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18 June 2024

***RE: U.S. Department of Energy Grid Deployment Office, Phase 2 of National Interest Electric Transmission Corridor. NMDGF Project No. NMERT-3554.***

The U.S. Department of Energy Grid Deployment Office's Transmission Division (DOE) has initiated Phase 2 of the nonbinding process that DOE plans to follow to designate National Interest Electric Transmission Corridors (NIETCs) pursuant to section 216(a) of the Federal Power Act, as amended by the Infrastructure Investment and Jobs Act.

In general, a NIETC is a geographic area where, based on its triennial National Transmission Needs Study or other relevant information, DOE has identified present or expected transmission capacity constraints or congestion that adversely affects consumers and that has been designated by the Secretary of Energy as a NIETC. One or more new transmission projects could be located within that geographic area to alleviate identified constraints or congestion.

The New Mexico Department of Game and Fish (Department) would like to thank the DOE for the opportunity to comment on the proposed NIETCs. The Department understands that the proposed transmission line corridors represent a preliminary step and a more in-depth evaluation will be completed to inform the DOE's determination regarding which potential NIETCs will move forward into Phase 3 of the NIETC designation process. The Department also expects that the geographic boundaries of the proposed NIETCs may change as the process moves forward and thus that the Department's wildlife-related concerns may change as well. The Department has reviewed the proposed Plains- Southwest and Mountain-Plains-Southwest NIETCs and provides the following comments:

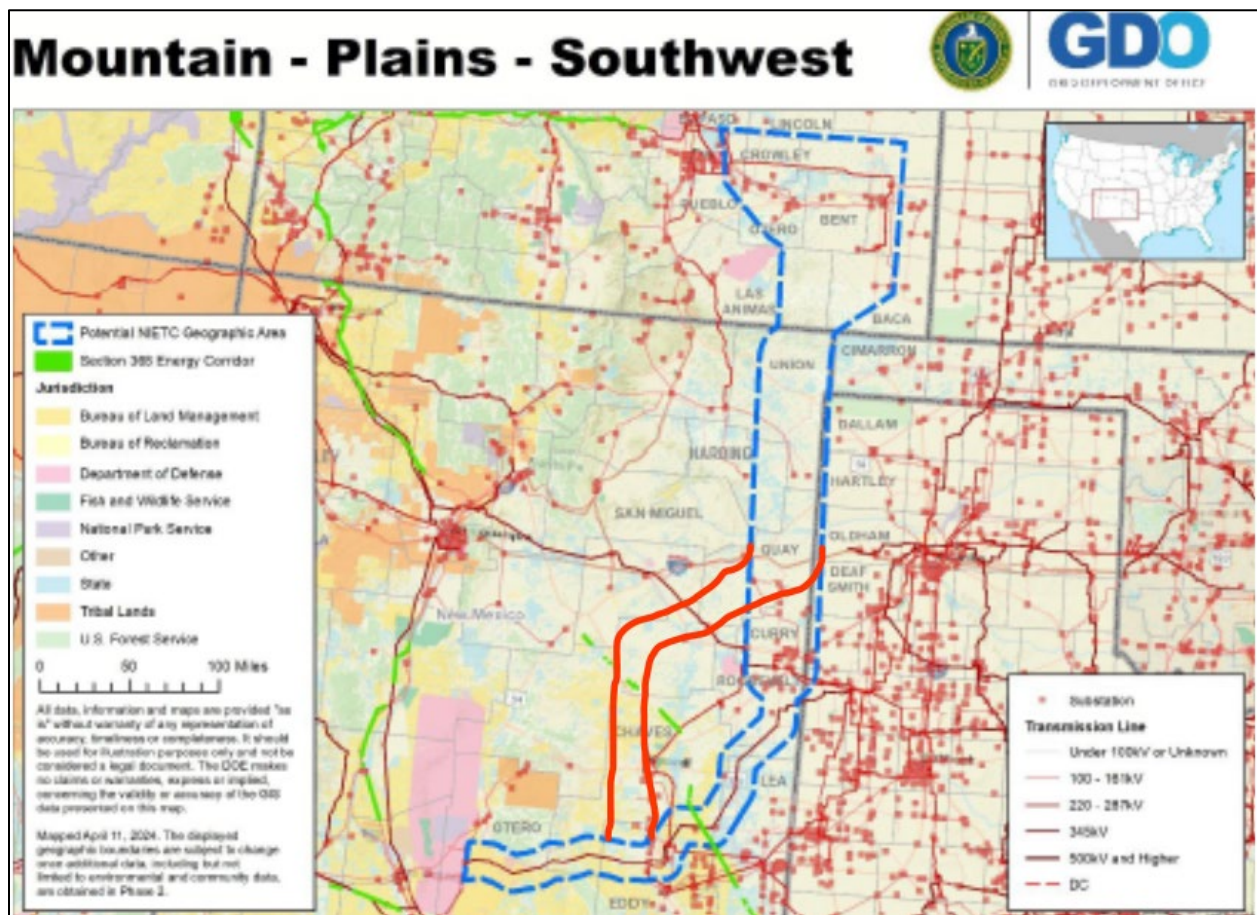
Lesser Prairie Chicken

The lesser prairie-chicken (*Tympanuchus pallidicinctus*) (LEPC) was designated as a Species of Greatest Conservation Need (SGCN) in New Mexico and the southern Distinct Population Segment, including populations in New Mexico and Texas, is federally listed as Endangered.

Plains-Southwest NIETC: While this area lies within the historic range of the LEPC in New Mexico, it does not fall within the currently-occupied range of the LEPC. However, the U.S. Fish and Wildlife Service (USFWS) is currently working on designating Critical Habitat for this federally-endangered species. Thus, in the future, there may be portions of the Plains-Southwest NIETC that fall within designated LEPC Critical Habitat. Suitable habitat for LEPC is found within southern Union, northern Quay, and eastern Harding counties, although occupied LEPC territories have not been documented in these areas for several decades. Transmission

line corridors proposed in these county segments should be evaluated for potential impacts to the LEPC.

Mountain-Plains-Southwest NIETC: This NIETC could have significant impacts on the LEPC as it traverses the core range of LEPC populations in New Mexico. The Department does not anticipate significant impacts on LEPC in Union, Harding, Quay, Curry, Eddy, and Otero counties, but there is still suitable, high-quality LEPC habitat remaining in Union, Harding, Quay, and Curry counties. Furthermore, in the future, these counties may also contain USFWS-designated Critical Habitat. Population densities of LEPC are highest in southern Roosevelt, northern Lea, northeastern Chaves, and southeastern DeBaca counties. These areas will almost certainly lie within future USFWS-designated Critical Habitat. Of particular concern is a 345kV line in southern Roosevelt and northern Lea counties shown on one of the NIETC graphics that would run through some of the highest quality LEPC habitat and highest density LEPC populations in New Mexico. Even if this line is constructed within existing rights-of-way, it will add to the negative impacts of existing transmission lines on the LEPC. LEPCs have been shown to avoid large, tall structures on the landscape. Thus, this line will effectively divide the local LEPC population and further fragment local LEPC habitat by preventing movement of birds across this linear barrier and limiting LEPC habitat use directly around the line.



**Figure 1.** Recommended reroute of Mountains-Plains-Southwest NIETC corridor to avoid impacts to the lesser prairie-chicken (*Tympanuchus pallidicinctus*) and dunes sagebrush lizard (*Sceloporus arenicolus*) habitat in New Mexico (bright red lines).

To avoid potential impacts to the LEPC, the Department recommends moving the proposed 345kv corridor to the west, beginning in southern Quay and northern Curry counties. Then route it through the northern and western sections of DeBaca County and through western Chaves County and rejoin it with the originally-planned route in northwestern Eddy County (see bright red lines in Figure 1). This recommended re-route would avoid the core of LEPC populations in New Mexico.

### Dunes Sagebrush Lizard

The dunes sagebrush lizard (*Sceloporus arenicolus*) (DSL) is federally listed as Endangered by the USFWS and as Endangered by the State of New Mexico under the New Mexico Wildlife Conservation Act.

Mountain-Plains-Southwest NIETC: Because the DSL relies on a highly-specific and restricted habitat within the Mescalero and Monahans Sandhills, DSL populations are highly vulnerable to habitat loss and fragmentation. Disturbance to and loss of habitat can impair breeding, feeding, sheltering, dispersal, and survival of the DSL, leading to declines in abundance and, ultimately, possible extirpation. Furthermore, the degradation and fragmentation of shinnery oak dunelands may be irreversible because, once disturbed, they shift to alternate stable states, and previous attempts to restore this unique habitat have been unsuccessful.

The proposed reroute of the Mountain-Plains-Southwest corridor depicted in Figure 1 (see bright red lines) will also avoid currently occupied and intact DSL habitat. The Department encourages the DOE to consider that, similar to the LEPC, the USFWS is currently working on a Critical Habitat designation for the DSL and how this designation may ultimately affect decisions regarding the geographic boundaries of the final transmission line corridor(s).

### Pronghorn

Both the Plains-Southwest and Mountain-Plains-Southwest proposed NIETCs overlap New Mexico's largest population of pronghorn and contiguous pronghorn habitat. Approximately 75% of the pronghorn population in New Mexico is found within the eastern third of the state. This population is important to the residents of the state for hunting, revenue, and its contribution to natural ecosystem processes. Pronghorn rely on large expanses of prairie grassland where their movement is unrestricted. These large areas are needed for individuals to follow rains and forage availability and to escape areas of deep snow. While transmission lines do not directly displace pronghorn for long periods of time, the infrastructure required to construct and maintain transmission lines can have significant impacts. Multiple studies have shown negative correlations between traffic frequency and wildlife movement and migration across roads and fence lines. These traffic impacts can interrupt life-critical migration and seasonal movement routes, leading to lower survival rates and higher energy expenditures. Pronghorn have a severe aversion to crossing over fences, preferring to cross under. They are also slow to learn points where they can safely cross infrastructure; studies have documented up to two years before pronghorn consistently remember safe crossing areas. In the desert southwest, researchers have documented pronghorn movements of up to 10 miles associated with locating resources needed throughout the year including water, forage, and fawning and wintering grounds. The potential reduced permeability associated with the proposed NIETCs through large sections of crucial pronghorn habitat may have significant population impacts in a region that regularly experiences localized resource availability and extreme drought, conditions under which animals must be able to move in order to access needed resources. Intensive development in the eastern third of the state could lead to large die-offs when severe weather

affects locations near roads, fence lines, and renewable energy site development that prevent pronghorn from moving freely across their range. The Department recommends siting transmission lines within the proposed corridors in areas of relatively low pronghorn density and that transmission line project proponents are required to incorporate Best Management Practices to line designs that include appropriate, wildlife-friendly fencing and consideration of regionally-established movement routes that provide pronghorn access to limited resources such as water, high quality forage, and fawning areas.

Given the broad geographic range of the proposed Phase 2 NIETCs, mitigating potential impacts to threatened and endangered species, SGCN, and other species of wildlife will likely have to be addressed on a more site-specific basis when the specific location(s) of proposed transmission lines are known.

Thank you for the opportunity to review and comment on the proposed Phase 2 NIETCs. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 270-6612 or [ronald.kellermueller@dgf.nm.gov](mailto:ronald.kellermueller@dgf.nm.gov).

Sincerely,

Virginia Seamster, Ph.D.  
Assistant Chief for Technical Guidance

cc: USFWS NMES Field Office