

# **Public Must Get Involved to Protect Endangered Hill Country Environment**

## ***U.S. Fish and Wildlife Scoping Meetings Scheduled this Month***

by Bill Neiman, President, Clear View Alliance

Common sense tells us that clear-cutting a path through the Hill Country's heart and erecting 18-story towers to hold high-voltage transmission lines will have environmental impacts. Even the Lower Colorado River Authority (LCRA), the utility power player, isn't disputing that.

In fact because LCRA knows that the damage is unavoidable, they have been working to find a way around the requirement to protect endangered species: they are trying to obtain an Incidental Take Permit from the U.S. Fish and Wildlife Service by developing a Habitat Conservation Plan. This will allow the utility to "take" six federally listed or candidate species from activities associated with LCRA's construction, maintenance, operation, and repair of four Competitive Renewable Energy Zone (CREZ) transmission lines. The endangered species to be covered under this permit are: the golden cheeked warbler, black-capped vireo, least tern, whooping crane, and blacktailed prairie dog. The proposed permit area includes portions of Tom Green, Schleicher, Sutton, Mason, Menard, Kimble, Kerr, Kendall, Irion, Gillespie, Llano, Burnet, San Saba, and Lampasas counties.

Under the Endangered Species Act, all taking of federally-listed wildlife species, as spelled out in the Habitat Conservation Plan, must be incidental to otherwise lawful activities. For example, deliberately shooting or wounding a listed species is against the law and would not be considered incidental take. But destroying an endangered species or its habitat with heavy equipment while constructing a transmission line would be construed as incidental and could be authorized by an Incidental Take Permit.

A Habitat Conservation Plan sounds really green and responsible until you understand that it doesn't stop development in sensitive areas. It requires the utility to mitigate the damage by purchasing and/or setting aside land elsewhere. In other words, LCRA can leave its path of environmental destruction in Kimble County, Mason County or Gillespie County long as it has set aside an equal amount of suitable habitat somewhere else in the Edwards Plateau.

By creating a Habitat Conservation Plan, the LCRA also pushes the U.S. Fish and Wildlife Service out of the driver's seat. While the U.S. Fish and Wildlife Service will have to approve the plan, the LCRA will "develop and implement it." Without proper citizen insight and input, this could be a classic case of the fox guarding the hen house. As citizens, our best hope is to get involved in the process early and make our concerns known now.

As part of the process, the U.S. Fish and Wildlife Service is holding a series of Scoping Meetings to determine the scope of the Environmental Impact Statement and ensure that all issues are identified early and properly studied. Important issues for Hill Country citizens to address include: vegetation, wetlands, wildlife, geology and soils, air quality, water resources, water quality, cultural resources, land use, recreation, water use, local economy, climate change, and environmental justice. Ideally, the end result of the Scoping Meetings is to ensure that the draft Environmental Impact Statement is thorough and balanced.

The scoping process should identify concerns of both the agencies and the affected public and should clearly define the issues and alternatives to be examined in the Environmental Impact Statement. If there are important environmental or cultural impacts that the public wants considered, the time to raise these issues is at the Scoping Meetings. If there are alternatives to be considered, the Scoping Meetings are the places to ask that they be analyzed. If there are concepts for minimizing harm that the public would like to see evaluated, these alternatives should be raised at the Scoping Meetings.

In other words, it is imperative that Hill Country residents show up and make their voices heard. Unlike the open houses hosted by LCRA, any written comments become part of the public record and have to be considered by the U.S. Fish and Wildlife Service. We need to make sure that these Scoping Meetings are more than just dog and pony shows, so get informed and stand up for the Hill Country.

The U.S. Fish and Wildlife Service needs to understand just how these transmission lines will affect your ranch and your wildlife habitat, your eco-tourism business, your hunting operation, your convenience store, your hotel or your restaurant that caters to tourists, and our collective Hill Country lifestyle. Even if the lines are not on your property, they can be seen for up to eight miles or more, and they will change your business and your life.

The Scoping Meetings are scheduled for:

4/19 – San Angelo

4/21 – Comfort

4/22 – Junction

4/26 – Lampasas

4/27 – Fredericksburg

Watch your local newspapers for announcements regarding time and location because the U.S. Fish and Wildlife Service is required to publish notification.

The CREZ process has shown that the wind – or at least the wind energy industry – is a powerful force. We have to stand strong against the gale if the environment of the Hill Country is going to survive.

*Bill Neiman is the president of Clear View Alliance, Inc. a non-profit formed to raise awareness and work to minimize unintended impacts from the construction of wind transmission lines ([www.clearviewalliance.org](http://www.clearviewalliance.org)). Neiman also is the founder of Native American Seed, a family farm in business for 21 years near Junction, has a mission to protect and restore the natural resources, wildlife habitat, farms and ranches of the Hill Country.*