

CCA Conservation Committee Activities January-April 2024

For more detailed information about any of these activities inquire of Pearl.

Conservation Committee members:

Pearl Mast, chair, Barbara Clark, Daniel Baker, David Omick, Lynn Smith-Lovin, Nancy Ferguson, Sue Newman

I. Advocacy

SunZia

--Serve on the Legal Committee (Pearl and David) that supports Plaintiff Peter Else in challenging the Arizona Corporation Commission (ACC) for their approval of Amendments to SunZia's Arizona permit. As such, they helped develop the Court of Appeals brief responding to the ACC and SunZia reply briefs. Oral arguments are set for May 10.

--Continue special fund to support Peter's legal action. Paid out \$14K during this period, with ~\$20,000 available to pay attorneys for the on-going appeals. Marissa Katz maintains a [GoFundMe site](#) in support of this fund, which has generated about \$51,500 to date.

--Joined the Center for Biological Diversity in requesting the US Fish and Wildlife Service hold Pattern Energy to their previous commitment to suspend construction in the San Pedro Valley during nesting season from March 1 through September 30.

--Continue to support the Tohono O'odham Nation and the San Carlos Apache Tribe in their legal challenge of the failure of the Bureau of Land Management (BLM) to fulfill their responsibilities for coordinating with Native American tribes regarding cultural resources. Helped encourage public attendance at the oral arguments regarding the request for a Temporary Restraining Order on March 13.

--Represent CCA on a new working group that formed to pursue research and outreach activities in the fight against SunZia through the San Pedro Valley.

--Communicate with Pattern Energy representatives by email for updates on their construction plans and schedule, since they suspended our regular monthly meetings.

--John Welch reported at the April 13 CCA meeting that Archaeology Southwest, tribes, Center for Biological Diversity and Peter Else also have complaint filed at the ACC that SunZia has commenced construction without fulfilling Certificate of Compatibility conditions regarding cultural resources. He reported that the complaint is being handled by an administrative law judge who is considering the complainants standing and the validity of the complaint.

II. Monitoring/Data Collection

Wildlife Cameras

--Cameras continue to be serviced by Joe Page when he is in Cascabel. Objectives at this time

are: Watch for T&E species, maintain large data set (which can serve as a rally point in defense of public action even if the data is not useful in a court of law), document presence/absence of species at a given point, track movements of feral pigs in the Valley, document illegal or undesirable activities.

Bureau of Land Management (BLM)

--Submitted Research Agreement renewal request to the BLM (Barbara Clark). This agreement allows our continued data collection on BLM lands in Cascabel, mostly via the wildlife cameras.

III. Collaboration

Lower San Pedro Collaborative

--Continue to participate in the Collaborative, which includes over 20 organizations and agencies focused on sharing information and working together on non-controversial projects.

--Continue to participate in the Collaborative's Connectivity Work Group (Alex and Pearl), though this group has not been active during this period. The Fence Removal subgroup has decided to postpone further work until more participation is available.

Addendum: Reported at April 13 meeting by Barbara Clark and by Anna Lands by email:

Sierra Mining and Crushing (SMC) has requested a change to Heavy Industry zoning in the Tres Alamos area. They are asking to use the site of a former open pit rock quarry for their business of creating products from aggregates, biomass and electronic waste. Cochise County Planning and Zoning will hear from the public on May 8; the County Supervisors on May 21st. You can contact Cochise County Planning Division: Christine McLachlan at 520-432-9266 or cmclachlan@cochise.az.gov. For more information contact Anna Lands, <healing@rnsmtc.com>.