FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna NE
Albuquerque, New Mexico 87113
Phone: (505) 346-2525 Fax: (505) 346-2542

Thank you for your recent request for information on threatened or endangered species or important wildlife habitats that may occur in your project area. The New Mexico Ecological Services Field Office has posted lists of the endangered, threatened, proposed, candidate and species of concern occurring in all New Mexico Counties on the Internet. Please refer to the following web page for species information in the county where your project occurs: http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm. If you do not have access to the Internet or have difficulty obtaining a list, please contact our office and we will mail or fax you a list as soon as possible.

After opening the web page, find New Mexico Listed and Sensitive Species Lists on the main page and click on the county of interest. Your project area may not necessarily include all or any of these species. This information should assist you in determining which species may or may not occur within your project area.

Under the Endangered Species Act of 1973, as amended (Act), it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with us further. Similarly, it is their responsibility to determine if a proposed action has no effect to endangered, threatened, or proposed species, or designated critical habitat. On December 16, 2008, we published a final rule concerning clarifications to section 7 consultations under the Act (73 FR 76272). One of the clarifications is that section 7 consultation is not required in those instances when the direct and indirect effects of an action pose no effect to listed species or critical habitat. As a result, we do not provide concurrence with project proponent's "no effect" determinations.

If your action area has suitable habitat for any of these species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts. Please keep in mind that the scope of federally listed species compliance also includes any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects.

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Candidates and species of concern have no legal protection under the Act and are included on the web site for planning purposes only. We monitor the status of these species. If significant declines are detected, these species could potentially be listed as endangered or threatened. Therefore, actions that may contribute to their decline should be avoided. We recommend that candidates and species of concern be included in your surveys.

Also on the web site, we have included additional wildlife-related information that should be considered if your project is a specific type. These include communication towers, power line safety for raptors, road and highway improvements and/or construction, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. We recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands. These habitats should be conserved through avoidance, or mitigated to ensure no net loss of wetlands function and value.

The Migratory Bird Treaty Act (MBTA) prohibits the taking of migratory birds, nests, and eggs, except as permitted by the U.S. Fish and Wildlife Service. To minimize the likelihood of adverse impacts to all birds protected under the MBTA, we recommend construction activities occur outside the general migratory bird nesting season of March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until nesting is complete.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding fish, wildlife, and plants of State concern.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area.

Sincerely,

Wally Murphy Field Supervisor