Holding DOE Accountable under Federal Environmental Laws in Designating the Southwest NIETC

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Our Mission

The Center for Biological Diversity works through science, law, and creative media to secure a future for all species, great or small, hovering on the brink of extinction.

www.biologicaldiversity.org
Global warming threatens the earth’s biodiversity, so the Center is waging innovative legal and public-pressure campaigns to curb global warming pollution and sharply limit its damaging effects on endangered species and their habitats.
The Center:

- litigates at the state and national levels to enforce laws already on the books that can speed progress toward greenhouse gas reductions;
- advocates for new laws explicitly capping and rapidly reducing emissions; and
- works to promote renewable energy and halt fossil-fuel development on public lands.
The Southwest National Interest Electric Transmission Corridor
National Environmental Policy Act

• No analysis of the **direct, indirect, and cumulative impacts**, including connected and similar actions

• Failure to **provide important information** to the public, including identification of energy sources

• No preparation of a comprehensive **EIS**

• No development and consideration of a **reasonable range of alternatives**
Energy Policy Act of 2005

• Failure to consider alternatives and recommendations from interested parties

• Inclusion of areas not “experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers”
Endangered Species Act

- Failure to comply with Section 7(a)(2) of the ESA, which requires DOE to consult with FWS over the effects of the SW NIEC designation on species listed as “threatened” or “endangered”

- Failure to comply with Section 9, which proscribes the unlawful “take” of threatened or endangered species