



Chaves Soil and Water Conservation District

1703 N Garden Ave Ste A.- P.O. Box 2722 Roswell, NM 88202 575-755-7923 chavesswcd@gmail.com

Carrie Hollifield – Chairman

Jerry Vaz – Member

Michael Lackey- Member

John Sisk – Vice Chairman

Joe Barraza – Member

Jennifer Pierce – District Manager

Cody Munson – Secretary/Treasurer

Travis Wagner– Member

Tony Morales- Noxious Weed Coordinator

February 13, 2025

Regulations.gov
Department of Energy
NIETC@hq.doe.gov

To whom this may concern,

The Biden administration set a national goal that America would transition to 100% renewable electrical sources by 2035, which would require major upgrades to our electrical transmission system capacity. This initiative to transition to a fully renewable energy grid was adopted with no public process, and without congressional approval, even though this exponential growth would create an electric grid unable to handle the increased load requirements; ultimately requiring substantially higher costs for consumers, but big gains for “green” energy brokers.

The increased load requirements that this, poorly conceived, transition would cause, the government has empowered the Department of Energy to create National Interest Electric Transition Corridors to interconnect the new solar and wind generation facilities that will be needed to accomplish this task; to be built largely in areas with cheap land and low taxes. In our State, these National Interest Electric Transmission Corridors vary from five to fifteen miles in width, and will require approximately 1,841,000 acres to be taken from eight New Mexico counties, using the federal power of eminent domain.

There is no precedent for such widespread use of eminent domain by federal agencies, which federal courts and decades of practice demonstrate to traditionally be the province of state and local governments. There is no justification for a federal agency to assert such powers, especially before state and local governments have been asked to participate in this important process. The Supreme Court has established precedents that federal agencies, such as the Department of Energy, cannot presume the fundamental authority to force regulatory changes in the American economy without clear authority from Congress. The Supreme Court has ruled in this manner on a wide array of cases, most recently, *West Virginia v. EPA* (2022), in which the Court ruled that only Congress has the authority to require a complete shift in energy sources for electric generation which is the intent of the National Interest Electric Transmission Corridors.

The court found that regulatory agencies attempting “to adopt a regulatory program that Congress had conspicuously and repeatedly declined to enact itself” would create “unprecedented power over American industry” and that an agency would require “clear

Congressional authorization” to require such a change. The current plan to build new and massive wind and solar facilities, and to use eminent domain powers to build National Interest Electric Transmission Corridors to transport that power to the grid, is simply an attempt to circumvent Congress and the Laws of the Land, fundamentally changing the U. S. economy without regard to the system of checks and balances which assure the American people are represented.

Removing large swaths of land, both public and private from our New Mexico counties will have a devastating effect on our already strained resources and impede our ability to provide infrastructure such as roads, schools, hospitals, law enforcement, and other emergency services by the loss of our tax base. The health, safety, welfare, economic condition, and culture of the state of New Mexico, its businesses, and its citizens depend on these lands and productive use of the resources within our District. Many of our District’s businesses and citizens are involved in, or otherwise, depend on industries that utilize private lands and their resources, including, but not limited to, agricultural crop production, livestock grazing, industry, manufacturing, oil and gas exploration and production, electrical generation, hunting, fishing, and other outdoor recreation.

These industries are important components of Chaves Soil and Water Conservation District, and the State of New Mexico economies and are major contributors to the economic and social wellbeing of the district and its citizens. The Department of Energy failed to provide adequate assessment of the potential impacts of the proposed National Interest Electric Transmission Corridors or to even seek to include Chaves District in any of the planning process through coordination with local governments.

The National Environmental Protection Act of 1970 (NEPA), and a long-standing body of other laws and traditions require federal agencies undertaking major actions with environmental consequences to consult, cooperate, and coordinate their actions with state and local governments. If the ability to transmit power from the places where it is generated, to the places where it is to be utilized was the need; wouldn’t the utility easement system that has been utilized for more than the last century continue to fulfill that requirement without the need for condemnation of lands with huge swaths being taken from beneficial use.

If the goal was to provide efficient energy to the areas that need electrical power, then wouldn’t the power transmission developments be built near the end users to avoid transmission losses of massive amounts of energy thereby negating the “green” component. Once again, it appears that the federal government is being disingenuous and covering up their true intent to control our Nations lands, waters, and other resources, subsidizing “green” energy, impeding the oil and gas industry, while fulfilling the 30x30 land grab objectives.

Chaves Soil and Water Conservation District finds the creation of the National Interest Electric Transmission Corridors is in conflict with our policies and objectives, and it will result in substantial loss of private property, beneficial use of lands for agriculture and industry, and permanently harm our economic security.

Chaves Soil & Water Conservation District finds that the Department of Energy failed to provide notice and coordinate the Southwestern Grid Connector Corridor with the District and residents.

Chaves Soil & Water Conservation District perceives this as nothing more than another attempted federal agency overreach to fulfill the goals of the 30x30 land grab which was re-branded as "America the Beautiful".

Chaves Soil & Water Conservation District requests that all Districts and County agencies and departments withhold all approvals, permits, funding or other permissions that may be required for the Department of Energy to acquire or manage fee-title lands, or an interest in lands such as a utility easement, or Right-of-Way within the District and County until such time as the National Interest Electric Transmission Corridors have been coordinated with the District to the satisfaction of the District.

Thank you,

A handwritten signature in cursive script that reads "Jennifer Pierce". The signature is written in black ink and is positioned above the printed name and title.

Jennifer Pierce
District Manager