



Request for Access Joint Request from CEC and Santa Fe County - inclusion in packet for BCC

From Kaye <kaye@coopmead.com>

Date Fri 5/9/2025 8:04 AM

To Dominic J. Sisneros <djsisneros@santafecountynm.gov>

Warning:

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Hi Dominic:

We are requesting you add this document and the County's response to the packet for each Board of County Commissioner that you are to prepare for the upcoming hearing.

Thank you.

Kaye

Kaye Cooper-Mead

From: Robert Stranahan <rstranahan1@me.com>

Date: May 6, 2025 at 4:23:51 PM MDT

To: Joshua.Mayer@aes.com, "Dominic J. Sisneros" <djsisneros@santafecountynm.gov>, aladd@santafecountynm.gov, rlprucino@santafecountynm.gov

Cc: Lee Zlotoff <lee@macgyver.com>, Kaye <kaye@coopmead.com>, Randy Coleman <rlcoleman0@gmail.com>

Subject: Request for Access Joint Request from CEC and Santa Fe County

Dominic,

Thank you for meeting with us on Friday and assisting with the submission of the CEC Appeal. Your help was greatly appreciated.

CEC President, Lee Zlotoff, sent you an e-mail correspondence on April 10, 2025, regarding whether the County was going to conduct sound studies related to the

AES project, and if not, what specifics could the County provide so CEC could undertake an acceptable, independent sound study of its own.

CEC did not receive a response. As you know, the measurements provided by AES during the previous hearing were demonstrably proven to be insufficient to determine whether the AES project would be compliant with the County's Rules and Regulations, especially as they relate to sound. For example, night readings were not taken and the estimated nighttime operating decibel level (dBA) of 38.4 dBA is within 0.6 dBA of prohibited levels.

Consequently, we would like the County to provide details on the equipment used and any evidence of the training completed in the use of sound level meters by the individual(s) who took the readings during the five-minute time period they testified to in the hearings. There would be multiple readings over that time period that would have to be averaged to determine a final reading hence our request for the raw data pertaining to the readings. To reiterate, the April 10, 2025, letter set forth the following request:

"In this regard, please provide us with the following information:

- 1) The GPS coordinates of the exact location where the County took their daytime readings in November.
We want to ensure that we are having our expert take them in the same exact location that the County used so the County will not dispute the location where our expert will take the proper 30-minute ambient readings.
- 2) A copy of the raw data from the County's five-minute readings taken in November, so we can ascertain how these readings were averaged to arrive at the County's stated daytime ambient level of 38.4 dBA they testified to in the public hearings."

Although we spoke about this issue last Friday, it is my understanding the County is still undecided on the issue of whether to conduct a comprehensive sound review. The CEC would like to do some interim site evaluations with respect to the facility locations and surrounding environment.

Most importantly, that CEC be permitted to perform non-invasive tests, measurements and/or readings that are necessary to ensure the site proposed will allow AES to operate while maintaining safety protections for human health and the environment.

We are aware that the County cannot force the landowner, Mr. Warren Thompson, to allow access to the site. However, access was granted to the County Staff and in the spirit of fairness and in furtherance of developing a comprehensive collection of data upon which the County Commissioners can make an informed and reasoned decision, it is imperative that the community, through CEC, get a chance to investigate, evaluate and analyze the actual site in the same manner afforded the County.

We are asking that the County join CEC in requesting that Mr. Thompson allow limited access to the site for the aforementioned non-invasive activities. Please respond as soon as practicable, as time is of the essence.

Respectfully,

R.A. Stranahan
Counsel for Appellant CEC

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