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BEFORE THE POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF )	DOCKET NO.
SOUTHLINE TRANSMISSION, L.L.C., IN )	L-00000AAA-
CONFORMANCE WITH THE REQUIREMENTS OF )	16-0370-00173
ARIZONA REVISED STATUTES 40-360, ET )	
SEQ., FOR A CERTIFICATE OF )	
ENVIRONMENTAL COMPATIBILITY )	
AUTHORIZING CONSTRUCTION OF THE NON- )	
WAPA-OWNED ARIZONA PORTIONS OF THE )	
SOUTHLINE TRANSMISSION PROJECT, )	CASE NO. 173
INCLUDING A NEW APPROXIMATELY 66-MILE )	
345-KV TRANSMISSION LINE IN COCHISE )	
COUNTY FROM THE ARIZONA-NEW MEXICO )	
BORDER TO THE PROPOSED SOUTHLINE )	
APACHE SUBSTATION, THE ASSOCIATED )	
FACILITIES TO CONNECT THE SOUTHLINE )	VOLUME III
APACHE SUBSTATION TO THE ADJACENT )	(Pages 385- 543)
AEPCO APACHE SUBSTATION, AND )	
APPROXIMATELY 5 MILES OF NEW 138-KV )	
AND 230-KV TRANSMISSION LINES AND )	
ASSOCIATED FACILITIES TO CONNECT THE )	
EXISTING PANTANO, VAIL, DEMOSS )	
PETRIE, AND TORTOLITA SUBSTATIONS TO )	
THE UPGRADED WAPA-OWNED 230-KV )	
APACHE-TUCSON AND TUCSON-SAGUARO )	
TRANSMISSION LINES IN PIMA AND PINAL )	TOUR &
COUNTIES. )	EVIDENTIARY
_____ )	HEARING

At: Tucson, Arizona

Date: December 1, 2016

Filed: December 7, 2016

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COASH & COASH, INC.  
 Court Reporting, Video & Videoconferencing  
 1802 N. 7th Street, Phoenix, AZ 85006  
 602-258-1440 staff@coashandcoash.com

By: Colette E. Ross, CR  
 Certified Reporter  
 Certificate No. 50658

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1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before the  
3 Power Plant and Transmission Line Siting Committee, at  
4 the Tucson Convention Center, 260 South Church Avenue,  
5 Tucson, Arizona, commencing at 8:30 a.m. on the 1st of  
6 December, 2016.

7

BEFORE: THOMAS K. CHENAL, Chairman

8

IAN BINGHAM, Department of Environmental  
Quality

9

LISA WILLIAMS, Arizona Department of Water  
Resources

10

JEFF MCGUIRE, Agriculture, Appointed Member

11

JIM PALMER, Counties, Appointed Member

MARY HAMWAY, Cities/Towns, Appointed Member

12

DAVID L. EBERHART, Public Member

13

JACK HAENICHEN, Public Member

PATRICIA NOLAND, Public Member

14

Note: No roll call taken. The following is a list  
of the parties that made an initial  
appearance.

15

16

APPEARANCES:

17

For the Applicant:

18

SUTHERLAND ASBILL & BRENNAN, L.L.P.

19

By Mr. James Guy

Ms. Marty Hopkins

20

One American Center

600 Congress Avenue, Suite 2000

21

Austin, Texas 78701

22

and

23

OSBORN MALEDON, P.A.

By Ms. Meghan Grabel

24

2929 North Central Avenue, 21st Floor

Phoenix, Arizona 85012

25

1 APPEARANCES:

2 For Intervenor Pinal County:

3 Pinal County Attorney's Office  
4 By Mr. Cedric I. Hay, Deputy County Attorney  
5 30 North Florence Street  
6 Florence, Arizona 85132

7 For Mountain View Ranch Development Joint Venture:

8 Jackson & Oden, P.C.  
9 By Mr. Todd Jackson  
10 3573 East Sunrise Drive, Suite 125  
11 Tucson, Arizona 85718

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1 (Committee members and parties present for the  
2 tour: Chairman Chenal, Member Palmer, Member Williams,  
3 Member Bingham, Member Haenichen, Member Hamway, Member  
4 McGuire, Mr. Guy, Ms. Hopkins, Ms. Kimberly Ruht.)

5  
6 CHMN. CHENAL: Good morning, everyone. We  
7 started a little late, but we had to wait here until  
8 8:30 because of the notice for the tour. And we decided  
9 not to have a preliminary flyover because of the virtual  
10 tour, because we already saw that. So we will be  
11 leaving at 8:30 for the tour on the bus.

12 Just a couple ground rules. We want to keep the  
13 discussion very short when we come to the stops, a  
14 little commentary on what we are looking at, where the  
15 line would be. But I would ask anyone who has questions  
16 to reserve the questions, unless it is a short question  
17 and answer. But any extended conversation or  
18 discussion, we will wait until we come back here, and  
19 just hold your questions for that. And then we can deal  
20 with more extended discussions after we get back.

21 And just the admonition that when we are on the  
22 bus, you can't discuss the merits of the case while we  
23 are on the bus among the Committee members.

24 So with that, unless, Mr. Guy, do you have  
25 anything to add?

1 MR. GUY: Nothing to add, nothing to add,  
2 Mr. Chairman.

3 CHMN. CHENAL: Okay. Committee members, any?  
4 I think they are pros at this. They know how  
5 this works.

6 So we will start now with the tour. Where is  
7 the bus, by the way, Mr. Guy? Oh, the front door.  
8 Okay.

9 MR. GUY: I believe it is outside the main  
10 entrance, near Lot B.

11 CHMN. CHENAL: Okay. We will go down and we  
12 will start the tour now. Thank you very much.

13 (TIME NOTED: 8:32 a.m.)

14 (The parties and Committee members proceeded to  
15 the bus.)

16 (The tour proceeded to Stop 1.)

17

18 STOP 1

19 (TIME NOTED: 9:20 a.m.)

20 CHMN. CHENAL: Well, folks, this is the first  
21 stop on the tour. We are at the Vail substation.

22 I don't know who wants to speak.

23 MS. HOPKINS: Mr. Rawlins, can you identify  
24 yourself for the record.

25 MR. RAWLINS: Andy Rawlins.

1 MS. HOPKINS: And Mr. Rawlins will be testifying  
2 on behalf of Southline at the first tour stop.

3 Go ahead, Mr. Rawlins.

4 MR. RAWLINS: We are at the Vail substation.  
5 The location of the proposed substation expansion is in  
6 the -- well, so that we are oriented here, let's see  
7 here. This is, this is north. This is south. We  
8 are -- we would be entering the -- or we would be  
9 expanding the substation in that corner of the yard over  
10 there, which is the southwest corner of the yard. There  
11 are two existing 345kV lines coming into the yard from  
12 this direction.

13 There was a wood H-frame line. There is a  
14 guide, they call it a banjo structure, line coming in  
15 from the south. And in between those two lines is a  
16 triangular parcel that we are expecting to expand the  
17 substation into.

18 The Western WAPA right-of-way is approximately  
19 two miles to the south, running east-west essentially  
20 parallel to this, to this south fence line of the  
21 substation. So the two-mile long line we are proposing  
22 would come up on the outside of those guide banjo  
23 structures on the far west side and come in and cross  
24 that line and into a substation expansion in that  
25 corner. There are some facilities within the existing

1 substation that would be expanded just on the -- near  
2 the southern edge of the substation.

3 That's about all I got.

4 CHMN. CHENAL: Do any of the Committee members  
5 have any questions?

6 MR. RAWLINS: I do have an aerial map here if  
7 anybody is interested in looking at that in order to  
8 orient themselves.

9 MR. PATTERSON: Is it okay?

10 CHMN. CHENAL: Absolutely.

11 MR. PATTERSON: One additional comment relative  
12 to questions I think from yesterday. This is all  
13 Arizona state land. This is, TEP does have some private  
14 land here, but the expansion area would be state land  
15 and private.

16 I think, Andy, you have the breakout of that  
17 perhaps.

18 MR. RAWLINS: So the triangular portion of land  
19 that we have located as the siting area is about 27  
20 acres. And of that 27, approximately 15 is Arizona  
21 state land department land, and about 12 acres is TEP  
22 land. We are going to really only need about five acres  
23 in that area.

24 MR. PATTERSON: And the two-mile connection to  
25 the WAPA line is all on Arizona state lands.

1 CHMN. CHENAL: Yes, Member Haenichen.

2 MEMBER HAENICHEN: So could you tell us what  
3 happens at the substation. 345 comes in from where?

4 MR. RAWLINS: It will be -- so the existing -- I  
5 am sorry. As far as what all these other lines are  
6 or --

7 MEMBER HAENICHEN: Yeah, I want to --

8 MR. RAWLINS: -- new?

9 MEMBER HAENICHEN: -- know what is the commerce  
10 going on here.

11 MR. RAWLINS: Okay. This is the 345kV yard,  
12 TEP's 345kV yard. They have got two circuits coming in  
13 from the east that are here behind us. They have two  
14 circuits coming in, as I mentioned before, from the  
15 south. And then they all come into the 345 yard.

16 There is, on the far corner here, which is the  
17 northeastern corner, is a 138kV yard. So they have bulk  
18 power coming into this substation and then 138 lines  
19 going out of this substation. We passed some of them on  
20 the way, there is some triple-circuit structures, but  
21 138kV lines moving out going back to Tucson.

22 MEMBER HAENICHEN: So where are the transformers  
23 to make all this happen?

24 MR. RAWLINS: Well, there is, the transformers  
25 are, are essentially up on that end. It is hard to see

1 from this vantage point, but it is in between the 345  
2 yard and the 138 yard.

3 MEMBER HAENICHEN: Okay.

4 MR. RAWLINS: There is -- I can point out they  
5 are located underneath these A-frame structures. There  
6 is one that I can kind of see in the distance there.  
7 But that's what we have there. We have to walk around  
8 to be able to get --

9 MEMBER HAENICHEN: That's all right. We don't  
10 have to do that. I am just trying to get a feel.

11 MR. RAWLINS: We are talking about installing  
12 two more transformers underneath a couple of new A-frame  
13 structures that would transform the 230kV voltage that  
14 we would be coming into it up to the 345.

15 MEMBER HAENICHEN: Right. Okay.

16 MS. HOPKINS: Thank you, Mr. Rawlins.

17 CHMN. CHENAL: Any other questions?

18 (No response.)

19 CHMN. CHENAL: Let's conclude here and move to  
20 the next stop.

21 (TIME NOTED: 9:25 a.m.)

22 (The tour proceeded to Stop 2.)

23 / / /

24 / / /

25 / / /

1 STOP 2

2 (TIME NOTED: 9:50 a.m.)

3 CHMN. CHENAL: Okay. We are at the second stop.  
4 So, Ms. Hopkins, if you want to proceed. Thank  
5 you.

6 MS. HOPKINS: Thank you, Chairman.

7 Mr. Rawlins will also be speaking here at the  
8 second stop on the upgrade section tour.

9 MR. RAWLINS: To orient ourselves another time,  
10 up the street is north, south, west, and east.

11 So on the eastern end, the box structure back  
12 over there is WAPA's existing Tucson substation.

13 CHMN. CHENAL: You might, Mr. Rawlins, you  
14 might, for the record, tell us which substation we are  
15 at.

16 MR. RAWLINS: I am sorry. We are in between the  
17 DMP and the Tucson substations.

18 CHMN. CHENAL: DeMoss Petrie.

19 MR. RAWLINS: The DeMoss Petrie. DeMoss Petrie  
20 is just to the northwest of where we are standing right  
21 now. And the wood H-frame just to the west that we see  
22 right there is WAPA's 115kV structure that will be  
23 modified to a double circuit 230 line going into the  
24 new, into the expanded Tucson substation to the east.  
25 The parcel that is between the road and the Tucson

1 substation is owned by TEP. That is the parcel they are  
2 considering expanding the existing DMP substation into  
3 that parcel. So the connection, the CEC portion of the  
4 route that we have been talking about is the connection  
5 between the two substations.

6           Originally we thought of bringing it all the way  
7 over to the existing substation, but it appears more  
8 than likely that we will instead be connecting to a new  
9 expanded substation that's in this vacant parcel. This  
10 used to be a tank farm right there that TEP owns. So  
11 the overhead line that we are underneath is the one that  
12 heads to the west and then turns south, goes around the  
13 southwest side of Tucson, and then turns back east to  
14 head to the Apache substation. There is, there is  
15 another H-frame line that heads north out of Tucson on  
16 the other side of the industrial buildings. That line  
17 heads up -- we can actually -- there is a three-pole  
18 structure, wood pole structure up at the end of the  
19 street that heads northwest towards the Saguaro and  
20 Tortolita substations. So right now the Western  
21 substation only has the two 115 circuits coming into it,  
22 and it has an additional 115 circuit that heads out  
23 toward the northeast. That one, that third 115 line,  
24 will stay in place, but these two existing 115 lines  
25 will be upgraded to 230kV double circuit.

1 The DMP substation has, I believe it is, I  
2 believe has five 138kV circuits coming out of it, two of  
3 which go west across the highway, two that go south in  
4 the area that we are talking about here with these steel  
5 poles, and another one that heads north on some other  
6 steel poles.

7 All the land that we are talking about in this  
8 area, this is owned by TEP. That's owned by TEP. There  
9 may be some, a little bit of private land here, I don't  
10 think really much of anything. I believe this whole  
11 parcel behind us is owned by TEP, as well as what the  
12 sign says.

13 Now, another thing I would like to point out  
14 there is our Southline Notice of Public Hearing sign if  
15 anybody -- if there are some questions about that. So  
16 it would be a good opportunity to walk across and see  
17 what that is.

18 We are expecting that the expanded expansion of  
19 the DMP associated with the Southline facilities will  
20 just be, will be less than, well less than probably half  
21 an acre of land within their existing or within the TEP  
22 yard.

23 Is there anything else?

24 CHMN. CHENAL: So, Mr. Rawlins, I have a  
25 question. So I am clear, the 230 lines that will be

1 coming in that would be the upgrade for the WAPA line,  
2 what additional facilities will have to be added to  
3 connect to the DeMoss Petrie? Will there be  
4 transformers and things like that to transform the  
5 power?

6 MR. RAWLINS: Yes, there will. So as far as  
7 WAPA's component or scope of the work, they will be  
8 building and owning the double-circuit lines going into  
9 the Tucson substation. Most of that existing old  
10 lattice rack will be dismantled eventually. They will  
11 be building a new tubular substation similar in design  
12 to what the DMP is on the Western end of that rack.  
13 That will include -- and then the, and in addition to  
14 that, Southline will have a transformer inside that  
15 substation. So there will be one 230 to 138 transformer  
16 and a single-circuit line going into that substation to  
17 wherever the DMP final substation.

18 CHMN. CHENAL: So that will be a Southline  
19 facility, the line, the transformers?

20 MR. RAWLINS: The line and the transformers is  
21 within the WAPA yard, but it is a Southline component,  
22 not a WAPA.

23 CHMN. CHENAL: And will that be true for each of  
24 these connections, that there will be a Southline, say,  
25 transformer of some facilities in addition to the line,

1 Vail, DeMoss Petrie, at the other interconnections.

2 MR. RAWLINS: Each of those interconnections  
3 will have -- let's see, make sure that's true.

4 So at Vail there will be two transformers that  
5 will be within the TEP yard that would -- and I guess I  
6 shouldn't --

7 CHMN. CHENAL: You can check.

8 MR. RAWLINS: It will be paid for by Southline.  
9 I am not sure how the ownership will be of that.

10 CHMN. CHENAL: Maybe at some point we could just  
11 get a little summary -- I am looking for counsel -- for  
12 these interconnections on this WAPA line. I know we  
13 have got the line we are talking about, the Southline,  
14 but maybe just a little clarification for me of any  
15 additional facilities in addition to the line.

16 MR. GUY: We can do that.

17 CHMN. CHENAL: I know Apache Southline will be  
18 building its substation there. But these other  
19 interconnections, just trying to create the record to  
20 make sure, you know, it is clear that it is not only  
21 just the line but there will be some additional  
22 facilities at these interconnections.

23 MR. GUY: I think we can do a summary. I think  
24 in some cases it is yet-to-be determined. If that's the  
25 case, we will include that in the summary.

1 CHMN. CHENAL: That's fine.

2 MR. RAWLINS: At this location we do not believe  
3 that there will be a separate Southline substation, but  
4 at the other facilities we are expecting there will be a  
5 small addition that we will have fenced separately and  
6 be a Southline substation addition.

7 CHMN. CHENAL: Okay.

8 MR. RAWLINS: But, again, that's subject to  
9 interconnection agreements with the interconnecting  
10 utilities.

11 CHMN. CHENAL: Any questions from the Committee?

12 (No response.)

13 CHMN. CHENAL: Anyone else have any questions?

14 (No response.)

15 CHMN. CHENAL: All right. That will conclude it  
16 here. Let's move to the next stop. Thanks,  
17 Mr. Rawlins.

18 (TIME NOTED: 10:00 a.m.)

19 (The tour proceeded to Stop 3.)

20

21 STOP 3

22 (TIME NOTED: 10:35 a.m.)

23 CHMN. CHENAL: I guess this is the Tortolita  
24 substation. So Ms. Hopkins, go ahead.

25 MS. HOPKINS: Mr. Rawlins again will be telling

1 us a little bit about what we are seeing here at Tour  
2 Stop No. 3, the Tortolita substation.

3 MR. RAWLINS: All right. To orient ourselves  
4 again, the facility that we passed by is the large APS  
5 generating facility. That's north. We came up, we are  
6 parallel to the highway. To the south is the direction  
7 we came. And so basically to the east of where we are  
8 standing right now is TEP's 500kV substation.

9 Currently the 500kV substation has three, well,  
10 and we are not changing it, it has three 500kV circuits  
11 coming out of it to the north to tie into an APS 500kV  
12 substation that's, that's on that APS property that we  
13 just passed by. So bulk power comes into the TEP system  
14 at this point and it is transformed down to 138kV on the  
15 south end of their substation. And the towers in the  
16 distance in the south are 138kV towers that take power  
17 back to Tucson.

18 This is, if you remember from Mr. Beck's  
19 presentation yesterday, this is the northern end of the  
20 TEP system. We started out near the southern end of the  
21 TEP system at the Vail substation. And our last stop  
22 was in the middle of the TEP station at DMP.

23 The WAPA line, if you may have noticed the Pinal  
24 Air Park when we drove up here that was off to the west,  
25 the WAPA line is, runs north-south on the west side of

1 the Pinal Air Park and then makes a turn and comes  
2 across the, across the road. We passed under it on our  
3 way in here. But there are several crossings that come  
4 into the APS Saguaro substation. That is what will be  
5 rebuilt to double circuit 230.

6 There is not enough room in the APS site to  
7 terminate what WAPA wants to do, so WAPA is planning to  
8 build their own substation. It is the Western Saguaro,  
9 or, as I noted before, they are talking about calling it  
10 Sasco, which is just on the other side of the highway,  
11 on the west side of the highway, just south of all the  
12 line crossings that we went under. So you may notice on  
13 the way back out, as soon as we cross under the lines on  
14 the west side of the highway is where they are proposing  
15 to build their Sasco substation.

16 One of the two 230kV circuits that are being  
17 rebuilt, or being built by WAPA, one circuit will go  
18 into Sasco. The other circuit will fly by Sasco, cross  
19 the highway, and will parallel these two H-frame lines  
20 on the far side of those lines to come in and will get  
21 down a little further than we were able to go before.  
22 They will cross over these lines and go to the Tortolita  
23 substation.

24 Just about where we are standing here, due east  
25 of here is where Southline is proposing extending a

1 small portion of the substation to build the new  
2 facilities to terminate the one 230kV circuit and add a  
3 transformer right at that location.

4 Most of this land is owned by TEP. I think that  
5 we were looking at the siting area being -- let's see  
6 here. I believe the siting area is approximately  
7 16 acres, ten acres of Arizona State Land Department  
8 land and six acres of TEP land. But we only need  
9 approximately an acre in there for additional, the  
10 additional facilities.

11 What have I missed?

12 CHMN. CHENAL: Mr. Rawlins, the transformer will  
13 transform it from 230 to --

14 MR. RAWLINS: -- to 500kV. So there will be a  
15 230 to 500kV transformer that is installed by Southline.

16 CHMN. CHENAL: Any questions from the Committee?

17 (No response.)

18 CHMN. CHENAL: Questions from anybody else?

19 (No response.)

20 CHMN. CHENAL: Okay. Let's conclude this and  
21 go.

22 (TIME NOTED: 10:40 a.m.)

23 (The tour concluded and returned to the hearing  
24 room.)

25

1 (TIME NOTED: 11:37 a.m.)

2 CHMN. CHENAL: All right. Let's go back on the  
3 record.

4 We are back to the main hearing room after the  
5 tour. First I wanted to ask if any of the Committee  
6 members had any questions regarding anything that we  
7 visited during the tour.

8 (No response.)

9 CHMN. CHENAL: Okay. It doesn't look like we  
10 had any questions.

11 I had one request. That is for Mr. Rawlins to  
12 provide just a brief summary of the facilities that  
13 Southline will own in connection with the  
14 interconnections with the substations. We know at  
15 Apache that there is going to be a substation  
16 constructed by Southline. But for the substations west  
17 of Apache, if you could, provide just a very brief  
18 explanation of what there will be in addition to the  
19 lines that will be connecting the WAPA line to the  
20 substations, what other facilities would be owned by  
21 Southline.

22 So Mr. Rawlins, if that's clear, if you could  
23 provide a brief summary, that would be great.

24 MR. RAWLINS: Let me start out by saying that we  
25 visited three of the five stations today; we didn't get

1 to Pantano because of access concerns. And next week we  
2 will be visiting Apache.

3 Starting at the northern end, the Tortolita  
4 substation, there will be facilities that will be owned  
5 by Southline, including bus supports, bus fixtures,  
6 switches, circuit breakers, and the transformer. In  
7 this case, we expect the yard will be owned by  
8 Southline. There is a potential it will still be owned  
9 and operated by TEP, but paid for by Southline.

10 The DMP station, there will be a new transformer  
11 installed in the WAPA Tucson yard, and there will be the  
12 line that connects the two substations to DeMoss Petrie  
13 station. Also, within each of those two yards there  
14 will be, again, termination structures, bus supports and  
15 bus fixtures, switches, and circuit breakers installed,  
16 again, paid for by Southline, potentially maintained by  
17 the existing owners of those facilities. Since there  
18 won't really be a separate fence anticipated surrounding  
19 the facilities, that's probably what will happen, I  
20 would assume. But that will have to be decided during  
21 the interconnection agreements.

22 At Vail substation we are talking about a  
23 separate fence, is what we are proposing. We expect  
24 that that would be owned and operated by Southline.  
25 Within the Southline substation portion there will again

1 be termination structures, switches, bus supports, bus  
2 work, circuit breakers, and one or two, probably one or  
3 two transformers.

4           Within the Vail side, across the fence on the  
5 Vail side, the TEP Vail substation, there will be,  
6 again, one or two transformers. I'm not exactly sure  
7 where they will be located. Right now we are showing  
8 one in their yard and one in the Southline facilities.  
9 But again, there will be termination structures, bus  
10 supports, bus work, switches, and circuit breakers.

11           Within the Pantano substation we are, again,  
12 talking about a separate facility. However, it will be  
13 a shared facility with AEPCO, since we are relocating  
14 some of their 230kV facilities in there. So that will  
15 have to be decided during interconnection who will be  
16 operating those facilities. But we expect that  
17 Southline, again, will be paying for their own  
18 facilities. I don't think it has been determined yet as  
19 to what the cost sharing is to moving the facilities  
20 from the existing AEPCO station into that new. But  
21 again, there will be termination structures, bus work,  
22 bus fittings, switches, circuit breakers in the  
23 substation there, with a tie back to the existing  
24 substation.

25           Then on the Apache substation there will be more

1 equipment than the traditional sort that everything else  
2 has. There will be a separate facility, expected to be  
3 owned and operated by Southline with a tie back to the  
4 AEPCO station. Within the AEPCO station, there will be  
5 some modifications to their existing facility to install  
6 some switches, and probably one to two circuit breakers.

7           If it comes in at 115kV, if the connection is a  
8 115kV connection, there will be two transformers within  
9 the existing AEPCO yard that would need to be upgraded,  
10 replaced. If the connection ends up being a 230  
11 connection, which is what appears the most likely at  
12 this point, there wouldn't be any transformers in the  
13 AEPCO yard being modified, just, again, some  
14 modifications to bring facilities into their existing  
15 bus.

16           The Southline Apache yard, it will have both 345  
17 and 230kV bus works, which is circuit breakers,  
18 termination structures. There will be two transformers  
19 in between the 115 and two -- I am sorry, between the  
20 230 and the 345kV yard, potential transformers to  
21 convert that to 115kV as well. The connection into the  
22 AEPCO yard is 115 as opposed to 230.

23           And then in addition to that equipment, there is  
24 a large piece of equipment called a static VAR  
25 compensator, SVC, that will be installed. There will be

1 series compensation equipment that will be attached to  
2 the outgoing line, outgoing 345kV lines. And then we  
3 are also talking about some other equipment, shunt  
4 reactors that will be installed in that facility as  
5 well.

6 CHMN. CHENAL: That was a static VAR?

7 MR. RAWLINS: Static VAR compensator.

8 CHMN. CHENAL: We want to see one of those  
9 things.

10 MR. RAWLINS: You will see it. You can.

11 CHMN. CHENAL: Any questions from the Committee?  
12 (No response.)

13 CHMN. CHENAL: Okay. Thank you, Mr. Rawlins.  
14 That was very concise and helpful to me to know what is  
15 going to be at each interconnection.

16 Unless there is anything else, let's break now,  
17 and we will resume, I guess, with the environmental  
18 panel. All right. Thank you.

19 (A recess ensued from 11:46 a.m. to 1:10 p.m.)

20 CHMN. CHENAL: All right. Good afternoon,  
21 everyone. Let's resume the Southline Transmission  
22 Project hearing this afternoon for the afternoon  
23 session.

24 We had a tour this morning before lunch. I  
25 believe we are ready to begin with the environmental

1 panel. So Ms. Hopkins or Mr. -- Ms. Hopkins. I am just  
2 going to say Ms. Hopkins from now on. We will do it  
3 that way.

4 MS. HOPKINS: Thank you, Chairman. We call Cara  
5 Bellavia and DeAnne Rietz to the stand and ask that they  
6 be sworn in.

7 CHMN. CHENAL: All right. Ladies, would you  
8 prefer an oath or affirmation?

9 MS. BELLAVIA: Affirmation, please.

10 CHMN. CHENAL: Oath or affirmation for both.  
11 Okay. I will have to read this one.

12 (Cara Bellavia and DeAnne Rietz were duly  
13 affirmed.)

14 CHMN. CHENAL: One of the ground rules which we  
15 have learned the hard way is when you are testifying, if  
16 you could actually pull the microphone out of the jack  
17 and hold the microphone up to your, you know, closer to  
18 your mouth, it will help us here.

19 All right. Please proceed.

20 MS. HOPKINS: Thank you, Mr. Chairman. First we  
21 are going to hear from Ms. Bellavia.

22  
23  
24  
25

1 CARA BELLAVIA and DeANNE RIETZ,  
2 called as witnesses, having been previously duly  
3 affirmed by the Chairman to speak the truth and nothing  
4 but the truth, were examined and testified as follows:

5

6

DIRECT EXAMINATION

7 BY MS. HOPKINS:

8 Q. Ms. Bellavia, could you please state your name  
9 for the record.

10 A. (BY MS. BELLAVIA) Sure. It is Cara Bellavia.

11 Q. And could you spell that for the court reporter.

12 A. Sure. Cara, C-A-R-A, Bellavia, B-E-L-L-A-V, as  
13 in Victor, I-A.

14 CHMN. CHENAL: Thank you.

15 MS. HOPKINS: Thank you.

16 And Mr. Chairman, I should have asked you this  
17 before I started asking Ms. Bellavia questions, but I  
18 handed out two exhibits which we would like to offer as  
19 Supplemental Exhibits 9 and 10. These are identical to  
20 the exhibits that were filed previously, with the  
21 exception of page numbers were added. In our original  
22 exhibits, these two we failed to include page numbers.  
23 And because it is easier to refer to the documents with  
24 page numbers on them, especially on the slides, we added  
25 page numbers to these. And we would like to offer them

1 as Supplemental Exhibits 9 and 10 to replace the prior  
2 Exhibits 9 and 10.

3 CHMN. CHENAL: That's fine. I don't have in my  
4 notes that we have ever admitted 9 or 10, which is  
5 probably appropriate since the witnesses are just now  
6 testifying. If you want to put these exhibits into  
7 evidence now, we can do that. One less thing to worry  
8 about.

9 MS. HOPKINS: That sounds good. We will offer  
10 Supplemental Exhibits 9 and 10.

11 CHMN. CHENAL: Then Supplemental Exhibits STL-9  
12 and 10 are admitted.

13 (Supplemental Exhibits STL-9 and STL-10 were  
14 admitted into evidence.)

15 MS. HOPKINS: Thank you.

16 CHMN. CHENAL: Proceed.

17 BY MS. HOPKINS:

18 Q. Ms. Bellavia, after that conversation can you  
19 please turn to Exhibit 9, Supplemental Exhibit 9. Well,  
20 you don't need to do it. I have loaded it onto the  
21 projector.

22 A. (BY MS. BELLAVIA) Yes.

23 Q. And can you please identify what is shown on the  
24 screen?

25 A. (BY MS. BELLAVIA) It is a PowerPoint I prepared

1 for today.

2 Q. Thank you.

3 Can you tell us about your educational  
4 background.

5 A. (BY MS. BELLAVIA) Sure. I have a B.A. in  
6 anthropology and a master's in urban and environmental  
7 planning from Arizona State University.

8 Q. Please describe your professional background.

9 A. (BY MS. BELLAVIA) I have over 19 years of  
10 environmental planning and permitting compliance  
11 experience; 16 of those have been with my current firm,  
12 SWCA. I specialize in permitting and NEPA for large  
13 infrastructure projects like this one. I also have  
14 conducted cultural resource compliance and socioeconomic  
15 analysis in my experience.

16 Q. Thank you.

17 And I might ask you to slow down just a little  
18 bit for the court reporter.

19 A. (BY MS. BELLAVIA) Okay.

20 Q. Thank you.

21 Have you ever testified in an administrative or  
22 judicial proceeding before?

23 A. (BY MS. BELLAVIA) No, I have not.

24 Q. Please tell us a little bit about SWCA  
25 Environmental Consultants.

1 A. (BY MS. BELLAVIA) Sure. We are an  
2 environmental consulting company founded in Flagstaff in  
3 1981. We have 31 offices across the U.S. with over 800  
4 employees. We consider ourselves a firm of "ologists."  
5 So that includes archeologists, biologists,  
6 hydrologists. And we are headquartered in Phoenix. My  
7 apologies.

8 Q. Please explain SWCA's role in the Southline  
9 Transmission Project.

10 A. (BY MS. BELLAVIA) SWCA was selected by the BLM  
11 and WAPA to be the third-party contractor to prepare the  
12 environmental impact statement for this project.

13 Q. What is a third-party contractor for an  
14 environmental impact statement in this context?

15 A. (BY MS. BELLAVIA) So it is a common arrangement  
16 where the federal agencies realize they need additional  
17 manpower to complete a large environmental analysis or  
18 project. And they select a third-party contractor like  
19 SWCA to essentially be an extension of the federal  
20 agency in preparing the environmental documents. All  
21 our work is overseen by and approved and guided by the  
22 federal agencies.

23 Q. Thank you.

24 How did the Bureau of Land Management and WAPA  
25 select SWCA as the third-party contractor for this

1 project?

2 A. (BY MS. BELLAVIA) We responded to a request for  
3 proposal from BLM and WAPA where they were soliciting  
4 contractors to fulfill the role of a third-party  
5 contractor. We prepared a proposal, as did several  
6 firms, and were short-listed for an interview. We  
7 interviewed with the BLM and WAPA to fulfill this role,  
8 and ultimately were selected.

9 Q. Tell me a little bit more SWCA's role in the  
10 project, like what SWCA did actually do for BLM and  
11 WAPA.

12 A. (BY MS. BELLAVIA) So in our roll as the  
13 third-party contractor, we are helping the agencies  
14 complete the environmental analysis. So that's  
15 providing support for the initial scoping phase, helping  
16 the agencies develop alternatives, conducting research  
17 to support them. And ultimately that's all memorialized  
18 in the draft and then final environmental impact  
19 statement.

20 Q. And what was your role specifically in the  
21 project?

22 A. (BY MS. BELLAVIA) So my role specifically was  
23 as the project manager from SWCA for the Southline EIS.

24 Q. What were your responsibilities in that role?

25 A. (BY MS. BELLAVIA) For the most part my primary

1 responsibility was as the main point of contact for BLM  
2 and WAPA, where we interacted with them to receive  
3 guidance and direction on the preparation of analysis.  
4 And then internally I oversaw our team to basically take  
5 that direction and funnel it internally to complete the  
6 analysis.

7 Q. Did SWCA assist Southline in the preparation of  
8 the CEC application in this proceeding?

9 A. (BY MS. BELLAVIA) Yes. We essentially took  
10 what was prepared in the environmental impact statement  
11 and focused it on the CEC proposed route. We provided a  
12 description of relevant proposed facilities, including  
13 geographical points between which the transmission line  
14 would run, and the straight line distance, and a  
15 description of the proposed route and substation  
16 locations. And we described areas of jurisdiction  
17 affected by the proposed CEC route and substations, and  
18 then also looked at any potential zoning conflicts.

19 Our contribution to the application also  
20 included preparation of the environmental exhibits. And  
21 in particular, we created location and land use maps  
22 provided in Exhibit A, and all the information in  
23 Exhibits C, D, E, F, H, I, and a portion of J-6.

24 Q. Thank you.

25 What will SWCA's testimony cover today?

1 A. (BY MS. BELLAVIA) This panel includes myself  
2 and my colleague, DeAnne Rietz, and we will cover the  
3 environmental studies and analyses as in the draft and  
4 final environmental impact statement. We will provide  
5 an overview of both agencies' decisions, and then we  
6 will also go over the factors considered in issuing the  
7 CEC.

8 Q. What material did you review in advance of  
9 today's testimony in preparation for your testimony  
10 today?

11 A. (BY MS. BELLAVIA) I reviewed the environmental  
12 impact statement, the final EIS in particular, the  
13 agencies' Record of Decision, the exhibits prepared for  
14 the application. And then I also reviewed some material  
15 from the advisory council on historic preservation just  
16 to make sure I understood some of those nuances if  
17 asked.

18 Q. Thank you.

19 Can you please summarize the phases of the  
20 environmental analysis conducted for the project prior  
21 to the BLM and WAPA decisions.

22 A. (BY MS. BELLAVIA) Yes. It was a years long  
23 process really conducted in two phases. You can see  
24 those up here on the slide. The two phases began with  
25 what we called initially the baseline resource studies.

1 Those were actually completed by another firm. They  
2 were completed by CH2M Hill. They were being drafted  
3 and ultimately completed in April of 2013.

4 And they covered 19 resource areas. Those are  
5 air quality, cultural resources, farmlands, geology,  
6 hazardous materials, public health and safety, land use,  
7 noise, paleontology, recreation, socioeconomics, soils,  
8 special designations, transportation, vegetation, visual  
9 resources, water, wildlife, and military uses.

10 As I said, those reports were all prepared by a  
11 different firm, so in our role as a third-party  
12 contractor to BLM and WAPA, it was our responsibility to  
13 support the agencies in determining whether those  
14 studies were adequate for use in an EIS and whether they  
15 covered all the resource areas of concern.

16 It is actually a requirement of the federal  
17 agencies that those kind of documents be independently  
18 reviewed for use in an environmental impact statement,  
19 so that was a part of the process.

20 Really second to that was an actual completion  
21 or drafting of the EIS, which also occurs sort of in two  
22 primary phases, and that's an actual draft environmental  
23 impact statement, and then later a final environmental  
24 impact statement.

25 The studies in the environmental impact

1 statement build on the original technical reports  
2 provided by CH2M Hill. In some cases we provided more  
3 detail, whether that was at the request of BLM and WAPA,  
4 or sometimes upon the advice of agencies like the Fish  
5 and Wildlife Service or Arizona Game & Fish Department  
6 where we provided additional detail.

7 There were a couple other instances where there  
8 was additional noise modeling. We conducted some  
9 additional visual simulations, again at the request of  
10 stakeholders. It also included consultation with  
11 Tribes, and then a couple stakeholder workshops around  
12 some concerns of CH2M Hill.

13 Q. Ultimately a final EIS was published. When was  
14 that published?

15 A. (BY MS. BELLAVIA) The final EIS was published  
16 in November of 2015.

17 Q. So we have been talking a lot about a final EIS.  
18 And when we say EIS, we mean environmental impact  
19 statement. Could you tell us what exactly the NEPA EIS  
20 is?

21 A. (BY MS. BELLAVIA) Sure. So an environmental  
22 impact statement is really the most detailed level of  
23 environmental analysis under NEPA, which is the National  
24 Environmental Policy Act. It was enacted in 1969, and  
25 it basically directs federal agencies to take into

1 account the environmental consequences of an action.  
2 That action in this case for BLM is issuing a  
3 right-of-way, and for Western, WAPA, is considering  
4 whether or not to upgrade the line. So those actions  
5 trigger NEPA, and then an environmental impact statement  
6 needs to be prepared.

7 It is typically a very, relatively very long  
8 process, which there are several points throughout the  
9 process the public is encouraged to participate. In  
10 fact, it is really one of the primary goals of NEPA to  
11 engage the public, and also for the purpose of  
12 disclosure about what the potential impacts of a project  
13 might be.

14 Q. Thank you.

15 Can you discuss generally what is contained in  
16 the Southline project's final EIS.

17 A. (BY MS. BELLAVIA) Yes. It is really -- there  
18 is sort of four main parts in an environmental impact  
19 statement. Chapter 1 typically is discussing both  
20 agencies' purpose and need, what are they responding to  
21 that requested action. It also often includes the  
22 applicant's objectives.

23 There is also a description, a very detailed  
24 description of the proposed project and any alternatives  
25 to that project. There is also a description of the

1 affected environment, where the project would be located  
2 and what the current environmental conditions are. And  
3 ultimately we also analyze the potential environmental  
4 impacts of the project and any alternatives developed.

5 Q. Where can the final EIS be found in the  
6 Southline's CEC application?

7 A. (BY MS. BELLAVIA) A summary of the final EIS  
8 can be found in Exhibit B-5.

9 Q. And is the actual EIS attached as Exhibit B-1?

10 A. (BY MS. BELLAVIA) Yes.

11 Q. Please walk us through the NEPA process timeline  
12 for the Southline project.

13 A. (BY MS. BELLAVIA) As I mentioned, the BLM and  
14 WAPA were joint lead agencies in considering and  
15 processing the applications, and in developing the  
16 environmental impact statement.

17 The NEPA process really formally kicks off with  
18 the publication of a notice of intent, or NOI, and that  
19 was published in April 2012 in the Federal Register.  
20 That notice of intent really starts the public scoping  
21 process, which is where the agencies inform the public  
22 about the proposed project and solicit feedback on  
23 concerns, ask for feedback developing alternatives, and  
24 also ask for feedback developing mitigation.

25 We hosted, or really BLM and WAPA hosted in

1 Arizona three public meetings in the spring of 2012, and  
2 then one meeting just with cooperating agencies, and  
3 those were hosted in Benson, Willcox, and Tucson. That  
4 scoping period initially was planned for 60 days as in  
5 the notice. However, members of the public requested an  
6 extension of 30 days and it was extended to 90 days.

7 The next really major milestone was publication  
8 of the draft environmental impact statement. That was  
9 published in the spring of 2014. And similarly, we had  
10 meetings, three meetings with the public, an additional  
11 one with just cooperating agencies. And those were in  
12 Benson, Willcox, and Tucson. And again, we had a 90-day  
13 comment period soliciting feedback on the analysis as  
14 presented in the draft and requesting feedback.

15 And then finally, as I mentioned, the final  
16 environmental impact statement was published in  
17 November 2015, and ultimately both agencies issued their  
18 Records of Decision earlier this year in April and then  
19 May 2016.

20 Q. Thank you.

21 I would now like to turn to SLT-8.

22 CHMN. CHENAL: Excuse me. I am sorry. Excuse  
23 me for interrupting.

24 Member Hamway.

25 MEMBER HAMWAY: Yes. Where are the Records of

1 Decision posted? So did you go back to -- you know, I  
2 think it was three years past from when you had the  
3 public meetings to when the RODs were issued. So where  
4 are those, and did you make those available?

5 MS. BELLAVIA: Yes. Both agencies make their  
6 decisions available on their websites. So the BLM had  
7 their ROD, Record of Decision, on their website, and  
8 WAPA had theirs on their website.

9 The ROD was also distributed to all the  
10 cooperating agencies, which I believe we will get into.  
11 And then anybody who expressed interest in receiving a  
12 copy of the decisions was also mailed that document.

13 MEMBER HAMWAY: Okay.

14 MEMBER BINGHAM: Mr. Chairman.

15 CHMN. CHENAL: Member Bingham.

16 MEMBER BINGHAM: Thank you.

17 In terms of the public meetings that you held as  
18 part of the EIS process, what efforts were made to get  
19 to private property owners who might be impacted by the  
20 Southline project?

21 MS. BELLAVIA: What effort was made to get  
22 property owners, is that your question?

23 So one thing I wanted to be cleared up, SWCA was  
24 a third-party environmental contractor. However, there  
25 was an additional contractor that was administrative in

1 nature. Their name is Galileo Project. And they were  
2 supporting the agencies in the things like developing  
3 project mailing lists and securing meeting venues.

4 So I don't know the details of how they  
5 developed that list, other than my understanding is they  
6 used sort of their routine process for developing that  
7 mailing list. Ultimately the mailing list included  
8 approximately 1300 contacts. Some of those were  
9 government and organizational contacts, and some of  
10 those were private landowners.

11 MEMBER BINGHAM: Thank you.

12 Thank you, Mr. Chairman.

13 BY MS. HOPKINS:

14 Q. Ms. Bellavia, we are looking at Slide 8 now.  
15 Can you describe the timeline that's shown here?

16 A. (BY MS. BELLAVIA) So this line is really a  
17 graphic representation of the steps that I just kind of  
18 walked us through, and then also kind of shows where in  
19 the timeline, or how the environmental impact evolves.  
20 I can go through it in detail if you like, but  
21 essentially it is just showing you the overall timeline  
22 and how the EIS evolves.

23 And then also on the bottom in the green, you  
24 can see where some of those opportunities for  
25 consultation and also public interaction occur.

1 One correction, there is an error on this slide.  
2 It says in the draft EIS April 2014 kind of column, at  
3 the bottom says NOA 45 days. And it was actually 90  
4 days.

5 Q. You have mentioned several times now a  
6 cooperating agency. Could you please tell, or could you  
7 please define that term for the benefit of the  
8 Committee?

9 A. (BY MS. BELLAVIA) Sure. A cooperating agency  
10 is really an agency that has specific expertise with an  
11 environmental resource and/or jurisdiction by law. And  
12 they are, usually at least, federal agencies, but  
13 typically also state and local agencies, and BLM and  
14 WAPA invite them to participate in the process. And it  
15 is officially called, once you are invited and accepted,  
16 a cooperating agency.

17 Q. Who did the BLM and WAPA invite to participate  
18 as cooperating agencies in the Southline project?

19 A. There were over -- there were 21 Tribes and 33  
20 federal, state, and local agencies invited to  
21 participate as cooperating agencies.

22 Q. And of those invited, who accepted and  
23 participated in the review of the draft and final EIS?

24 A. So of those invited, 17 agencies accepted and  
25 participated as cooperators. And those were the U.S.

1 Army Corps of Engineers, the Bureau of Reclamation, the  
2 Department of Defense Clearinghouse, the U.S.  
3 Environmental Protection Agency, the Department of  
4 Defense Fort Huachuca, the National Park Service, the  
5 Forest Service, specifically the Coronado National  
6 Forest, the U.S. Fish and Wildlife Service, the Bureau  
7 of Indian Affairs, the Arizona Game & Fish Department,  
8 the Arizona State Land Department, New Mexico Department  
9 of Game & Fish, New Mexico State Land Office, and then  
10 Cochise, Greenlee, and Graham Counties in Arizona, and  
11 then the City of Sierra Vista.

12 Q. What opportunities did cooperating agencies have  
13 to participate in the process?

14 A. (BY MS. BELLAVIA) So cooperating agencies  
15 actually have a number of opportunities to participate.  
16 And the BLM and WAPA and federal agencies, typically in  
17 a process, engage cooperators at a number of points in  
18 the process. They comment during scoping. The  
19 cooperating agencies also have an opportunity to review  
20 the scoping with the BLM and WAPA at the close of that  
21 comment period to review what the issues are.

22 They are instrumental in helping to develop  
23 alternatives and/or mitigation. They have early access  
24 to drafts of documents. For example, the draft EIS,  
25 they get a copy of that prior to its publication. They

1 provide feedback, and that feedback is incorporated into  
2 the document before it is published. And the same thing  
3 happens again prior to publication of the final EIS.

4 So they really have several points through the  
5 process where they are provided opportunities to review  
6 materials prior to publication and provide their  
7 feedback so that that's incorporated.

8 CHMN. CHENAL: Member Hamway.

9 MEMBER HAMWAY: Yes. Thank you, Mr. Chairman.  
10 Are private owners ever invited to be  
11 cooperating, I don't know, not agencies, but entities?

12 MS. BELLAVIA: Not that I am aware of. I have  
13 never seen that done. I am not sure. I am not familiar  
14 enough with the regulation to know if that's common  
15 practice.

16 BY MS. HOPKINS:

17 Q. Cooperating agencies is a defined term in the  
18 NEPA statute, is that correct?

19 A. (BY MS. BELLAVIA) Correct.

20 Q. And are there other opportunities for private  
21 individuals to participate in the process outside of a  
22 cooperating agency role?

23 A. (BY MS. BELLAVIA) Yes. There is specific  
24 points sort of programmed in the NEPA processes. The  
25 first is right out of the gates with a notice of intent

1 and the scoping process; anybody can comment at that  
2 time. Similarly, when the draft environmental impact  
3 statement is published, anybody can comment on that.

4 And again, the final environmental impact  
5 statement isn't necessarily published for comment.  
6 However, comments are often provided to the agencies,  
7 and those are typically considered in issuing the  
8 decision. And in reality, those points are programmed  
9 in the process, but feedback can be provided to the  
10 agencies at almost -- really at any time throughout the  
11 process.

12 CHMN. CHENAL: Member Hamway.

13 MEMBER HAMWAY: Yes. As a private landowner,  
14 how would I know these meetings are occurring? Just  
15 living my life going day to day, how do I know that?  
16 Did you send me a postcard? Did you put it in the  
17 newspaper? Did you post it at the county hall? What  
18 did you do?

19 MS. BELLAVIA: Yes, all of those things. There  
20 was the project mailing list that I mentioned had about  
21 1300 contacts on it. Those folks were mailed postcards  
22 and sometimes newsletters. Depending at what point in  
23 the project there were flyers posted at libraries and  
24 community centers. There were flyers posted at all  
25 involved BLM offices, and that's at the state, field and

1 the district. There were legal notices published in the  
2 newspapers.

3 So there really were a number of, you know, kind  
4 of a variety, spectrum of efforts to try and notify  
5 people about the process.

6 CHMN. CHENAL: And if I may, Ms. Bellavia, how  
7 was the list of individuals put together?

8 MS. BELLAVIA: The mailing list?

9 CHMN. CHENAL: Yes.

10 MS. BELLAVIA: As I mentioned, that was prepared  
11 by, compiled by another firm at the direction of BLM and  
12 WAPA. So I am afraid I don't know the exact details how  
13 that was developed.

14 CHMN. CHENAL: I am sure we will get that from  
15 the applicant, but I think it would be important to  
16 know, you know, who those folks represented in the  
17 scheme of things and universe of the project.

18 MS. HOPKINS: Yes, Chairman, I am sure that  
19 was -- we can get a copy of that list and provide it to  
20 the Committee.

21 CHMN. CHENAL: And I am really not so much  
22 interested in the names. It is who are these people,  
23 are they -- how close are they to the, you know, to the  
24 proposed line, how would they be impacted, get a feel  
25 for, you know, the number of people that would be

1 impacted by the line that are included in the list.

2 That's really the nature of my request.

3 MS. HOPKINS: I understand your question, and we  
4 will find an answer to that.

5 MEMBER BINGHAM: Mr. Chairman, it is more the  
6 process they went through in identifying is there a  
7 range five miles. It is more the process than who was  
8 actually contacted.

9 MEMBER HAMWAY. Radiuses.

10 CHMN. CHENAL: That's the thrust of my request,  
11 is the impact on these people. So yeah, how close they  
12 were, that's all a part of that, so how is that  
13 generated.

14 Yes, Member Noland.

15 MEMBER NOLAND: Yes. I would like to know --  
16 and I think in the past it was all the property owners  
17 according to the record within the corridor area. And  
18 so that's what I would like to know, was it the whole  
19 corridor or is it within X amount feet, like in a county  
20 zoning case. That's the type of thing I would like to  
21 know.

22 CHMN. CHENAL: Very good. Yesterday was the  
23 right-hand side that was asking questions. Today get  
24 ready, it is the left side.

25 MEMBER NOLAND: I got a chance.

1 MS. HOPKINS: Thank you, Mr. Chairman. We will  
2 get back to you.

3 CHMN. CHENAL: Thank you.

4 BY MS. HOPKINS:

5 Q. So, Ms. Bellavia, you mentioned that 21 Tribes  
6 were invited to participate as cooperating agencies.  
7 Did any of those Tribes formally participate as a  
8 cooperating agency?

9 A. (BY MS. BELLAVIA) None of the Tribes invited  
10 accepted the invitation to participate as a cooperating  
11 agency.

12 Q. Was there coordination with these Tribes despite  
13 the fact that the Tribes did not formally accept the  
14 cooperating agency status?

15 A. (BY MS. BELLAVIA) Yes. So under the National  
16 Historic Preservation Act, specifically Section 106, it  
17 requires that federal agencies take into account their  
18 actions on cultural resources. And through that  
19 National Historic Preservation Act process, Tribes are  
20 invited to participate and provide their feedback on  
21 potential effects to cultural resources, to provide  
22 feedback on their concerns, to provide feedback on  
23 potential mitigation that they might like to see  
24 executed.

25 So yes, there were Tribes consulted with

1 throughout this process. That consultation and the  
2 agreement is memorialized in what is called a  
3 programmatic agreement. And that is an appendix on the  
4 environmental impact statement, Appendix L.

5 And I can read the names of the Tribes that  
6 participated in the consultation process. They included  
7 the Tohono O'odham Nation, the Gila River Indian  
8 Community, the Salt River-Pima-Maricopa Indian  
9 Community, the Ak Chin Indian Community, San Carlos  
10 Apache Tribe, Mescalero Apache Tribe, the Fort Sill  
11 Apache Tribe, the White Mountain Apache Tribe, the Hopi  
12 Tribe, the Pueblo of Isleta, the Pueblo of Ysleta del  
13 Sur, and Pueblo of Zuni.

14 CHMN. CHENAL: Thank you.

15 Member Hamway.

16 MEMBER HAMWAY: Does the study area intersect  
17 any Tribal reservation land?

18 MS. BELLAVIA: So a portion of upgrade line, not  
19 as part of the CEC application, but a portion of WAPA's  
20 existing line crosses the Tohono O'odham Nation and has  
21 since the 1950s. They have a right-of-way, WAPA has a  
22 right-of-way agreement with the Tohono O'odham.

23 MEMBER HAMWAY: But nothing else?

24 MS. BELLAVIA: No.

25 BY MS. HOPKINS:

1 Q. Was there any additional stakeholder outreach  
2 that you have not covered yet?

3 A. (BY MS. BELLAVIA) So in addition to some of the  
4 opportunities that the cooperating agencies had for  
5 early reviews of the draft environmental impact  
6 statement, the final, the scoping report, they  
7 participated in webinars.

8 But we also had really kind of formed, not  
9 really formal, but like a community working group with  
10 some stakeholders around Tumamoc Hill. Again, not a  
11 portion of the project considered in this application,  
12 but the existing WAPA line goes over the top of Tumamoc  
13 Hill. And there has been strong interest in  
14 stakeholders such as the City of Tucson, Pima County,  
15 University of Arizona, Arizona Game & Fish, and Arizona  
16 State Land Department to look at options to get that  
17 line off the hill. So we worked with them, that  
18 stakeholder group, through a number of meetings, really  
19 trying to look at are there other ways to get around  
20 Tumamoc Hill instead of over it, and also to develop  
21 some mitigation.

22 CHMN. CHENAL: Could you let us know -- maybe  
23 everyone in the room knows where Tumamoc Hill is, but I  
24 don't. It is not A Mountain, is it?

25 MS. BELLAVIA: I don't think it is labeled on a

1 map that we have. It is labeled in a map in the  
2 environmental impact statement.

3 But nevertheless, it is basically just west of  
4 I-10. I think it is just off either Congress or St.  
5 Mary's Road to the west.

6 CHMN. CHENAL: It is not what we refer to as A  
7 Mountain, is it?

8 MS. BELLAVIA: Yes.

9 CHMN. CHENAL: Oh, it is A Mountain. Okay.  
10 Thank you very much.

11 It is not part -- nothing on the CEC application  
12 impacts Tumamoc Hill, right, I believe? Is that  
13 correct?

14 MS. BELLAVIA: Correct.

15 CHMN. CHENAL: Member Noland.

16 MEMBER NOLAND: If you go out those doors over  
17 there and look straight ahead, you will see Tumamoc  
18 Hill, and you may or may not see the lines.

19 BY MS. HOPKINS:

20 Q. Did you have any meetings with Fort Huachuca?

21 A. (BY MS. BELLAVIA) Yes. Another fairly  
22 concerned stakeholder was the Department of Defense Fort  
23 Huachuca. And specifically their concern was  
24 regarding -- it is a 2500 square mile, strangely shaped  
25 geometric area where the Fort Huachuca, DOD Fort

1 Huachuca manages what is called the Buffalo Soldier  
2 Electronic Testing Range. And it is essentially where  
3 they are testing electronic military activities. That's  
4 probably as much as I know.

5 And their specific concerns were about  
6 introducing a new electromagnetic field, EMF, into that  
7 electronic testing environment. So they are very  
8 concerned about any route, or really any route that  
9 brought the line further into their testing range. So  
10 we had a meeting with them in June of 2013, and then  
11 they were also involved in a number of phone calls and  
12 conference calls helping develop alternatives and  
13 mitigation to address their concerns such that the line  
14 didn't affect their mission.

15 Q. And were there additional site visits and  
16 coordination with the Fish and Wildlife Service and the  
17 Arizona Game & Fish Department?

18 A. (BY MS. BELLAVIA) Yes. So Willcox Playa was an  
19 area of particular sensitivity, as Bill Kipp mentioned  
20 in the last couple days. Ultimately some mitigation at  
21 Willcox Playa for Crane Lake was developed.

22 But that was really a culmination of a lot of  
23 interaction, including a couple site visits, one  
24 starting January 2014, and then May and June 2015,  
25 looking at the specific concerns at Willcox Playa, and

1 really in the Willcox wildlife watching area where Crane  
2 Lake is located. It is an Arizona Game & Fish  
3 Department managed recreation area, and it is also a  
4 significant area where Sandhill cranes roost. So there  
5 was a considerable amount of interaction with those two  
6 agencies looking at their concerns, alternatives, and  
7 then ultimately to develop mitigation.

8 Q. Thank you.

9 You have just highlighted several public  
10 outreach efforts and coordination efforts associated  
11 with the project. Is that the entire universe?

12 A. (BY MS. BELLAVIA) Responding to Member Noland,  
13 I believe, and Member Hamway's question, the mailing  
14 list was over 1300 people, and included 120  
15 organizations, like Cascabel Working Group and Sierra  
16 Club, Audubon Society, kind of that type of groups. And  
17 looking at that list in the breakdown, there are about  
18 700 private individuals in addition.

19 And as I mentioned, the mailing list was  
20 notified over the course of the process, whether that  
21 was noticing at the beginning of the project, a  
22 newsletter kind of between the NOI and the draft EIS,  
23 which was two years. So there was some attempt to keep  
24 folks updated. So there were really a number of  
25 opportunities to provide updates.

1 Q. And could you describe the specific contact  
2 through the NEPA process that you had or the project had  
3 with the ACC, Arizona Corporation Commission?

4 A. (BY MS. BELLAVIA) So looking back at the  
5 record, the record reflects that the ACC was notified  
6 about the start of the scoping process, notified that  
7 the draft EIS was published, notified that the final EIS  
8 was published, and then notified that the decisions were  
9 made by both agencies.

10 Q. When and how were the notifications published  
11 throughout the NEPA EIS process?

12 A. (BY MS. BELLAVIA) Sure. So this is a little  
13 more information building on what I started to say  
14 earlier, which was both BLM and WAPA had their own  
15 project websites. And those websites included  
16 information such as when the notice of intent was  
17 published, it is put on the website; when the draft EIS  
18 is published, it is put on the website. So those are  
19 the central places for people to find information  
20 online.

21 Printed documents were also posted at libraries  
22 and community centers, knowing that not everybody has  
23 access to the internet and/or websites. As I mentioned,  
24 we sent project newsletters out. And there were flyers  
25 posted advertising both the scoping meetings and the

1 draft EIS meetings. And those were posted at libraries,  
2 community centers, city and town halls, senior centers,  
3 and again at the BLM state and district -- state,  
4 district, and field offices.

5 There was a toll-free information line which  
6 really essentially just provided updated information for  
7 folks to call in and listen to. We also published paid  
8 notices in newspapers. And that was notification of  
9 scoping, notification of the meetings, notification of  
10 the draft EIS and associated meetings, all the  
11 notification points for legal notice in the newspapers.

12 The notices for the scoping start, draft, and  
13 final EIS are also published in the Federal Register,  
14 and then anybody that requested printed copies at any  
15 time during the process, whether that was the printed  
16 EIS or scoping report or map was provided that upon  
17 request.

18 CHMN. CHENAL: Member Hamway.

19 MEMBER HAMWAY: So a private landowner's name  
20 would get on your list because they were proactive and  
21 asked to be on the list, or did you do title record  
22 searches and seek these people out?

23 MS. BELLAVIA: My firm did not develop the  
24 mailing list. We did not do title record searches. I  
25 believe that's part of what the follow-up to the

1 question will answer. But yes, if people heard about  
2 the meeting, attended the meeting, and signed in, they  
3 were forever on the mailing list.

4 BY MS. HOPKINS:

5 Q. All of the public outreach and coordination that  
6 you have discussed so far was conducted by BLM and WAPA  
7 as a part of the formal NEPA EIS process. Are you aware  
8 of any outreach that was conducted before that process  
9 before?

10 A. (BY MS. BELLAVIA) Certainly. That was a  
11 question that BLM and WAPA had, was the level of public  
12 feedback prior to the beginning of the formal NEPA  
13 process. So that information was requested and is  
14 documented in the environmental impact statement.

15 Based on that information, Southline conducted a  
16 series of informal stakeholder meetings and workshops  
17 in 2011, again prior to the NEPA process. And that was  
18 with the goal of giving the public early notification of  
19 the project and to solicit their feedback.

20 They met with local jurisdictions, including  
21 city administrators, county commissioners, supervisors,  
22 Arizona state officials, and representatives from local  
23 community organizations in the project area. They also  
24 hosted a series of meetings, pre-NEPA meetings in  
25 September of 2011 in Willcox, Tucson, and Marana,

1 September 27th to 29th specifically, and then, again,  
2 Benson on November 10th. And then finally in  
3 September 2011, they hosted a routing workshop in  
4 Tucson.

5 Q. Please describe how the alternative routes were  
6 developed for this project.

7 A. (BY MS. BELLAVIA) So BLM and WAPA took into  
8 account all the efforts conducted by Southline prior to  
9 the start of the NEPA process, and really used those  
10 early routing efforts as the building block to look at  
11 alternatives.

12 So it sort of started with the routes as  
13 proposed. It began with a series -- we called it the  
14 spaghetti map, and you can see it is Map 7 up on the  
15 right. And all those green lines were their efforts to  
16 look at routing opportunities using their routing  
17 philosophy of paralleling existing linear  
18 infrastructure.

19 That spaghetti map and their efforts resulted in  
20 what we ultimately called the proponent preferred  
21 alternative, and then the proponent alternative. So  
22 they came to the BLM and WAPA at the end of their  
23 routing process with these two proposed options. Those  
24 two routes were what was taken to the public during the  
25 scoping process, and the public's feedback on those two

1 routes was solicited.

2 Really, the kind of feedback that was received  
3 during the scoping process on those two routes was  
4 really only around very specific geographic or resource  
5 issues. So BLM and WAPA did not end up developing  
6 wholesale new landscape long routes. The alternatives  
7 development was very focused on resolving specific  
8 issues like looking at Willcox Playa or looking at  
9 Tumamoc Hill and a few other areas. So the focus was on  
10 resolving issues as identified by the public and  
11 stakeholders.

12 Those were included in the draft EIS. That's  
13 what was analyzed in that document. Then based on  
14 feedback during the public review of the draft EIS, a  
15 few small route variations were developed to try to  
16 address a few more issues that arose between the draft  
17 and final EIS. Those are included in the final EIS.

18 CHMN. CHENAL: Let me interject just for a  
19 moment. If and when a CEC is issued in this case and it  
20 goes before the Corporation Commission, you will  
21 undoubtedly hear how come there was not an alternative  
22 route offered in this case.

23 I think to develop the record, this may be an  
24 important time to get something into the record on that.  
25 I have my thoughts as to why there isn't an alternative

1 recommended, but you might want to, now or later in the  
2 case, develop something to establish why the route was  
3 such that, you know, this may be the only logical place  
4 to put it, it has the least disruptive effect, but this  
5 may be the time to put something in the record on that.

6 MS. HOPKINS: Thank you, Mr. Chairman.

7 Ms. Bellavia intends to address that, if she could do so  
8 later.

9 CHMN. CHENAL: Absolutely. That's fine.

10 MS. HOPKINS: Thank you.

11 BY MS. HOPKINS:

12 Q. Were all of the, what we are calling pre-NEPA  
13 outreach -- excuse me, outreach and routing development,  
14 was all of that effort memorialized in a study?

15 A. (BY MS. BELLAVIA) Yes. All the early pre-NEPA  
16 routing was memorialized in a report prepared by  
17 Southline called the Southline routing report. I  
18 believe it was finalized in 2012, and it is referenced  
19 in the environmental impact statement.

20 Q. And it includes these, what you refer to as  
21 spaghetti maps?

22 A. (BY MS. BELLAVIA) Correct.

23 MS. HOPKINS: And Mr. Chairman, I have a copy of  
24 that routing report. It was not provided as a prefiled  
25 exhibit, but I would like to offer it as Exhibit 27.

1 CHMN. CHENAL: What would be the name of STL-27?  
2 Spaghetti map or is it something more elegant?

3 MS. HOPKINS: Southline Transmission Project  
4 Routing Report, Ms. Livingston will distribute copies.

5 CHMN. CHENAL: Okay, very well. STL-27  
6 Southline transmission routing report is admitted.

7 (Exhibit STL-27 was admitted into evidence.)

8 BY MS. HOPKINS:

9 Q. So Ms. Bellavia, you said two alternatives to  
10 the submitted proponent preferred and proponent  
11 alternative were developed through the formal NEPA  
12 process. Can you describe in more detail how those  
13 alternatives arose?

14 A. (BY MS. BELLAVIA) Sorry. Can you ask me one  
15 more time?

16 Q. Yes. Sorry.

17 I believe that you just testified that two  
18 alternative routes were proposed by Southline to BLM and  
19 WAPA in their application. Can you describe how those  
20 routes were developed through the EIS process?

21 A. (BY MS. BELLAVIA) Well, those routes weren't  
22 developed through the EIS process. They were proposed  
23 by Southline and considered in the EIS process equally  
24 with other alternatives developed, which I kind of  
25 discussed a little bit about how BLM and WAPA focus

1 their alternatives development for those alternatives  
2 that were considered in the environmental impact  
3 statement. And it was with feedback from the public  
4 based on their comments during scoping. It was based on  
5 feedback from cooperating agencies and other  
6 stakeholders, as I mentioned, Tumamoc Hill and Willcox  
7 Playa, et cetera.

8 Q. Thank you.

9 Were there any alternatives that were considered  
10 during the EIS process that were eliminated from further  
11 detailed study?

12 A. (BY MS. BELLAVIA) Yes. There were a number of  
13 alternatives that were considered based on early  
14 alternatives development where we looked at an  
15 alternative to resolve an issue and/or technological  
16 alternative, which I can describe. And several of those  
17 did not ultimately -- they were considered in the EIS,  
18 but not considered in detail, essentially not in the  
19 analysis.

20 Those alternatives not considered in detail  
21 included a 60-mile long line kind of coming in from New  
22 Mexico over the Dos Cabezas Mountains angling into the  
23 Apache substation. And it cut through the Dos Cabezas  
24 Mountains. And, in particular, there was some concerns  
25 with a national historic trail through that area. And

1 the Arizona Game & Fish Department was specifically  
2 concerned about impacts to a wildlife linkage area in  
3 those mountains.

4 There are a couple other alternatives that came  
5 up kind of trying to avoid, the Benson area and I  
6 believe the airport there. And they really -- the main  
7 reason those were ultimately dismissed is they were  
8 fairly long, 25 to 45 miles depending on which  
9 alternative.

10 And as I mentioned earlier, the Department of  
11 Defense Fort Huachuca was very concerned about  
12 introducing new electromagnetic fields into their  
13 testing environment. And so those two alternatives in  
14 particular really would have introduced a new line into  
15 their testing environment and they felt very strongly  
16 about those two alternatives. So the BLM and WAPA did  
17 not carry those forward for analysis.

18 There were a couple shorter alternatives in the  
19 sort of urban Tucson area. One was an alternative to  
20 avoid a residential community that was just off I-10  
21 near Vail. And ultimately the suggested sort of reroute  
22 for that alternative was to put it in another  
23 neighborhood. And it presented -- so the BLM and WAPA's  
24 position was that it just sort of moved the impacts from  
25 one community to another, it didn't really resolve an

1 issue. And then it also introduced a number of other  
2 conflicts with an entry and exit in and out of a  
3 substation and some crossover of transmission lines.

4 And then one of the options developed by the  
5 working group at Tumamoc Hill ultimately, through  
6 coordination with them and at their suggestion, one of  
7 those alignments was taken out of consideration. It  
8 just didn't meet their needs as we looked at it further.

9 Q. Thank you.

10 What criteria was used in eliminating those  
11 alternatives that you just described that were sort of  
12 cut from further detail? Or I think you said not  
13 carried forward.

14 A. (BY MS. BELLAVIA) Right. So they are described  
15 in the EIS, but not analyzed in detail. Really there is  
16 five, five criteria defined my NEPA that you look at in  
17 developing alternatives. And those are:

18 Is the alternative ineffective, meaning did it  
19 not meet the purpose and need of the agencies? Was it  
20 technically or economically infeasible? Is it  
21 inconsistent with the basic policy objectives for BLM?  
22 Is it inconsistent with their resource management plan?  
23 Is it remote or speculative, meaning is it a technology  
24 that's not even within the realm of reason or possible  
25 at this time, or is it substantially similar in design

1 and/or effects to another alternative being analyzed?

2 Q. Have you read the position statement filed by  
3 Mountain View Ranch in this proceeding?

4 A. (BY MS. BELLAVIA) Yes, I have.

5 Q. Did Mountain View Ranch participate in the EIS  
6 process?

7 A. Yes, they did.

8 Q. Is their participation memorialized anywhere?

9 A. Yes. Their feedback was what promoted the  
10 development of the one alternative I mentioned in  
11 Tucson. That obviously goes through the existing --  
12 their development as in their statement. And the  
13 alternative suggested was to reroute out of their  
14 development.

15 Again, from the BLM and WAPA's perspective, that  
16 line was just to be relocated to another neighborhood,  
17 and WAPA's position was that the current line existed  
18 since the 1950s, and that it just didn't offer any  
19 difference in terms of environmental impacts.

20 Q. And --

21 CHMN. CHENAL: Member Noland.

22 MEMBER NOLAND: Mr. Chairman, do you have any  
23 type of exhibit that would show the way the WAPA line  
24 transects that development, and how much right-of-way  
25 there might be or other green area free around that for

1 the expansion?

2 MS. BELLAVIA: So I believe the Mountain View  
3 Ranch position statement includes some maps with  
4 existing right-of-way.

5 And another -- one thing I want to add is their  
6 comments are also, in addition to being considered in  
7 developing that alternative, they provided comments on  
8 the draft EIS, which were responded to in the final EIS.  
9 And one of the comments in response in the EIS from  
10 Western indicates that, you know, as I believe others  
11 have mentioned, you know, as needed WAPA can work with  
12 landowners within the existing right-of-way as  
13 necessary.

14 So that doesn't answer your question about a  
15 map. I believe there is one in the position statement.  
16 There is probably not at a scale sufficient, I am  
17 guessing, to address your question. There is a map in  
18 the EIS showing where the existing line is and where the  
19 proposed route was.

20 MEMBER NOLAND: All right. If you could point  
21 me to that or let me see a copy, I would like to see  
22 that. But I think, if I understand you correctly, the  
23 line was existing when they planned the development, is  
24 that correct?

25 MS. BELLAVIA: That's my understanding, that

1 Western's existing line, WAPA's existing line has been  
2 in existence since 1951. I believe the Mountain View  
3 Ranch postdates that.

4 MEMBER NOLAND: Thank you.

5 MS. HOPKINS: Mr. Chairman, we have extracted  
6 the comments from the final EIS which is included as  
7 Attachment B-1 to the application that relates  
8 specifically to Mountain View Ranch for the Committee's  
9 convenience, and I would like to offer those comments as  
10 Exhibit STL-28.

11 MEMBER NOLAND: Mr. Chairman.

12 CHMN. CHENAL: Yes, let's -- Member Noland.

13 What would this be called? These are comments  
14 in the EIS specific to Mountain Desert Ranch?

15 MS. HOPKINS: Mountain View Ranch.

16 CHMN. CHENAL: There you go, Mountain View  
17 Ranch.

18 MR. JACKSON: Mr. Chairman, could I get a copy  
19 of this exhibit?

20 CHMN. CHENAL: Yes. The applicant will provide  
21 that to you.

22 All right. STL-28 is admitted.

23 (Exhibit STL-28 was admitted into evidence.)

24 CHMN. CHENAL: Member Noland.

25 MEMBER NOLAND: Thank you.

1 Do you know yourself whether those lines through  
2 there are the wooden H-style poles that would be then  
3 transferred over to the monopoles?

4 MS. BELLAVIA: I know that the existing WAPA  
5 line is the wooden H-frame. I believe that is what  
6 exists, and currently, and as proposed, would be  
7 upgraded to the steel monopole.

8 MEMBER NOLAND: Thank you.

9 MS. HOPKINS: And just for the record,  
10 Mr. Chairman, we handed Ms. Bellavia a copy of Exhibit  
11 STL-28.

12 BY MS. HOPKINS:

13 Q. And could you identify that for the record.

14 A. (BY MS. BELLAVIA) Sure. These are excerpts  
15 from a table in the final environmental impact  
16 statement. The table in its total is all the comments  
17 received by the agencies and how they were responded to  
18 between the draft and final. The specific exhibit  
19 includes the pages with comments from Mountain View  
20 Ranch and the agencies' response to those comments.

21 Q. Thank you.

22 CHMN. CHENAL: Yes, Member Hamway.

23 This is a lot of detail. This is an awful lot  
24 of dense information regarding -- I mean the comments.  
25 Is there a way to maybe summarize in a general fashion

1 the information in this exhibit, STL-28?

2 MS. BELLAVIA: Yes.

3 CHMN. CHENAL: If you could try to do that to  
4 kind of break this down a little, it would be a little  
5 more user friendly without having the Committee go  
6 through line by line in the middle of the hearing.

7 MS. BELLAVIA: Yes. So the gist of their  
8 comments, as I recall, are consistent with their  
9 statements filed, and essentially their concern about  
10 upgrading the existing line in the right-of-way and  
11 additional visual impacts from the change in pole type.  
12 I believe there were also -- they suggested, as I  
13 mentioned, an alternative, which the agencies  
14 considered. That was one of the comments.

15 They make reference to some of the previous CPUC  
16 consideration in the City of Chino Hills, which I  
17 believe, again, is in the position statement. They  
18 comment that they are concerned about what is called  
19 overburdening -- if there are questions about that, I am  
20 probably not the best person -- concerns about the  
21 existing easement and potentially expanding that, if  
22 needed, through their development; concern about the  
23 teardown and rebuilding place method; and again, as I  
24 mentioned, the suggestion to realign a portion of the  
25 line outside their development.

1 CHMN. CHENAL: Member Hamway.

2 Thank you.

3 MEMBER HAMWAY: So I think a map would be  
4 helpful, because I know this is in the upgrade section,  
5 correct?

6 MS. BELLAVIA: Yes.

7 MEMBER HAMWAY: But one of the things, I think,  
8 that has been brought up is WAPA's ability to exercise  
9 eminent domain. And so have they acquired the  
10 right-of-ways? I mean, where do we stand on how close  
11 it is and where does the route hit, and is there going  
12 to be potential litigation on acquiring the land?

13 MS. BELLAVIA: As I said, the existing line and  
14 existing 100-foot right-of-way exists. And if I  
15 remember correctly -- and I will review that right now,  
16 some of WAPA's response to some of these comments. I  
17 want to make sure I get it right and not misrepresent.

18 Understanding that one of the requests was for a  
19 map, the second was a question about whether the  
20 right-of-way would be expanded essentially in this area,  
21 I think the plan is -- I guess I don't know. I can't  
22 speak for WAPA. But they certainly, as in the EIS and  
23 some of these responses to comments, potentially could  
24 rebuild within the existing right-of-way, but I don't  
25 know if I know much more than that.

1 BY MS. HOPKINS:

2 Q. Ms. Bellavia, for the Committee's reference, I  
3 would like to direct your attention to Map 11 on the  
4 right screen. And that's really hard to see, but you  
5 have a -- it is also in your map book at Map 11. Can  
6 you please identify where basically the Mountain View  
7 Ranch property is?

8 A. (BY MS. BELLAVIA) If I remember correctly, it  
9 is essentially right here, right where my little pointer  
10 is, kind of where the line crosses I-10 just west of the  
11 substation, I can't read, Pantano.

12 Q. And is it identified as a sort of box, a  
13 rectangular piece of property that's --

14 A. (BY MS. BELLAVIA) You can kind of see the white  
15 land outside of I-10. I think that's private land  
16 associated with Mountain View Ranch.

17 CHMN. CHENAL: I am sorry. There was a  
18 question. I am sorry. We had an off-the-record  
19 discussion for a moment.

20 Just so we are clear, this really does relate to  
21 the WAPA line. It is not part of the CEC application.  
22 And I mean I appreciate it as background, but I don't  
23 think anything we are discussing now really relates to  
24 what is technically within the jurisdiction of the  
25 Committee as we have kind of ruled and discussed at the

1 beginning of the hearing.

2 MS. HOPKINS: Thank you, Mr. Chairman. We were  
3 attempting to provide additional information. And I  
4 would like to point out one more thing with Ms. Bellavia  
5 to your point, Mr. Chairman, here. We have identified  
6 the Mountain View property on this map. It is the small  
7 rectangular white bubble that Ms. Bellavia was pointing  
8 to with her green laser.

9 BY MS. HOPKINS:

10 Q. Could you do that again, Ms. Bellavia?

11 A. (BY MS. BELLAVIA) Yes.

12 Q. The Mountain View property.

13 A. (BY MS. BELLAVIA) It is right there.

14 Q. Could you also point out the BLM and National  
15 Forest Service property that is on the WAPA upgrade  
16 section that we have previously discussed as being about  
17 1.5 miles.

18 A. (BY MS. BELLAVIA) Sure. So the Forest Service  
19 land you can see green here on the map. Forest lands  
20 are depicted in green to that half mile right in here.  
21 There is a little chunk that I cannot see at this scale,  
22 but there is BLM land right about here. And that's in  
23 the upgrade. And then the other piece is also right  
24 around here kind of where -- is that 191? -- where 191  
25 hits I-10. It is just a little bit to the east of that.

1 Q. Thank you.

2 CHMN. CHENAL: Mr. Jackson, I -- understanding  
3 my comments, if there is anything, since you are, you  
4 represent an intervenor party to this matter, if there  
5 is anything, you know, you would like to ask, an issue  
6 you would like to raise, please do so.

7 MR. JACKSON: I might have a few questions at  
8 the end of her testimony. But I thought -- I debated  
9 whether to stand up and address this. I believe there  
10 is a more detailed map within the EIS exhibits. I don't  
11 have it at my fingertips to cite to you, but I can find  
12 that when I am back at the office and I can bring in a  
13 copy of that. I think it might clarify some of the  
14 details on this.

15 And I am not certain that that entire  
16 rectangle -- I am not sure that's correct. I don't want  
17 to argue with the witness. And if it would be all  
18 right, I would like to save my questions, my answers  
19 during the course and ask a few questions in cross at  
20 the conclusion of testimony. I won't take a lot of  
21 time.

22 CHMN. CHENAL: Sure.

23 MS. HOPKINS: And Mr. Chairman, this may be  
24 premature, but Southline would object to Mr. Jackson  
25 actually cross-examining our witness. He stated both in

1 his motion to intervene and again on the record earlier  
2 that he had no questions and would not be  
3 cross-examining anyone.

4 CHMN. CHENAL: Well, let's take it up after the  
5 conclusion of Ms. Bellavia's direct and, you know, we  
6 will have that discussion.

7 MS. HOPKINS: Thank you.

8 BY MS. HOPKINS:

9 Q. So moving along, Ms. Bellavia, if we could, we  
10 are now looking at Slide 19, which is Map 9 in the  
11 Committee member map book. Could you please describe  
12 the alternatives that were considered in detail in the  
13 EIS as depicted on this map?

14 A. (BY MS. BELLAVIA) Yes. So throughout the EIS  
15 we used a consistent color scheme, just for your  
16 reference. And that is the proponent proposed route or  
17 preferred -- proponent preferred is in green. The  
18 proponent alternative is in red. And then any  
19 alternative developed by BLM and/or WAPA is depicted in  
20 purple.

21 So starting with the proponent preferred, which  
22 again is green, you can see here it enters into Arizona  
23 roughly heading east-west to a point just kind of  
24 northeast of Willcox. It comes down and then wraps  
25 around Willcox Playa into the Apache substation. That's

1 all the new build of the proponent preferred.

2 Then from the Apache substation connecting to  
3 the 12 substations all the way up to Saguaro, that's the  
4 proponent preferred, which is to upgrade WAPA's existing  
5 line.

6 MS. HOPKINS: And Ms. Bellavia, can I interrupt  
7 you just briefly. We have an 11 by 17 of this map  
8 laminated for the Committee that you might be able to  
9 see a little bit better. We would be happy to pass that  
10 out now if you would like.

11 CHMN. CHENAL: That would be great.

12 BY MS. HOPKINS:

13 Q. And Ms. Bellavia, just so that we can orient  
14 everyone again, we are discussing the alternatives that  
15 were considered in detail in the NEPA EIS process by BLM  
16 and WAPA, is that correct?

17 A. (BY MS. BELLAVIA) Correct. And the map we are  
18 showing here, actually those alternatives, the full set  
19 of alternatives is considered in the final EIS in  
20 detail.

21 Q. So please continue to walk us through what we  
22 are looking at here.

23 A. (BY MS. BELLAVIA) Should I restart the green  
24 description now that folks have the map in front of  
25 them?

1 Q. Sure.

2 CHMN. CHENAL: Sure. That's fine.

3 MS. BELLAVIA: Okay. So the proponent  
4 preferred, again in green, entering, coming east-west  
5 into Arizona from New Mexico, and at this point, just  
6 sort of northeast of Willcox and Willcox Playa, sort of  
7 drops down and heads north-south, and then follows an  
8 existing transmission line around the southeast side of  
9 Willcox Playa into the Apache substation right here.

10 Once it exits the proponent preferred -- exits  
11 the Apache substation, the proposed proponent preferred  
12 is to upgrade WAPA's existing line in place. So  
13 following this green line here through, it crosses  
14 through I-10 and up through parts of urban Tucson, and  
15 then up to the Saguaro substation sort of near Marana.

16 The second alternative as proposed by the  
17 proponent, Southline, is the red line also kind of  
18 enters Arizona heading east-west, and then coming up  
19 north, farther north of Willcox and Willcox Playa, and  
20 then heading here again west and then dropping down  
21 around the west side of Willcox Playa into the Apache  
22 substation.

23 The only proponent alternative segment in the  
24 upgrade was an option here you can see in red, sort of  
25 coming around north of the community of Benson and north

1 of Benson airport right here.

2 Then, as I mentioned, the purple lines represent  
3 alternatives considered in detail by the BLM and WAPA.  
4 And in Arizona, there were a handful.

5 This line here on the north side here coming  
6 through all this yellow BLM land is actually the -- at  
7 the time, the SunZia decision by the agencies had not  
8 been made. But this represented the agency preferred  
9 alternative in the final EIS for SunZia. So the  
10 agencies looked at paralleling this line into Arizona  
11 with a couple options here heading south to connect, you  
12 know, either of those, the green proponent preferred or  
13 red proponent alternative routes. There is just some  
14 connection points here northeast of Willcox Playa.

15 These dashed purple lines farther to the east  
16 and then south of Willcox Playa, they are called route  
17 variations. And they were one option considered by the  
18 agencies to move that proponent preferred green line  
19 away from Willcox Playa, attempting to avoid some of the  
20 concerns about impacts to Sandhill cranes in that area  
21 so that, in addition to mitigation later added early on,  
22 BLM and WAPA looked at some alternatives to get away  
23 from that sensitive area.

24 Additional alternatives considered by the  
25 agencies, again I mentioned the Tumamoc Hill working

1 group, and there is a series of purple lines here over  
2 Tumamoc Hill.

3 One I kind of skimmed over as we are heading  
4 sort of east and west and then north is a short little  
5 segment right here, which was actually an alternative  
6 proposed by Pima County. They expressed concerns about  
7 the existing WAPA line sort of bisects some property  
8 there, and they are interested in developing that into  
9 the Aerospace Parkway commercial development. I believe  
10 that's where Raytheon's facility is actually being  
11 proposed. So that was an alternative proposed by Pima  
12 County and incorporated.

13 And then there was another short little segment  
14 up by Marana up here. And that was an alternative added  
15 at the request at the Town of Marana because of some  
16 training opportunities that I believe the Arizona Army  
17 National Guard conducts at that airport and wanting to  
18 allow sort of a buffer outside, along the airport  
19 boundary.

20 CHMN. CHENAL: Member Noland.

21 MEMBER NOLAND: Thank you.

22 Of the proponent alternatives, generally  
23 speaking, you don't have to get real, real specific, but  
24 which -- how many of those followed existing utility  
25 electrical or gas lines, or maybe a right-of-way along

1 the interstate?

2 MS. BELLAVIA: Of the proponent preferred? I  
3 have that information in the environmental impact  
4 statement. I can look that up if I have a moment.

5 MEMBER NOLAND: No, actually what I want, not  
6 the preferred line, but your other red lines and purple  
7 lines and so on, which of those follow current utility  
8 easements?

9 MS. BELLAVIA: I also have that information in  
10 the EIS. If I'm permitted, I can look.

11 MEMBER NOLAND: Okay, that's fine.

12 CHMN. CHENAL: Member Haenichen.

13 MEMBER HAENICHEN: Thank you, Mr. Chairman.

14 I understand that all of this came about in the  
15 NEPA process conducted at the direction of WAPA, which I  
16 call them Western. They don't like to be called WAPA,  
17 by the way.

18 So therefore, the portion that is the upgrade,  
19 which is basically following exactly the current routing  
20 of the old Western lines, they have the full control  
21 over that part of this, this line. And they can say  
22 exactly, hey, this is it, we won't accept any other  
23 route.

24 But is that same statement true of the routes  
25 studied in the NEPA process on the new build section?

1 Answer that first, then I will have a follow-up  
2 question.

3 MS. BELLAVIA: I am not sure I heard the full  
4 end of the question, but I think it was did -- was the  
5 question did WAPA have control over alternatives  
6 developed in the new build line?

7 MEMBER HAENICHEN: No. Can WAPA dictate what  
8 they now call the preferred routing in the new build  
9 section? Do they feel as though they can?

10 MS. BELLAVIA: I am not sure about dictate, but  
11 certainly both BLM and WAPA made the same decision about  
12 the final route. So both of their --

13 MEMBER HAENICHEN: But you say they made the  
14 same decision. But isn't it really more proper to say  
15 they made the same recommendation?

16 MS. BELLAVIA: I don't believe those are  
17 considered recommendations. I believe --

18 MEMBER HAENICHEN: That's the crux of my  
19 question, of my questions.

20 MS. BELLAVIA: They are decisions.

21 MEMBER HAENICHEN: I need to have that answered  
22 if someone can do that on behalf of the applicant.

23 MS. BELLAVIA: As written, in my understanding,  
24 to be clarified possibly, those are Records of Decision,  
25 decisions by the agencies. They are not records of

1 recommendations. You know, the BLM makes their decision  
2 about the right-of-way that they are going to approve or  
3 not, and then WAPA made a decision about the selected  
4 route.

5 MEMBER HAENICHEN: Is there any legal expert in  
6 the audience, or Chairman here, that can tell us if  
7 that's totally binding?

8 BY MS. HOPKINS:

9 Q. Ms. Bellavia, what was the purpose of the BLM  
10 ROD?

11 A. (BY MS. BELLAVIA) Well, for the BLM Record of  
12 Decision, the decision before them was to approve,  
13 approve with modification, or deny the right-of-way  
14 application. And the BLM was to approve the issuing  
15 right-of-way on BLM land.

16 MEMBER HAENICHEN: So it is really BLM, not  
17 WAPA, not Western?

18 MS. BELLAVIA: No. The BLM's Record of  
19 Decision, correct.

20 MEMBER HAENICHEN: All of the new build section  
21 is not on BLM hand, is that not correct?

22 MS. BELLAVIA: That's correct.

23 MEMBER HAENICHEN: So my question is still  
24 puzzling me.

25 CHMN. CHENAL: Member Noland.

1 We will have a little more discussion about that  
2 issue I think right now.

3 Go ahead.

4 MEMBER NOLAND: I just wanted to clarify my  
5 question. What I really want to know is on the  
6 alternatives, both the local, if there is any, and looks  
7 like there are, on the new build, and the proponent  
8 alternative, how much of that follows current  
9 right-of-way used in utilities or gas line.

10 MS. BELLAVIA: And are you interested  
11 specifically in the routes in Arizona?

12 MEMBER NOLAND: Yes.

13 MS. BELLAVIA: Okay. I can only say we didn't  
14 look at how much of, but we did look at -- and this is  
15 Table 211, 212 and 213 in the EIS, where we looked at,  
16 you know, the segments of these alternatives and whether  
17 they -- and it was just based on presence, absence, so  
18 column for pipelines, column for roadway, a column for  
19 railroad, column for transmission line, and then one  
20 actually specifically for the SunZia transmission line.  
21 And we indicated whether that portion of the line  
22 paralleled one of those pieces.

23 So I can say whether something did or didn't  
24 parallel. I can't say exactly how much of it. I can  
25 walk through that if you would like. Yes, okay.

1           So in Arizona for the proponent preferred, the  
2 green line parallels, portions of it parallel pipelines,  
3 roadways, and a transmission line. The proponent -- and  
4 this is all, I am going to give you information leading  
5 to Apache and the new build. That's how we have it  
6 broken down. Then I will do the upgrade as appropriate.

7           For the proponent alternative, the red line  
8 portion of those segments parallel pipelines, roadways,  
9 railroads, transmission lines, and the SunZia line.

10           The local alternatives, the purple, dashed  
11 purple lines -- find my pointer -- south and east of  
12 Willcox Playa, these here, primarily follow roadways and  
13 some pipeline and transmission line infrastructure.

14           And then these are, this is information about  
15 this sort of set of alternatives up here, we call them  
16 LD4 and their options, and they parallel pipelines,  
17 roadways, transmission lines, and a portion of the  
18 SunZia line.

19           And then really everything in the upgrade  
20 section, as you know, is upgrading WAPA's existing line  
21 with the exception of the red alternative here,  
22 alternative H we called it. And that follows, a portion  
23 of it follows the transmission line. And then these  
24 alternatives here again around Tumamoc, portions of  
25 those follow primarily roadways.

1 MEMBER NOLAND: I am only concerned with the new  
2 build portion, but it doesn't really give me much of an  
3 answer. I just -- I guess if all of it in the new build  
4 alternatives follow some kind of utility line, then that  
5 would be great. But I can't tell from your answer how  
6 much of it doesn't -- involves private land, doesn't  
7 follow utilities. SunZia hasn't done their right-of-way  
8 as yet. So that would basically be private land. That  
9 would basically be private land since SunZia hasn't  
10 acquired their right-of-way yet, I don't believe.

11 So thank you. Maybe we can get at it from a  
12 different angle.

13 CHMN. CHENAL: Member Haenichen.

14 MEMBER HAENICHEN: Ms. Bellavia, shame on me. I  
15 haven't read the EIS. However, earlier you stated in  
16 your testimony that your firm did the bulk of the  
17 environmental investigation on the EIS, is that right?

18 MS. BELLAVIA: Yes.

19 MEMBER HAENICHEN: Okay. In the course of that  
20 work, did you evaluate all of these alternatives as well  
21 for the same things that you evaluated what you now call  
22 the preferred route?

23 MS. BELLAVIA: Yes, absolutely. In fact, NEPA  
24 requires that alternatives be considered in detail,  
25 these presented on the maps we have just been walking

1 through, they absolutely have to be considered equal in  
2 the eyes of the analysis. There is no discretion in  
3 ensuring -- you have to ensure that they are all equally  
4 analyzed at the same level.

5 MEMBER HAENICHEN: Okay. In the course of that  
6 activity did you unearth any deal breakers on these  
7 alternative routes, any things that made them much less  
8 desirable than what is now called the preferred route?

9 MS. BELLAVIA: No. I mean the -- we worked with  
10 the work group in Tumamoc to resolve their concerns.  
11 That was a big concern for that group.

12 I would say all along the concern about impacts  
13 to Sandhill cranes was a very specific and continuing  
14 concern, whether it was members of the public because  
15 people use that wildlife watching area. There is a  
16 Sandhill crane festival in Willcox, and people were very  
17 concerned about that. So, as I mentioned, we tried to  
18 find alternative solutions to that, which presented new  
19 issues which I can talk about.

20 But in the end, that concern about the proponent  
21 preferred and those impacts to cranes, either  
22 biologically or from a, you know, an economic  
23 perspective for tourism, those results, those issues  
24 were really resolved in the form of the MOU, memorandum  
25 of understanding, between Southline and Arizona Game &

1 Fish Department to modify that Willcox Playa wildlife  
2 area, move Crane Lake away from the playa so that the  
3 birds would have less obstacles for taking off and  
4 landing into that lake.

5 So I won't say that was a deal breaker per se,  
6 but it was certainly one of the biggest concerns we have  
7 addressed throughout the process.

8 MEMBER HAENICHEN: The gist of my questioning on  
9 this to you is that our normal procedure of this  
10 Committee is that we are presented with alternatives,  
11 maybe only two alternatives, but some alternatives, and  
12 then we are able to have a spirited discussion on the  
13 relative merits of them. Now it is being kind of put on  
14 a platter for us and said this is it, approve it or  
15 else.

16 And so I really want to know if your firm ruled  
17 out all of these other alternatives, or did somebody  
18 else do it. Did you say to BLM, well, we think this is  
19 what you should pick?

20 MS. BELLAVIA: No. Ultimately those decisions  
21 were the decisions of the federal agencies, based on the  
22 analysis we provided.

23 I would say one area that became, not a deal  
24 breaker in my words, but real significant concern was  
25 these alternatives here, the dashed purple lines sort of

1 out here away from the playa.

2 As I mentioned, those were developed in an  
3 attempt to minimize risks to the Sandhill cranes. And  
4 what happened, those routes ended up being in an area  
5 developing and important to several wineries in that  
6 area. And there was a lot of concern from that group.  
7 And they were still analyzed equally. But that was a  
8 very significant concern for those winery owners and  
9 people who liked to go out there. And I wouldn't say we  
10 said don't pick that, but they were very vocal about  
11 their concerns about the alternatives, and the agencies  
12 heard that.

13 MEMBER HAENICHEN: Well, I will conclude now. I  
14 can't speak for the other Committee members, but I feel  
15 like we are being forced to abdicate our normal process  
16 in this particular case. Thank you.

17 MS. HOPKINS: Member Haenichen, we hear your  
18 concern, and hopefully Ms. Bellavia can address some of  
19 that concern by discussing how those alternatives were  
20 considered in the draft EIS.

21 CHMN. CHENAL: Let me interject now. I notice  
22 we have been going for about an hour and a half. And I  
23 don't know, maybe this is a good point to take our  
24 afternoon recess before we get into that. It seems like  
25 a logical break. Because I think that is an issue that

1 is of interest to the Committee.

2 So let's take a 15-minute break and get back, 15  
3 minutes we will resume.

4 (A recess ensued from 2:38 p.m. to 2:59 p.m.)

5 CHMN. CHENAL: All right. Everyone, let's  
6 resume the afternoon session. I believe the applicant  
7 is ready to proceed. The Committee is ready.

8 Ms. Hopkins -- oh, Member Haenichen.

9 Member Haenichen, I believe you had a question  
10 to ask.

11 MEMBER HAENICHEN: Well, it is really a  
12 suggestion. Thank you, Mr. Chairman.

13 It would make me more comfortable if I had more  
14 information on the alternate routes that we haven't been  
15 exposed to. I would guess that the information that  
16 would satisfy me is probably present already in the EIS.  
17 And what I am going to suggest is, if you could use a  
18 little manpower and digging that out for me and making a  
19 written handout to the Committee members, that might go  
20 a long way.

21 CHMN. CHENAL: Member Haenichen, some Committee  
22 members could not hear what you -- if you could repeat  
23 that, please, with the microphone closer.

24 MEMBER HAENICHEN: Okay. The suggestion I was  
25 making to help me at least understand more why the

1 current route has been picked -- and by the way, I am  
2 not down on that route in any sense of the word. I am  
3 sure the information I need is already present in the  
4 EIS. I haven't read the thing. And I am ashamed of  
5 that, but I didn't. And if the applicant could devote a  
6 little time to preparing a short document suggesting  
7 what the analysis was on those alternative little  
8 segments of the route, I think that would be very  
9 helpful, to me at least. Thank you.

10 MS. HOPKINS: Certainly, Member Haenichen, we  
11 will undertake that effort.

12 MEMBER HAENICHEN: Thanks.

13 CHMN. CHENAL: Okay. Please proceed,  
14 Ms. Hopkins.

15 BY MS. HOPKINS:

16 Q. Okay. Ms. Bellavia, we were talking about the  
17 alternatives that were considered in detail in the EIS  
18 review. And just before the break, we were going to get  
19 into how those alternatives were considered, what  
20 factors.

21 A. (BY MS. BELLAVIA) Okay. So all of the  
22 alternatives that we just walked through, the green, the  
23 red, and purple, all of those alternatives considered in  
24 detail in the EIS were subject to the same level of  
25 analysis. We looked at comparison of land ownership

1 across the alternatives. We also estimated both  
2 temporary and permanent ground disturbance.

3 And then we looked at those kind of impacts,  
4 again, for all the alternatives in the context of 20  
5 resources. And those are similar to the 19 I mentioned  
6 earlier that were part of the baseline reports. And  
7 they included air quality, noise and vibration, geology  
8 and minerals, soils, paleological resources, water,  
9 biological resources, and that included both wildlife  
10 and vegetation, culture resources, visual resources,  
11 land use -- and the land use section included several  
12 subsections, which were looking at farmlands, grazing  
13 and range -- and then also specifically military uses.

14 The EIS also looked at specific designations.  
15 That can include national historic trails, areas of  
16 critical environmental concern, sort of unique things  
17 that really the BLM considers in their resource  
18 management plans. We looked at wilderness areas,  
19 recreation, socioeconomics and environmental justice,  
20 public health and safety, hazardous materials,  
21 transportation.

22 And then, this is the one that was not in the  
23 technical reports provided by CH2M Hill. It is an  
24 additional requirement of the Department of Energy and  
25 it is called intentional acts of destruction. And

1 that's looking at essentially what the impacts might be  
2 if somebody intentionally tries to destroy a  
3 transmission line or substation.

4 With all the alternatives we looked at and were  
5 analyzed in the collection of mitigation measures as  
6 proposed by the applicants in their proposal, and then  
7 also any mitigation that was developed over the course  
8 of the process, such as mitigation suggested by Fish &  
9 Wildlife under the Endangered Species Act, or mitigation  
10 developed through the consultation process through the  
11 Tribes, all those things are sort of equally applied to  
12 all the alternatives considered in the EIS.

13 Q. Did the BLM also reach a decision on how best to  
14 address their statutory requirements?

15 A. (BY MS. BELLAVIA) Yes. Yes, they did reach a  
16 decision. And it is similar in nature to what is called  
17 the agency preferred alternative in the final EIS. That  
18 agency preferred alternative is really identified in the  
19 EIS before there is a decision, so that the public and  
20 stakeholders essentially have an idea kind of where the  
21 decision is headed, and it gives the public an  
22 opportunity to sort of react to that.

23 But to answer your question, BLM and WAPA did  
24 make a decision. It turns into the selected  
25 alternative, once decided, which is the agency preferred

1 alternative, more terminology. But essentially they  
2 chose that the agency preferred alternative, for a  
3 number of reasons, which I can -- these are in the  
4 environmental impact statement.

5 For the new build section, the proposed route  
6 was selected as the agency preferred because it used  
7 existing linear right-of-ways and paralleled existing  
8 infrastructure and transmission lines. It eliminated  
9 land use planning conflicts with BLM. It minimized  
10 impacts to military operations around Willcox Playa and  
11 Benson, and minimizes the impacts to sensitive resources  
12 specifically in New Mexico, Lordsburg Playa.

13 In the upgrade section the agency preferred  
14 alternative was selected because it maximized existing  
15 use of WAPA's existing right-of-way. As I mentioned  
16 earlier, there was the, sort of one of the realignments  
17 south of the Tucson airport, and that was suggested by  
18 Pima County to minimize impacts to their future  
19 development plans. So that segment was selected  
20 ultimately for that reason.

21 One of the alternatives on Tumamoc Hill  
22 suggested by the working group was selected. So the  
23 selection was based on minimizing impacts to cultural  
24 and visual resources at Tumamoc Hill. And then, again,  
25 the sort of realignment suggested at the Marana airport

1 was selected to minimize impacts to military training  
2 operations at Marana airport.

3 Q. Thank you, Ms. Bellavia.

4 Looking at Map 9 again up here on the screen,  
5 and the 11 by 7 in front of the Committee members, I  
6 know we will work to put together a summary why the  
7 agency selected the route, the agency selected the route  
8 that it did, but can you describe generally why the  
9 alternatives that we see on the screen were rejected --  
10 not rejected, but not selected?

11 A. (BY MS. BELLAVIA) Right. I can tell you sort  
12 of the main reasons. You know, it is a 2,000-page  
13 analysis with a lot of detail. I am sure I will miss a  
14 few of the minor points, but the major ones.

15 So this, as I mentioned before, this alignment  
16 up here, the purple one, was proposed and parallels  
17 SunZia's, their agency preferred alternative as in their  
18 final EIS. And there was a lot of -- that was  
19 identified as the agency preferred for Southline in the  
20 draft. And there were a lot of comments from the public  
21 concerned about basically building another transmission  
22 line in the area that had no other infrastructure or  
23 existing right-of-way. So that one was changed between  
24 the draft and final, and then obviously not selected  
25 based on that public feedback.

1 As I mentioned earlier, the winery folks down  
2 here in the Willcox Bench were vehemently against these  
3 alternatives. They kind of swung out and away from  
4 Willcox Playa. And that was considered to be included  
5 as the agency preferred in the final EIS, but based on  
6 significant public concerns, that's when the agency sort  
7 of went back to this P7, this green line alignment  
8 around Willcox Playa and looked at developing  
9 mitigation.

10 This red one here that kind of cuts away from  
11 the purple alignment and down around the west side of  
12 Willcox Playa, the main reason was there were some  
13 concerned residents up here. You can see the white  
14 private land. But really the main reason was proximity  
15 to -- it is not in, but the military was very concerned  
16 about, again, interference with their testing. This is  
17 the boundary of that Buffalo Soldier Electronic Testing  
18 Range, sort of a strange geometry. It is both in  
19 Cochise County for the most part, a little in Pima  
20 County. But that red line just got too close for  
21 comfort for them, and there was a lot of concern  
22 expressed on their part about selecting this alternative  
23 and conflicting with their testing operations.

24 I believe they also do some testing operations,  
25 light testing, not electronic, off the north side of

1 Willcox Playa. So again, trying -- their proponents  
2 were not coming around north and/or west of Willcox  
3 Playa.

4 And then again, this red alternative here --  
5 CHMN. CHENAL: Member Bingham.

6 MEMBER BINGHAM: Thank you.

7 Before you move on, am I reading the map  
8 correctly for that red line section that you just spoke  
9 about, is that, I am seeing white, but is that private  
10 property? Am I reading that correctly?

11 MS. BELLAVIA: Correct.

12 MEMBER BINGHAM: Thank you, Mr. Chairman.

13 MS. BELLAVIA: Correct. And this red  
14 alternative here kind of coming around Benson was  
15 developed really to avoid some residential concerns  
16 through Benson. But the military, again, very  
17 vehemently against this route because it brought a new  
18 line into the baseline of their electronic testing  
19 environment within this testing range. So BLM and WAPA  
20 were very sensitive to the community's concern about  
21 some of these routing options in and around the Buffalo  
22 Soldier Electronic Testing Range.

23 And then really the rest of the decision kind of  
24 why these other alternatives weren't necessarily  
25 selected, it is really, you know, the focus was around

1 Tumamoc Hill, which they selected the alternative  
2 preferred by the working group. And then again, also  
3 the sort of little realignment up by Marana airport in  
4 response to concerns by the National Guard and their  
5 operations there.

6 BY MS. HOPKINS:

7 Q. Thank you.

8 Were the BLM and WAPA decisions on the  
9 alternative route selected memorialized anywhere?

10 A. (BY MS. BELLAVIA) Yes. Both agencies made  
11 their own decisions. So BLM made a decision regarding  
12 their request for right-of-way on BLM land, and then  
13 Western, WAPA, made their own decision as well.

14 Q. And I would like you to turn to Exhibit STL-19.

15 A. (BY MS. BELLAVIA) Which I can find where?

16 Q. In your exhibit binder here.

17 A. (BY MS. BELLAVIA) Okay.

18 Q. And can you identify that document for the  
19 record.

20 A. (BY MS. BELLAVIA) Exhibit 19 looks like a  
21 notice in the Federal Register regarding WAPA's Record  
22 of Decision.

23 Q. Thank you. And also known as the WAPA ROD?

24 A. (BY MS. BELLAVIA) Yes.

25 MS. HOPKINS: Mr. Chairman, I would like to

1 offer Exhibit STL-19 into the record.

2 CHMN. CHENAL: All right. STL-19 is admitted.

3 (Exhibit STL-19 was admitted into evidence.)

4 BY MS. HOPKINS:

5 Q. Ms. Bellavia, you referred to both a BLM Record  
6 of Decision and a WAPA Record of Decision. We just  
7 identified the WAPA ROD. Is the BLM ROD contained in  
8 the material that the applicant filed with this  
9 application?

10 A. (BY MS. BELLAVIA) Yes. I believe it is an  
11 exhibit; I don't know which one.

12 Q. If I were to tell you that that was Exhibit B-3  
13 to the application, does that ring a bell?

14 A. (BY MS. BELLAVIA) Yes.

15 Q. Okay. And can you tell me how large the BLM ROD  
16 is?

17 A. (BY MS. BELLAVIA) It includes the plan of  
18 development, which the decision is contingent upon, and  
19 so in total it is, I believe, over 600 pages.

20 Q. Thank you.

21 Ms. Bellavia, I would like to walk you through a  
22 couple of the conditions that are included in the BLM  
23 ROD.

24 And again, for the Committee's convenience, we  
25 have extracted a couple of what we believe to be

1 important, relevant pages from that much larger document  
2 and would like to admit that as an exhibit. We have  
3 copies for the Committee and the witness and court  
4 reporter. And we have identified this as  
5 Exhibit 29.

6 CHMN. CHENAL: What is it again?

7 MS. HOPKINS: Excerpts from the BLM ROD.

8 CHMN. CHENAL: All right. STL-29 is admitted.

9 MS. HOPKINS: Thank you.

10 (Exhibit STL-29 was admitted into evidence.)

11 BY MR. GUY:

12 Q. Ms. Bellavia, I would first like to ask: What  
13 was BLM asked to do by the applicant with its  
14 application?

15 A. (BY MS. BELLAVIA) So the reason the BLM was  
16 even involved in the process is that Southline requested  
17 right-of-way on BLM land, and the BLM needed to respond  
18 to that request, essentially. So I think I mentioned  
19 before BLM's decision was really -- the choice before  
20 them was to approve the right-of-way, approve the  
21 right-of-way with modification, or deny the right-of-way  
22 request.

23 Q. And I would like to direct your attention to  
24 what is Bates numbered as B-14.12. And can you tell the  
25 Committee what decision was made?

1 A. (BY MS. BELLAVIA) Yes. In considering the  
2 request for right-of-way, the BLM decided to grant the  
3 right-of-way which is described in Exhibit A of the  
4 Record of Decision, and then legal descriptions which  
5 are included in the right-of-way grant and then are  
6 depicted in Figure 1 of that decision.

7 Q. And we have placed Map 10 on the right  
8 projector. Can you identify the selected route?

9 A. (BY MS. BELLAVIA) Do you want me to walk  
10 through the entire --

11 Q. No. Just tell us if this map reflects the  
12 selected route.

13 A. (BY MS. BELLAVIA) Yes, this map reflects the  
14 selected route as in both Records of Decision.

15 Q. Thank you.

16 And continuing in the BLM ROD excerpts, if you  
17 will turn to B-14.14, what are the standards that will  
18 be applied to the right-of-way grant?

19 A. (BY MS. BELLAVIA) Yes. As in B-14.14, the  
20 agency standards indicate that the right-of-way grant  
21 must comply with both BLM and Western stipulations  
22 described and referenced in attachments to the BLM's  
23 Record of Decision.

24 Q. And what are those attachments? Can you  
25 generally describe what those attachments are?

1           A.       (BY MS. BELLAVIA) The primary attachment to the  
2 Record of Decision is, as I mentioned, the plan of  
3 development, which is a very detailed description of the  
4 proposed project and several associated framework plans.  
5 Those kind of framework plans include, gosh, reclamation  
6 plan, it can include one finalized avian protection  
7 plan. It is just a series of some of the environmental  
8 mitigation plans that are attached to the POD, which is  
9 attached to the ROD.

10          Q.       What other --

11                CHMN. CHENAL: Ms. Hopkins, let me ask a  
12 question here. Is the POD, the plan of development, an  
13 exhibit? Is it an exhibit, first of all?

14                MS. HOPKINS: Yes, Chairman.

15                CHMN. CHENAL: And which exhibit is --

16                MS. HOPKINS: It is B-3 to the application.

17                CHMN. CHENAL: The application which we received  
18 on the flash drive?

19                MS. HOPKINS: Yes.

20                CHMN. CHENAL: So we don't have a paper copy of  
21 it.

22                MS. HOPKINS: That's correct.

23                CHMN. CHENAL: Okay. From, I believe,  
24 representation of counsel yesterday or the day before,  
25 the plan of development will apply to the entire

1 Southline project, including both the new build and the  
2 upgrade section, is that correct?

3 MS. HOPKINS: Yes. In fact, that's the  
4 questions that we are getting to next, if we can.

5 CHMN. CHENAL: I am just anticipating. This  
6 doesn't happen all the time, but that's good. Okay, I  
7 will be patient.

8 BY MS. HOPKINS:

9 Q. So just to clarify, the standards that would  
10 apply to the agency grant of right-of-way are those that  
11 are contained in the plan of development, or POD?

12 A. (BY MS. BELLAVIA) Yes.

13 Q. And what other state and federal requirements  
14 apply?

15 A. (BY MS. BELLAVIA) As in the BLM's Record of  
16 Decision, the ROD also requires Southline and Western to  
17 meet the requirements of other major authorizing  
18 agencies for the project, whether that's federal or  
19 state permits, licenses, approvals, and consultations.  
20 And they reference Table 1-5, found on pages 20 through  
21 23 of the final EIS.

22 Q. And what terms, conditions --

23 CHMN. CHENAL: Let me interrupt again. I am  
24 sorry.

25 Ms. Bellavia, are you reading from a portion of

1 Exhibit STL-29?

2 MS. BELLAVIA: Yes, I am. That was under state  
3 and federal legal requirements, B-14.14.

4 CHMN. CHENAL: B-14.15?

5 MS. BELLAVIA: B-14.14.

6 CHMN. CHENAL: That's why I am anticipating,  
7 because I am on the next page.

8 Thank you. I will wait until you get to the  
9 next page.

10 BY MS. HOPKINS:

11 Q. Turning to the next page, on B-14.15, what  
12 terms, conditions, and stipulations apply to the grant  
13 of right-of-way?

14 A. (BY MS. BELLAVIA) Sure. So we will go through  
15 these. Since you have them before you I won't read them  
16 verbatim, but I will summarize.

17 The BLM's decision in this case is contingent  
18 upon Southline and Western meeting all terms and  
19 conditions and stipulations for federal lands listed  
20 before. So it then goes on to list that any of the  
21 construction procedures and mitigation measures, as in  
22 the ROD, are part of the decision, and the accompanying  
23 plan of development, POD, and accompanying framework  
24 plans, that those apply to those federal lands.

25 It indicates that Southline and Western will

1 comply with the stipulations of the right-of-way grant  
2 for BLM Lands. It indicates what the process will be  
3 for actually starting construction on a project via the  
4 notice to proceed process. It talks about how the  
5 proponent committed environmental measures, which we  
6 refer to as PCEMs, essentially that those apply to both  
7 agencies.

8 It indicates that they will comply with the  
9 terms, both agencies will comply with the terms of the  
10 programmatic agreement, which I mentioned earlier, is  
11 kind of the summary agreement as a result of  
12 consultation with Tribes and how impacts to cultural  
13 resources will be dealt with.

14 Q. And just to clarify the record, I think you said  
15 both agencies have agreed to. I believe it is  
16 Southline, or it states Southline and WAPA.

17 A. (BY MS. BELLAVIA) I am sorry. Yes, Southline  
18 and WAPA, not both agencies, correct.

19 Q. Please continue.

20 A. (BY MS. BELLAVIA) And finally, the Record of  
21 Decision is contingent upon Southline complying with the  
22 memorandum of understanding with the Arizona Game & Fish  
23 Department for the Crane Lake relocation and those  
24 development plans.

25 MEMBER BINGHAM: Mr. Chairman.

1 CHMN. CHENAL: Member Bingham.

2 MEMBER WILLIAMS: I have some questions about  
3 the Crane Lake relocation project. Would you be the  
4 right person?

5 MS. BELLAVIA: Depends on the questions.

6 MEMBER WILLIAMS: It might require some  
7 research, so maybe I should ask them now.

8 MS. BELLAVIA: Okay.

9 MEMBER WILLIAMS: So I am looking at this packet  
10 that was given to us, I think on the first day. And I  
11 don't know if this is entered as an exhibit or not, this  
12 packet of maps and diagrams.

13 And as I look at it, I tried to find the well  
14 that is mentioned, the existing well that is going to be  
15 replaced. And I think that the location on this map is  
16 wrong. It is listing it as Section 11, 25 South, Range  
17 15 East. And I don't think that our townships go that  
18 far south. But if I reverse it and use Section 11,  
19 Township 15 East, and Range 25 -- excuse me, 15 South  
20 and Range 25 East, then it makes more sense. So someone  
21 might want to change that.

22 Also, I don't see a well registration number for  
23 the existing well. That would have been helpful, but I  
24 think I found that.

25 And so the reason I have questions about this is

1 that the Willcox area is in the Cochise planning area.  
2 And that is an area right now where the Department of  
3 Water Resources has been tasked by the governor to meet  
4 with local stakeholders regarding current and future  
5 demands for water. And we have been meeting with them  
6 since earlier this year; we just had a meeting  
7 yesterday, as a matter of fact.

8 And the reason we are meeting with them is that  
9 that is an area of significant groundwater decline.  
10 And, in fact, the well that I think we are talking about  
11 here, which I believe is Well Registration No. 628226 --  
12 maybe you can confirm that with Game & Fish -- is also a  
13 monitor well for us in our groundwater site index.

14 For people that don't know, the Department of  
15 Water Resources gets permission from well owners to go  
16 onto their property and measure the depth of groundwater  
17 to groundwater. And we do this over the years so we can  
18 track the conditions of the aquifer.

19 This well has had a decline of 105 feet in the  
20 last -- well, since 1990. And so this area that is kind  
21 of known as the Kansas Settlement area, or is nearby, is  
22 one of the areas with the worst groundwater decline. So  
23 that's why I am kind of asking which well are we talking  
24 about.

25 And then another question I have is: Do we

1 know, do you have an estimate of how many acre feet per  
2 year that well will need to pump for these lakes?

3 MS. BELLAVIA: I am probably not the right  
4 person to answer that, but my colleague, DeAnne, who has  
5 not introduced herself yet, but she is a hydrologist by  
6 training. So is it possible to defer to her to answer  
7 that question?

8 MS. RIETZ: As far as the acre feet, that is  
9 something that we would need to look into. I do know  
10 that the Game & Fish have been using the water for the  
11 existing Crane Lake, and the existing Crane Lake and the  
12 proposed new Crane Lake are the same size.

13 And the existing Crane Lake will be  
14 decommissioned, so it is my understanding that there  
15 will not be any greater amount of water to be used than  
16 what has been used in the past for Crane Lake. But as  
17 far as the exact acre feet, that is something that we do  
18 need to look into.

19 MEMBER WILLIAMS: Okay. And don't get me wrong,  
20 I think this is a great idea. This is a much better and  
21 nicer area. And I know that bird viewing and wildlife  
22 viewing is a very important part of the economy there.  
23 So don't get me wrong, I am not against that.

24 But is the source -- what is the source of water  
25 for the existing Crane Lake?

1 MS. RIETZ: It is the well that's there.

2 MEMBER WILLIAMS: It is.

3 MS. RIETZ: They use that well. There is -- you  
4 can see it on an aerial. There is like a pipeline. So  
5 they pump the water. They pipe it off -- it would be  
6 like northwest of the well -- into Crane Lake. And  
7 that's what they do now. So it would be the same  
8 source.

9 MEMBER WILLIAMS: Okay. I must have misread or  
10 misremembered, because I thought that somewhere I read  
11 that effluent was the source, or tailwater. Maybe not.  
12 But that's fine. So that's good.

13 And do you know if for this relocation, or maybe  
14 do you know for the existing lake, is the existing lake  
15 lined? Are there plans to line the new lake?

16 MS. RIETZ: I do know that. There has been some  
17 geotechnical work done that was just completed last week  
18 or the week before by a local engineering firm. And  
19 that is one of the things that they are testing for, to  
20 see if the lake will drain, if they do need to consider  
21 putting a liner in it, or something that -- so that  
22 testing has been done, but it hasn't been determined  
23 yet. They are working with Game & Fish on that.

24 MEMBER WILLIAMS: Okay. And do you know, it is  
25 certainly not required, but at this stage -- or it

1 wouldn't be ever, because it is not inside of an active  
2 management area, but do you know if they have done a  
3 well impact analysis? In other words, could the  
4 potential drawdown from this well affect other  
5 neighboring wells?

6 MS. RIETZ: I do not know. I don't know.

7 MEMBER WILLIAMS: And the reason, again, I ask  
8 is that this was one of the areas where people had been  
9 calling and telling us that their domestic wells are  
10 going dry. And we actually have a portal on our website  
11 that allows people to report that. And the last time I  
12 checked that -- and these are not updated numbers -- we  
13 had 60 people in the Willcox area. Now, how many of  
14 them are close to this, I couldn't tell you. But it is  
15 an area we are concerned about.

16 Do you know if Game & Fish has any plans to  
17 meter their withdrawals from that well? They are not  
18 required to, but I don't know. Do you know?

19 MS. RIETZ: I don't know that either. I'm  
20 sorry.

21 MEMBER WILLIAMS: Okay. I think that answers  
22 all my questions.

23 MS. HOPKINS: Member Williams, we can find the  
24 answer to many of those questions for you. And the  
25 Willcox wildlife area, including near the Crane Lake, we

1 will be visiting on the tour in Willcox, and that seems  
2 an appropriate time to answer many of those questions.

3 MEMBER WILLIAMS: Okay, thank you.

4 CHMN. CHENAL: Member Noland.

5 MEMBER NOLAND: Just to follow up on that, I  
6 would also like to be pointed to the number of acre feet  
7 of water that are used in the current Crane Lake and  
8 will be used in this Crane Lake, and whether there is  
9 similar runoff into both places. So if you could put  
10 your hands on that, I would like to have that number.

11 MS. HOPKINS: We will certainly undertake that.

12 CHMN. CHENAL: Before we pick it up again, was  
13 there anything further from the Committee? Any other  
14 questions from the Committee?

15 (No response.)

16 CHMN. CHENAL: Thank you very much.

17 A question. The POD, how extensive a document  
18 is that? I looked at that in the flash drive.  
19 Unfortunately, I have an iPad down here and I can't  
20 access it. So I want to look at that. Does the  
21 applicant have a hard copy?

22 MS. HOPKINS: Yes, Mr. Chairman, we have.

23 CHMN. CHENAL: And I see Mr. Guy is getting a  
24 workout.

25 MS. HOPKINS: We have a copy available here for

1 you to review in hard copy.

2 CHMN. CHENAL: Okay. Okay. Well, 2:00 in the  
3 morning I will have something fun to read, I guess.

4 MS. BELLAVIA: So to answer your question,  
5 though, the actual decision part of that 600 pages is  
6 fairly short. I think it is 10, 15 pages, 20 pages at  
7 the most. And then the POD itself is inside the 500,  
8 600 page range, so easy reading.

9 CHMN. CHENAL: Thank you.

10 BY MS. HOPKINS:

11 Q. And just to get us back to where we were, some  
12 context, we just went through the BLM ROD, the terms,  
13 conditions, and stipulations that apply to the grant  
14 with the right-of-way upon which the decision was  
15 contingent that Southline and Western would meet all of  
16 those terms and conditions. And can you tell the  
17 Committee where on the project those terms and  
18 conditions and stipulations apply?

19 A. (BY MS. BELLAVIA) The terms, conditions, and  
20 stipulations in the BLM's Record of Decision apply to  
21 the portions of the project on BLM land.

22 CHMN. CHENAL: Let me stop right there. So of  
23 the new build portion in Arizona, what portion is that  
24 of the new build route?

25 MS. BELLAVIA: In Arizona?

1 CHMN. CHENAL: Yes.

2 MS. BELLAVIA: Approximately one mile, 1.5.

3 CHMN. CHENAL: 1.5 miles.

4 MS. HOPKINS: Of the new build.

5 MS. BELLAVIA: Oh, of the new build.

6 MS. HOPKINS: That's okay. We can -- it may be  
7 for another witness. I believe that Ms. Bellavia was  
8 referring to the upgrade section. There is  
9 approximately 1.5 miles of BLM land on the upgrade  
10 section, as we discussed previously. There is  
11 significantly more in the new build section.

12 CHMN. CHENAL: Can you --

13 MS. HOPKINS: It is roughly a third.

14 CHMN. CHENAL: Roughly a third, okay. So as a  
15 practical matter -- this touches on what we talked about  
16 already. As a practical matter, is Southline intending  
17 to follow the conditions, stipulations, and requirements  
18 in the plan of development on all of the new build  
19 section?

20 MS. HOPKINS: Mr. Chairman, I might let you just  
21 examine my witness. That's my next question.

22 BY MS. HOPKINS:

23 Q. Can you tell us whether Southline has agreed to  
24 implement the terms and conditions on the entirety of  
25 the project?

1 A. (BY MS. BELLAVIA) Yes. My understanding is  
2 that they have agreed to that.

3 Q. And what has WAPA agreed to? Let me strike  
4 that.

5 We have talked about the PCEMs at some length.  
6 I would like to introduce the table that includes all of  
7 the PCEMs, which are the environmental measures,  
8 mitigation measures that Southline and WAPA have agreed  
9 to. And this is also extracted from the BLM ROD POD.

10 CHMN. CHENAL: Will this, ROD POD, will this be  
11 a separate exhibit?

12 MS. HOPKINS: Yes. This is a separate exhibit.  
13 We have marked this as Exhibit 29 -- excuse me, STL-30.

14 CHMN. CHENAL: STL-30. ROD POD.

15 MS. HOPKINS: Stop using words and start using  
16 letters entirely.

17 CHMN. CHENAL: Are you offering that?

18 MS. HOPKINS: Yes, I would like to offer STL-30,  
19 ROD POD PCEM.

20 CHMN. CHENAL: All right. Exhibit 30 is in.

21 (Exhibit STL-30 was admitted into evidence.)

22 BY MS. HOPKINS:

23 Q. So Ms. Bellavia, you have a copy of the PCEMs in  
24 front of you. Can you confirm that this is included in  
25 the BLM ROD POD?

1 A. (BY MS. BELLAVIA) Yes. These are the  
2 environmental measures, PCEMs, as in the ROD POD.

3 Q. And again, can you confirm for the Committee  
4 that Southline and -- or who has committed to these  
5 PCEMs?

6 A. (BY MS. BELLAVIA) Southline has committed to  
7 them, BLM has committed to them, and WAPA in their  
8 decision committed to them.

9 Q. And so again, one more time, Southline and WAPA  
10 have committed to implement the PCEMs across the  
11 entirety of the project, including the upgrade section?

12 A. (BY MS. BELLAVIA) Correct.

13 Q. And I would like to refer you to Exhibit 19  
14 again, please, the WAPA ROD.

15 A. (BY MS. BELLAVIA) Yes.

16 Q. And if you could look on the -- this is the  
17 first page of Exhibit 19. It is the third paragraph  
18 beginning with Western has selected the agency preferred  
19 alternative. Can you please read that sentence --

20 A. (BY MS. BELLAVIA) Yes.

21 Q. -- and the next one.

22 A. (BY MS. BELLAVIA) Yes. Western has selected  
23 the agency preferred alternative identified in the final  
24 EIS as the route for the project. This decision on the  
25 route will enable design and engineering activities to

1 proceed.

2 I assume you want the next sentence?

3 Q. Yes. I am sorry, keep going.

4 A. (BY MS. BELLAVIA) This ROD also commits Western  
5 and Southline Transmission, LLC, Southline, to implement  
6 the proponent-committed environmental measures, PCEMs,  
7 as identified in Table 2-8.

8 Q. Thank you.

9 I would like to clarify something that has been  
10 discussed previously. I believe that there may have  
11 been some confusion about what Southline is asking for  
12 approval for regarding the route. It is maybe based on  
13 our use of loose language, so I want to clarify.

14 Can you please clear that up for us,  
15 Ms. Bellavia?

16 A. (BY MS. BELLAVIA) Sure. I think your question  
17 is regarding some of the -- providing clarity around the  
18 study corridor and whether the decision here is to look  
19 at a route within that corridor or within a certain  
20 right-of-way.

21 At least from how we analyzed things in the EIS  
22 and our intention in describing them in the application  
23 was that this study corridor really is a study area  
24 intended to look at the broader environment within, and  
25 that the intention is not to potentially have a route

1 within that, say, two-mile corridor, you know, where the  
2 route could move a mile west or east.

3 The route as depicted in this application, and  
4 also in the EIS, is as proposed, and those were  
5 memorialized in the agency decisions as located on maps,  
6 not subject to change. Maybe, I mean there are some,  
7 there is some language in the decisions where, if there  
8 is a need to, from the perspective of engineering, make  
9 a minor micrositing alignment and/or through  
10 negotiations with landowners, but really the intent is  
11 as depicted on the maps. That's the route requested.

12 Q. And the right-of-way requested is 200 feet in  
13 the new build and 150 feet in the upgrade, is that  
14 correct?

15 A. (BY MS. BELLAVIA) 200 feet in the new build,  
16 150 in the upgrade, with a few exceptions where they  
17 would, where Western would attempt to stay within our  
18 current right-of-way.

19 CHMN. CHENAL: I have a question. I think there  
20 was a little confusion in the record on what that study  
21 corridor really -- the preliminary indications of the  
22 study corridor. I took it from the application that you  
23 are asking for a very specific right-of-way as outlined  
24 in the application.

25 Now, there may be some wiggle room in the RODs

1 issued, you know, by WAPA and the BLM. But in the CEC  
2 issued by this Committee -- this gets back to Member  
3 Haenichen, I mean the cart before the horse. They  
4 can -- you know, we don't have jurisdiction over the  
5 WAPA line, but we do have jurisdiction over the entirety  
6 of the new build. This is the part that's in the  
7 application.

8           So I mean I think, to get back to Member  
9 Haenichen's point, it really is a recommendation of the  
10 BLM, you know, and WAPA for the new build section, which  
11 is under our jurisdiction. So I think we have to  
12 address at some point this issue of wiggle room and how  
13 the -- I accept that there is some flexibility in the  
14 RODs to moving a line. But if we approve a CEC with a  
15 specific right-of-way that's absolutely concrete in  
16 stone, I don't think the applicant gets to go then and  
17 refer to the ROD to make these changes, these  
18 microchanges, if you will, where our CEC for the new  
19 build section that's under our jurisdiction is specific.

20           So I think we need to address that in some  
21 fashion. And since Ms. Bellavia clarified that the  
22 study area doesn't really give license to move the  
23 right-of-way within that study area, I also think it is  
24 fair to say that our -- and I will go back to Member  
25 Woodall's comments yesterday about wanting specificity

1 in the description of the CEC. I think we have to, you  
2 know, at least address that in some fashion.

3 This is a long line, and I expect that there may  
4 be some areas where, you know, you want maybe, maybe  
5 there should be, I am not suggesting there will be, but  
6 maybe there should be some flexibility to account for  
7 that. But I know some of the members have brought up  
8 questions in this and other cases very sensitive to  
9 that, especially with respect to residences.

10 So I guess I am throwing that out as a general  
11 issue. I thought that was the time to do it.

12 And, Member Noland, I am sure you have something  
13 to say.

14 MEMBER NOLAND: Yes, I do. Not only along the  
15 line, but the right-of-way as it runs into the proposed  
16 substation sites. And that's partially why I was asking  
17 questions about that. We are not going to say, oh, you  
18 can have 200 feet anywhere within this 180 acres. It  
19 does affect private property in some cases, and then in  
20 others not. And we just need more information in the  
21 new build section especially, but even I think in the  
22 WAPA area. Of course, we are not considering that. But  
23 then there is the new build area, yes.

24 So if there is any expansion or addition to the  
25 substation area, we want to lock down as best we can the

1 right-of-way in that area, but giving you some  
2 flexibility based on different landowners.

3 MS. HOPKINS: Sure. And we intend to provide a  
4 detailed map with our proposed CEC that will address, I  
5 think, these concerns, and a description of the line as  
6 we propose it. And we will also undertake to ensure  
7 that you have the information regarding the land  
8 ownership around the substation expansion area as well.

9 CHMN. CHENAL: Okay. Thank you very much. I  
10 think that would be very, very helpful.

11 And I don't take it that this Committee is  
12 trying to make your life more difficult and jump through  
13 a bunch of needless hoops, but there is a very good  
14 sensitivity by this Committee about the property rights  
15 of, you know, the people this line is going to impact,  
16 and you don't want them to be guessing where this is  
17 going to be.

18 MS. HOPKINS: Sure.

19 CHMN. CHENAL: I think you can appreciate that.

20 MS. HOPKINS: And I will also add that the  
21 applicant will comply with any certificate that is  
22 issued by this Committee.

23 BY MS. HOPKINS:

24 Q. Thank you, Ms. Bellavia.

25 I would like to switch gears now if I can.

1 Member Woodall had a question earlier in the week  
2 regarding environmental justice, and Ms. Bellavia is the  
3 appropriate person to address that. And so I would like  
4 her to go ahead and address the question that Member  
5 Woodall had.

6 A. (BY MS. BELLAVIA:) Just give me a moment to  
7 pull up my paperwork.

8 So I think Member Woodall's question was, you  
9 know, were there any environmental justice communities  
10 identified along the proposed routes, some version of  
11 that. And the answer to that question, you know, in the  
12 environmental impact statement, as required by federal  
13 law, we did undertake an environmental justice analysis  
14 using criteria established by the EPA for defining  
15 environmental justice communities, which is basically  
16 looking at ethnicity and poverty status.

17 And so sort of using the criteria outlined by  
18 the EPA, really there were -- and then we looked at that  
19 information, pardon me, at the census tract level within  
20 the full extent of the counties that were located. We  
21 looked at the county level, at the census tracts. And  
22 there were really a number, actually a number of census  
23 tracts that were considered environmental justice  
24 communities along all the alternatives. There didn't  
25 seem to be an extraordinarily high number for any

1 alternative; they sort of existed in pockets across all  
2 the others.

3 And, though, when you, in NEPA, when you  
4 consider impacts to environmental justice communities,  
5 it is not just do they exist, it is looking at will they  
6 be -- what are the impacts and will those impacts be  
7 disproportionately happening.

8 And so there is a lengthy section in the EIS  
9 considering those communities and what the potential  
10 effects would be. And essentially it is the position of  
11 the BLM and WAPA that, while some of those communities  
12 existed along all the routes, that there would be no  
13 disproportionate or adverse effects to those  
14 communities. Any of the impacts would sort of happen  
15 across the whole line, and specifically Member Woodall  
16 referenced this, you know, short-term impacts such as  
17 noise and vibration during construction and those types  
18 of things that really any individual might experience  
19 throughout the process. So it was analyzed in the EIS,  
20 and there definitely are communities across all of the  
21 alternatives.

22 MS. HOPKINS: Thank you.

23 CHMN. CHENAL: Excuse me.

24 Member Hamway.

25 MEMBER HAMWAY: Are there any environmental

1 justice neighborhoods in the new build?

2 MS. BELLAVIA: Yes, in both the new build and  
3 upgrade.

4 MEMBER HAMWAY: Okay. So will we see those,  
5 what those are? Is that in one of those big binders?

6 MS. BELLAVIA: It is not in the map in that  
7 environment impact statement, but I am sure --

8 MS. HOPKINS: I am sure we can get that  
9 information and provide it to you as well.

10 BY MS. HOPKINS:

11 Q. Ms. Bellavia, do you have an opinion about the  
12 environmental compatibility of the route selected by BLM  
13 and WAPA through Arizona, based on your expertise and  
14 EIS analysis?

15 A. (BY MS. BELLAVIA) Yes. Yes, I have an opinion.  
16 Our work in reporting with BLM and WAPA, one thing those  
17 agencies are required to do is describe the  
18 environmentally preferred alternative and, if it is not  
19 the one selected in the EIS, to describe why.

20 And if you ever read the 2,000 pages of the EIS,  
21 you will see that indeed we describe why the selected  
22 alternative was not actually the environmentally  
23 preferred alternative from one main reason. And that  
24 was the environmentally preferred alternative would have  
25 been the red route that came -- it is not on this map,

1 but would have come around this way, around Willcox  
2 Playa. And the reason for it being environmentally  
3 preferred was because of those potential Sandhill crane  
4 and avian impacts along that what is now the selected  
5 route, but with the application of mitigation via Crane  
6 Lake relocation, the BLM and WAPA felt those  
7 alternatives essentially were environmentally equal.  
8 And that was my opinion and that was based on our  
9 analysis.

10 Q. And for every other section of the selected  
11 route, was it equivalent with the environmentally  
12 preferred route?

13 A. (BY MS. BELLAVIA) Yes. In every other  
14 situation, in every other alignment it is considered the  
15 environmentally preferred.

16 Q. Thank you.

17 CHMN. CHENAL: Member Noland.

18 MEMBER NOLAND: Thank you.

19 So on the preferred portion that you were just  
20 discussing that didn't get selected, was that along an  
21 existing utility route?

22 MS. BELLAVIA: I believe that there is a 69kV  
23 line here. It is a smaller distribution line that  
24 parallels a portion of the west side of Willcox Playa  
25 running into the AEPCO substation. I think you will be

1 able to validate that on your field trip. But I believe  
2 there is a fairly small distribution line coming in  
3 there.

4 MEMBER NOLAND: Okay. And this has nothing to  
5 do with that. I just am going to make an observation  
6 that in our SunZia deliberations and information, not  
7 once did we -- do I remember hearing anything about the  
8 Buffalo Soldier Range being a problem. I mean, as it  
9 has been presented here, that even nearby, which would  
10 have included part of that area, that that would be a  
11 problem with the electronic transmissions.

12 So it seems that it wasn't that important to  
13 Department of Defense or Fort Huachuca or whoever it is  
14 when we were doing the SunZia case, but now it is  
15 vitally important in this case. Nothing to you, you  
16 don't have to answer that. I am just making an  
17 observation.

18 MS. BELLAVIA: I believe I can supplement that a  
19 little bit. I can't speak for the SunZia project; we  
20 did not work on that. I read part of that document,  
21 obviously not the whole thing. But my understanding is  
22 this thing was actually a significant issue, and at  
23 least through their EIS process, in fact, they conducted  
24 a pretty detailed electronic, you know, interference  
25 testing report that I believe was considered in the EIS.

1           So my understanding of that project was that it  
2 was an issue for SunZia in their EIS similar to  
3 Southline. That's my impression.

4           MEMBER NOLAND: Thank you.

5 BY MS. HOPKINS:

6           Q. Ms. Bellavia, I would like to now walk through a  
7 couple of additional maps that we have included in the  
8 map book for the Committee.

9           We have looked at Map 11 now several times. And  
10 it -- do you have a map book in front of you? There you  
11 go.

12           Map 11 is a map of the CEC proposed route  
13 depicting land ownership. Can you generally walk the  
14 Committee through this map?

15           A. (BY MS. BELLAVIA) Through the route or through  
16 the land ownership?

17           Q. The land ownership.

18           A. Okay. Got it.

19           So here, this blue line on this map is the new  
20 build select alternative coming in, you know, into  
21 Arizona east-west, down and around Willcox Playa into  
22 Apache. On this map anything yellow is BLM land, blue  
23 is state land, green is Forest Service lands, pink is  
24 usually military, as I recall, and orange is Tribal.  
25 And I am not sure what purple is. I will read the

1 legend. Oh, National Park Service and Fish & Wildlife.

2 So the preferred route coming east-west into the  
3 state and then dropping down into Willcox Playa crosses  
4 some federal land here, private and state coming around  
5 in the substation at Apache.

6 And then exiting Apache, right in this area  
7 there is a little slice of BLM land. And then it  
8 crosses a half mile of Forest Service land, and then  
9 again crossing state, private, and kind of mixing state  
10 and private up through into the kind of southern part of  
11 Tucson.

12 And this orange, as I mentioned, is Tribal land.  
13 That's the Tohono O'odham Nation. And Western has an  
14 existing right-of-way across their lands for their  
15 current line. And then the land you can see here, the  
16 upgrade would, for the most part, traverse private land  
17 and then state lands up into the Saguaro substation  
18 where there is a little bit of mixed BLM, state, and  
19 private in the area.

20 Q. Thank you.

21 Please turn to Map 12. What does this map  
22 depict?

23 A. (BY MS. BELLAVIA) This map depicts the CEC new  
24 build route. So again, you can see this is New Mexico  
25 still over here. And then as it turns to head

1 east-west, again you can see a little closer view of the  
2 federal land, BLM lands across here, and then, once it  
3 crosses I-10, mixed state and private, wrapping  
4 around -- these are the Dos Cabezas Mountains, and then  
5 it heads south, and again here traversing a mix of state  
6 and private.

7 Q. Thank you.

8 Turning to Map 13, what does this map depict?

9 A. (BY MS. BELLAVIA) So this map is a continuation  
10 of the one we were looking at, the map previously. We  
11 were already kind of heading south here through state  
12 and private lands, again kind of crossing a mix of state  
13 and private on the southeast side of Willcox Playa.  
14 Hence the wildlife area is kind of right around here and  
15 shows up as blue, owned by the state, and then into the  
16 Apache substation in here.

17 And then as the line sort of starts to head  
18 west, exiting that substation, that little slice of BLM  
19 land is kind of right in here -- you can see it on your  
20 map, it is just above the inset -- and then again  
21 traversing state and private lands as it heads west.

22 Q. Thank you.

23 Turn to Map 14. Please tell us what these maps  
24 depict.

25 A. (BY MS. BELLAVIA) So these are some overview

1 and inset maps of the CEC upgrade route. So here you  
2 can see the Pantano substation exits, and then a zoom in  
3 here where you can see the expansion area kind of to the  
4 north and west of there. And that looks to be located  
5 on state lands.

6 And then the second panel here is the Vail  
7 substation and the connection to it. And it looks to be  
8 located on or near state and private land, and the  
9 connection, the line crossing what looks like state  
10 land.

11 Q. And thank you.

12 Turning to Map 15, what do these maps depict?

13 A. (BY MS. BELLAVIA) These maps depict the Vail  
14 and Tortolita connections. So here on the right you can  
15 see DeMoss Petrie and the WAPA Tucson substation and a  
16 close-up of the Vail substation to the south here.

17 My apologies, out of order. I am starting with  
18 the Vail substation. Looks like it is on the mix of  
19 private and/or state, depending how close you are, and  
20 then up here at DeMoss Petrie looks like primarily  
21 private. And they are -- here on the left we have the  
22 Saguaro and Tortolita substations, a close-up here of  
23 the inset, and again sort of a mix of state and private.

24 And I am referring to land ownership visually.  
25 I am confident we have more specific information about

1 the actuals of whether it is state or private. I  
2 believe that's in the application.

3 MS. HOPKINS: Thank you, Ms. Bellavia.

4 That concludes our direct examination of  
5 Ms. Bellavia.

6 CHMN. CHENAL: All right. Does anyone on the  
7 Committee have any questions of Ms. Bellavia?

8 (No response.)

9 CHMN. CHENAL: All right. Do we now get to the  
10 issue with Mr. Jackson on cross-examination? Well, the  
11 issue is whether we are going to allow --

12 MR. JACKSON: Let me add if I might,  
13 Mr. Chairman, in that regard, and I will work at the  
14 Committee's pleasure in this regard, but I think I can  
15 streamline my questions. This panel is going to be back  
16 tomorrow; we can take it up first thing tomorrow. But  
17 if you prefer me to do it now, subject to the ruling,  
18 obviously...

19 CHMN. CHENAL: Well, all right. Let's  
20 hear -- let's hear from the applicant a little further  
21 on the objection, then we will hear from you,  
22 Mr. Jackson.

23 MS. HOPKINS: Thank you, Mr. Chairman.

24 First, we believe that Mr. Jackson's client's  
25 interest is not before the Committee today. It is on

1 the upgrade section of the line which we have not  
2 included in the application and it is not before you.

3 And furthermore, Mr. Jackson stated in his  
4 motion to intervene and at the first day of hearing that  
5 he did not intend to cross-examine witnesses.

6 But most specifically, it is not before the  
7 Committee and we don't think it would add any value.

8 CHMN. CHENAL: Yeah. Mr. Jackson, would you  
9 care to comment?

10 MR. JACKSON: Just a couple comments.

11 CHMN. CHENAL: If you could, speak a little  
12 closer to the microphone.

13 MR. JACKSON: Yes, a couple comments in that  
14 regard. I will just say that there is a little  
15 confusion in our minds from the application as to  
16 whether or not and what specifically they have asked  
17 this Committee to rule upon with respect to my client's  
18 piece of property. I acknowledge that it is not in the  
19 CEC route as it is defined, but for the reasons I spoke  
20 to earlier, we believe this Committee does have  
21 jurisdiction.

22 And just by way of clarification for me, has  
23 there actually been a ruling on jurisdiction with  
24 respect to the, I guess what we are calling the WAPA  
25 upgrade sections of the line, or is that still

1 forthcoming as part of this proceeding?

2 CHMN. CHENAL: I would answer that by saying  
3 this, that there is some limited jurisdiction over  
4 certain portions of the WAPA line consisting of about a  
5 mile and a half, to the extent that this Committee  
6 determines standards that are applicable that may apply  
7 to the portion of the line that's under consideration.

8 So we may come up with some conditions that  
9 arguably would be applicable to a very limited portion  
10 of the WAPA line. WAPA is not a party to this  
11 proceeding, and how those standards get to WAPA may be  
12 for another day. It may be the subject of a condition  
13 asking the applicant to, in good faith effort, supply  
14 them to WAPA. But we haven't gotten to that point.

15 But as to the WAPA line that goes through your  
16 client's development, I say we have no jurisdiction, and  
17 I think the record is pretty clear on that at this  
18 point. Because I don't think the mile and a half of  
19 land that's under the BLM jurisdiction for purposes of  
20 FLPMA doesn't go through your development.

21 MR. JACKSON: Right. And I remember the  
22 comments from yesterday. All I am trying to clarify at  
23 the moment is has that actually been a ruling that has  
24 now been made, or is it something anticipated as a  
25 ruling?

1 CHMN. CHENAL: I think that portion of the  
2 ruling has been made.

3 MR. JACKSON: Okay.

4 CHMN. CHENAL: What we do with the standards,  
5 the state standards under the case law that is developed  
6 through this process and how that implicates a small  
7 portion of the WAPA line maybe has not been -- but I  
8 would say it is pretty clear that, in my mind, anyway,  
9 this Committee does not have jurisdiction over the WAPA  
10 line that goes through your client's development.

11 We have asked you and the applicant to, you  
12 know, negotiate and see if you can come up with  
13 something that may be acceptable to the parties and may  
14 be able to include, maybe -- I mean we have to determine  
15 whether we have jurisdiction to do that, but maybe  
16 include it in the CEC.

17 Now, I will say that the applicant has admitted,  
18 has offered and admitted STL-28, which is comments in  
19 the ROD, I believe it is from the ROD from the EIS, that  
20 relate to your client's development. So on the one  
21 hand, you know, I don't think we have jurisdiction over  
22 any part of the line that affects your client's  
23 property. But on the other hand, we do have an exhibit  
24 in the record that relates to comments made about  
25 Mountain View Ranch, and we have a witness who has

1 testified, you know, in some fashion on those comments.

2 So I think we have been pretty generous with  
3 allowing exhibits to be entered even after the beginning  
4 of the proceeding, and we do have an exhibit that  
5 directly touches on comments made about your client's  
6 property. So having a witness that's already commented  
7 on it, I think it would be highly unfair to say you  
8 couldn't ask the witness questions about that.

9 MR. JACKSON: Right.

10 CHMN. CHENAL: But what that will get you, I  
11 don't know. Because at the end of the day I don't think  
12 we have jurisdiction over the line that runs through  
13 your client's property. And I am rambling a little, but  
14 I hope that clarifies.

15 MR. JACKSON: It does. I appreciate that.  
16 Here, I guess, is my perspective on this. I don't want  
17 to unnecessarily waste the Committee's time by asking a  
18 lot of questions that go to things that exceed your  
19 jurisdiction.

20 That said, I would like to ask some follow-up  
21 questions on the exhibit that was entered today. It  
22 would be helpful to me, and I think ultimately save some  
23 time for the Committee, if I had this evening to study a  
24 little more closely and condense my questions, if the  
25 panel is going to be back anyway tomorrow. If not, I

1 can make it through it today.

2 But I would also only add this, in that I think  
3 in some ways my client is the only voice of some of the  
4 private interests that portions of this line are  
5 crossing, including the portions you are considering. I  
6 wouldn't presume to be speaking for all of them or  
7 presume it will be helpful to the Committee, but perhaps  
8 some of the testimony that we develop in a very short  
9 set of questions might be of some benefit considering  
10 those, that --

11 CHMN. CHENAL: Okay. We will -- my feeling is  
12 we will allow you some leeway tomorrow to ask some  
13 questions. But again, I mean if you ask some questions  
14 about how the line impacts, you know, personal property  
15 rights over a line that we have no jurisdiction over, I  
16 mean it is not going to get anywhere.

17 MR. JACKSON: And I am cognizant of that, and I  
18 will endeavor to condense my questions with that  
19 viewpoint.

20 CHMN. CHENAL: I am not trying to be difficult,  
21 but you can condense the question down to one question,  
22 and it may not get you anywhere, because if it doesn't  
23 affect -- if it is not a part of the line we have  
24 jurisdiction over, I am just not sure where that goes.

25 But we will allow a little leeway tomorrow

1 because, you know, there is something in the record that  
2 does address your client. There has been a little  
3 testimony on it. So I think it would be unfair to  
4 deprive you of that opportunity.

5 MR. JACKSON: Okay. Appreciate that. And I  
6 will be prepared to be concise --

7 CHMN. CHENAL: Thanks.

8 MR. JACKSON: -- tomorrow.

9 CHMN. CHENAL: Mr. Jackson, sure.

10 MS. HOPKINS: Nothing further.

11 CHMN. CHENAL: Okay.

12 This is Ms. Bellavia. Anything further from the  
13 Committee with respect to Ms. Bellavia?

14 (No response.)

15 CHMN. CHENAL: I think I already asked that  
16 question, and I don't see that there is any further  
17 questions from the Committee.

18 So Mr. Guy, do you want to call your next  
19 witness?

20 MR. GUY: We can. It is 4:10 and we are happy  
21 to proceed. I think Ms. Rietz will probably go three or  
22 four hours, but we are happy to start if you would like  
23 to do that today.

24 CHMN. CHENAL: Is anyone in the mood for a  
25 five-minute -- first of all, would we like to hear

1 from --

2 Ms. Rietz or Rietz?

3 MS. RIETZ: Rietz.

4 CHMN. CHENAL: -- Ms. Rietz this afternoon and  
5 use the rest of the day today, given that she is going  
6 to be anticipated taking three or four hours?

7 MEMBER HAMWAY: I think we should start so we  
8 can get done early tomorrow.

9 CHMN. CHENAL: Okay. I tend to agree with that.  
10 The comment was made that we should proceed.  
11 Does anyone have a mind to take a very short five-minute  
12 break?

13 MEMBER HAENICHEN: Sure.

14 CHMN. CHENAL: Let's take a five-minute break,  
15 very short break. We will resume with Ms. Rietz.

16 (A recess ensued from 4:09 p.m. to 4:21 p.m.)

17 CHMN. CHENAL: All right. Let's resume the  
18 afternoon session after that short break, Mr. Guy, with  
19 your next witness.

20 MR. GUY: Thank you, Mr. Chairman.

21

22 DIRECT EXAMINATION

23 BY MR. GUY:

24 Q. Good afternoon, Ms. Rietz. How are you?

25 A. (BY MS. RIETZ) Fine.

1 Q. Good, good. Would you please introduce yourself  
2 for the record.

3 A. (BY MS. RIETZ) Yes. I am DeAnne Rietz.

4 Q. And it might be easier to speak into the  
5 microphone if you hold it, I think.

6 A. (BY MS. RIETZ) Okay.

7 Q. Could you identify for me the presentation we  
8 have up on the screen to the left as the presentation  
9 you prepared for your testimony today?

10 A. (BY MS. RIETZ) Yes, it is.

11 MR. GUY: And for the record, Ms. Rietz'  
12 presentation is Supplemental Exhibit STL-10, which I  
13 believe has been previously admitted.

14 BY MR. GUY:

15 Q. Ms. Rietz, will you tell us a little about your  
16 educational background.

17 A. (BY MS. RIETZ) Yes. I got both my bachelor's  
18 and master's here in Tucson at the U of A. I -- do you  
19 want me to continue?

20 Q. Well, if you have more you want to add, but tell  
21 us about your professional background.

22 A. (BY MS. RIETZ) I have worked as an  
23 environmental research and permitting for 18 years, a  
24 little over 18 years. At first, early in my career I  
25 worked for agencies, Arizona Game & Fish, Natural

1 Resources Conservation Service. But most of my career  
2 has been in the private sector, specifically with SWCA  
3 for over 11 years. And I have worked on the Southline  
4 project since 2011.

5 Q. And what was your role or what is your role in  
6 the Southline project?

7 A. (BY MS. RIETZ) My role is assistant project  
8 manager. And that involves -- we have lots of authors  
9 that contributed to the EIS, so I helped wrangle all  
10 those authors and resource specialists, also helped to  
11 gather all the data that -- there is a massive amount of  
12 data from different agencies, and helped gather that.

13 Q. Thank you.

14 Let's advance the presentation to Slide 4. I am  
15 going to skip over the map. I think the Committee has  
16 heard a number of times the routes.

17 So Ms. Rietz, would you please describe the  
18 statutory environmental criteria that the Line Siting  
19 Committee considers in issuing a CEC?

20 A. (BY MS. RIETZ) Yes. That is the total  
21 environment of the area, the fish, wildlife, and plant  
22 life, existing scenic areas, historic and archeological  
23 sites, the availability for recreational purposes,  
24 existing plans, noise and interference, and additional  
25 factors.

1 Q. Thank you.

2 And how was the NEPA environmental analysis that  
3 Ms. Bellavia testified to incorporated into Southline's  
4 CEC application?

5 A. (BY MS. RIETZ) All the environmental analysis  
6 was taken to be used in the CEC, and then we updated the  
7 data to be more current and we narrowed, focused the  
8 scope to be just to the CEC portion.

9 Q. And after updating and analyzing that material,  
10 what did SWCA conclude?

11 A. (BY MS. RIETZ) Yes. After looking at  
12 everything, we did conclude that the proposed route  
13 would be environmentally compatible.

14 CHMN. CHENAL: Excuse me.

15 MEMBER HAMWAY: I just had a quick question for  
16 clarification. So the previous environmental analysis  
17 that was incorporated, was this done by another company?  
18 Was this done with existing past projects? I mean, when  
19 you say you looked at previous environmental analysis,  
20 what is that?

21 MS. RIETZ: I am sorry. All the previous  
22 analysis that was done in the EIS for this specific  
23 project.

24 MEMBER HAMWAY: Oh, this project, okay. Thank  
25 you.

1 MS. RIETZ: Yes.

2 BY MR. GUY:

3 Q. And Ms. Rietz, I wanted to look at your second  
4 bullet point there where you state that Southline has  
5 committed to the proponent committed environmental  
6 measures. There are PCEMs in both the EIS and in the  
7 BLM ROD. I don't want to get into details, but are  
8 those PCEMs the same?

9 A. (BY MS. RIETZ) Correct, they are the same.

10 Q. And you concluded that the project is compatible  
11 with the environmental factors. And can you tell us  
12 more about how you reached that conclusion?

13 A. (BY MS. RIETZ) Yes. After looking at the full  
14 range of alternatives, looking and considering the full  
15 suite of the PCEMs, and the fact that the PCEMs would  
16 serve to both reduce and/or avoid environmental effects,  
17 and that they were conditions of the RODs and of the BLM  
18 and WAPA RODs, and that Southline is committed to those  
19 PCEMs across the entire project, that is how we came to  
20 that conclusion.

21 Q. Thank you.

22 I want to go through some of the factors that  
23 you consider. How did you analyze the visual resources  
24 and affects of the project on visual resources?

25 A. (BY MS. RIETZ) Okay. We looked at -- in the

1 beginning, when we started doing the visual analysis,  
2 first the specialists went in the field. They went in  
3 the field to look at the existing landscape to identify  
4 what we call key observation points, or KOPs.

5 Then they took that information and created what  
6 we call the viewshed, which is kind of like, you can  
7 think of it like a study area for visual effects. And  
8 the viewshed, they take into consideration everything  
9 that's out there, the land form, the topography, things  
10 like that.

11 And they break it down into three zones in that  
12 viewshed, and that's the background, foreground, and  
13 seldom seen. And so the analysis is based on all of  
14 those different zones and what a viewer can see from  
15 different areas along the project route.

16 Another thing that they did is -- well, I just  
17 want to say that in looking at the landscape in general,  
18 the new build portion of the landscape is more open,  
19 more vistas, things like that. And in general, the  
20 upgrade portion is more on the urban environment and  
21 unable to see the far distances.

22 Q. Thank you, Ms. Rietz.

23 And I see the title refers, at least part of  
24 this slide refers to Exhibit E-1. Just for  
25 clarification of the record, that's Exhibit E-1 to the

1 application, is that correct?

2 A. (BY MS. RIETZ) Yes, it is.

3 Q. Thank you.

4 And I think you have also maybe used the word  
5 "they" a couple of times in performing the analysis.

6 A. (BY MS. RIETZ) Yeah, our visual resource  
7 specialists. We, sorry.

8 Q. And you described to us what the viewshed was  
9 earlier. How far out in the distance was viewshed for  
10 this project?

11 A. (BY MS. RIETZ) It is ten miles from the  
12 centerline of the project. And the zones that are in  
13 it, the background is five to ten miles, the foreground  
14 is zero to five miles, and then seldom seen areas are  
15 those that are maybe blocked by topographic features and  
16 things like that.

17 Q. And on the right-hand screen there is an image  
18 labeled Map 16 and it has three different colors. Could  
19 you tell us what those colors represent?

20 A. (BY MS. RIETZ) Yes. The kind of buff color,  
21 this is -- well, first I will explain. This is the new  
22 build CEC portion of the ROD, and so we created a  
23 viewshed specifically for the CEC portion. And that was  
24 what was used in the analysis.

25 This is the, you know, the state line to the

1 right, to the east, ending at Apache. So it was  
2 buffered, the viewshed is buffered out, like I said, the  
3 ten miles from the centerline. So the buff color is the  
4 foreground, the zero to five miles. Kind of a gray  
5 color is the background. And then the green is the  
6 seldom seen.

7 Q. Let's go back to Map 16. And just to shore up  
8 with the laser pointer, would you point to the different  
9 colors so we know what you are referring to, not the  
10 entire testimony, just point to the colors you were  
11 pointing to.

12 A. (BY MS. RIETZ) This is the green color I am  
13 referring to. It is kind of scattered, the seldom seen.  
14 The outer ring is the background. The inner ring and  
15 the buff is the foreground.

16 Q. Thank you, Ms. Rietz.

17 We now have a couple of maps on the screen.  
18 Could you please tell us what these maps illustrate?

19 A. (BY MS. RIETZ) So Map 17 is the upgrade portion  
20 of the CEC project. And so they are little bubbles, and  
21 they are around each of the upgrade substations.

22 So in the eastern portion of this map is the  
23 Pantano substation. Then you have got the Vail  
24 substation with the view showing the viewshed, the  
25 DeMoss Petrie viewshed, and then the Tortolita

1 substation viewshed to the north.

2 And here again it is the same color scheme.  
3 Green is the seldom seen. And as you can see where  
4 there is lots of mountains, that shows up quite a bit.  
5 And then the buff is the foreground and the gray is the  
6 background.

7 Q. Thank you, Ms. Rietz.

8 And what visual resources did the project  
9 impact?

10 A. (BY MS. RIETZ) Okay. Part of what we did just  
11 to start looking at the effects of visual and everything  
12 is to classify the landscape that's out there. And it  
13 is classified like A, B, C, things like that.

14 What we found was Dos Cabezas Mountains, those  
15 are the ones out east in the eastern portion --

16 CHMN. CHENAL: Excuse me.

17 Member Bingham.

18 MEMBER BINGHAM: Thank you, Mr. Chairman.

19 So you have A, B, C. What does A represent  
20 versus D?

21 MS. RIETZ: It is just a way for classifying  
22 which -- different landscapes. And here is an example  
23 of what A, B, and C, and D are. These are examples of  
24 what is in there.

25 So the A is the more, more sensitive areas. And

1 then as you can see, like Class D are the urban areas.  
2 They are around Tucson. That would be the less  
3 sensitive, how they classify it is less sensitive. Some  
4 in between, you have got the San Simon Valley and the  
5 Peloncillo Mountains, that's a Class B. The Willcox  
6 Playa area, that's designated as a Class C. So it is  
7 based on sensitivity.

8 MEMBER BINGHAM: Thank you.

9 MS. RIETZ: And then also there is sensitive  
10 viewing areas that were identified along the proposed  
11 project route. Those include the I-10 travel corridor,  
12 because most of the route goes along I-10, the  
13 Peloncillo Mountains, Dos Cabezas Wilderness, Fort  
14 Bowie, which is the historical Fort Bowie in eastern  
15 Arizona, Sulphur Springs Valley, existing rural  
16 communities that are scattered throughout the new build,  
17 the Willcox Playa area, Tumamoc Hill here in Tucson, and  
18 then Tucson Mountain Park, which is beyond Tumamoc Hill  
19 a little bit further west, and then Saguaro National  
20 Park West, which is also in the same general area.

21 BY MR. GUY:

22 Q. What is a visual simulation, and can you  
23 explain?

24 A. (BY MS. RIETZ) Yes. A visual simulation is  
25 kind of a computer-generated rendering of, a depiction

1 of what the project may look like. And for the EIS, we  
2 did several simulations. These are done to scale using  
3 GIS, geographic information system, data. And it takes  
4 into account the elevation, the land forms, existing  
5 conditions that are in the landscape right now. And  
6 then it superimposes a piece of the project onto that  
7 computer-generated photo.

8 Q. I notice on the Slide 11 you have two  
9 photographs. Can you tell us what those photographs  
10 illustrate? I don't see transmission towers in either  
11 one, but tell us if there is supposed to be transmission  
12 towers.

13 A. (BY MS. RIETZ) There are, yes. In the upper  
14 left-hand corner -- I have to think which side. In the  
15 upper left-hand corner is the existing view. So this is  
16 from the Willcox wildlife area, and that was selected as  
17 a KOP, key observation point.

18 So this is the existing view, it is a photograph  
19 taken there. And then what our visual resource  
20 specialists do is they take that photograph, put in all  
21 the data, and put in the line. And this is the  
22 simulated view in the bottom right-hand corner.

23 And off in the distance, this is looking, this  
24 particular one is looking northwest towards the proposed  
25 CEC new build. So that would be the lattice structures.

1 And it is indeed hard to see. But it is to scale, and  
2 they are right on the horizon along here.

3 CHMN. CHENAL: Let me ask Member Haenichen.

4 MEMBER HAENICHEN: Thank you.

5 Just a couple of observations on this. Why --  
6 it looks like they were taken in exactly the same place,  
7 but the colors are very different. How did that occur?  
8 On the grass in particular.

9 MS. RIETZ: When they do the simulization, they  
10 take the existing photograph and then it is computer  
11 generated. So I can see why, how colors could vary.  
12 But the same photograph is used, and then the data  
13 simulized on that.

14 MEMBER HAENICHEN: I realize that. Okay.

15 The second question is: How far away are those  
16 simulated towers from the camera lens?

17 MS. RIETZ: From the camera lens to the lattice  
18 towers it is 1.3 miles.

19 MEMBER HAENICHEN: Okay. Do you have other  
20 simulations showing much closer views?

21 MS. RIETZ: There are other simulations in the  
22 EIS that were done, yes. There were no others that were  
23 in the CEC portion.

24 MEMBER HAENICHEN: Thank you.

25 CHMN. CHENAL: Member Bingham.

1 MEMBER BINGHAM: Thank you, Mr. Chairman.

2 So from that statement am I to assume, though,  
3 there were no other key observation points on the new  
4 build?

5 MS. RIETZ: No, there were other key observation  
6 points in the new build, yes. There was in the EIS, as  
7 Ms. Bellavia stated, all alternatives were looked at in  
8 the same manner. So there was key observation points  
9 and simulations made in some of the other alternatives.  
10 Also there were -- not every key observation point had a  
11 simulization.

12 And so they were specific -- they were chosen  
13 for all kinds of reasons, a multitude of reasons where  
14 the simulation would be. But back in the viewshed maps  
15 that we were looking at, if there was a key observation  
16 point, say, for instance, as an example, that there  
17 would be seldom -- the line would be seldom seen, then  
18 there would really be no reason to do a simulation.

19 MEMBER BINGHAM: Thank you.

20 CHMN. CHENAL: Member Hamway.

21 MEMBER HAMWAY: I am just looking at these maps  
22 trying to figure out exactly where the line is going to  
23 be versus the new relocation of the Crane Lake project  
24 versus where the Willcox wildlife area is. And so all I  
25 have to look at is this little map, and I am trying to

1 figure out where the new line, where the new line goes.

2 MR. GUY: We are -- I am going to skip ahead to  
3 a slide.

4 MEMBER HAMWAY: Where the observation point is  
5 in the Willcox wildlife area.

6 MS. RIETZ: Okay. I think they are going to put  
7 a slide up.

8 Okay. I believe this is -- I am going to  
9 present this later as well. And this is a slide that  
10 Mr. Kipp showed on the first day of testimony. The blue  
11 line is the CEC route, proposed new build. This real  
12 funny shaped area here is the combination of Crane Lake  
13 and the wildlife area existing. And this is where --

14 MR. GUY: And this may not be the right map. If  
15 it is not, if you can think of another one we could look  
16 at, that's fine as well.

17 MEMBER HAMWAY: So --

18 MS. RIETZ: I am sorry.

19 MEMBER HAMWAY: So the new Crane Lake is going  
20 to be directly under the new build?

21 MS. RIETZ: No, no. This is existing.

22 MEMBER HAMWAY: Oh, this is existing. I am  
23 sorry.

24 MS. RIETZ: I am sorry. Okay. To answer your  
25 question where was the photograph taken, okay, it was

1 taken along Kansas Settlement Road, which is, I believe,  
2 right about here, and then looking towards the line.

3 MR. GUY: For the record, this map that we are  
4 referring to is also Map 18 in the map book.

5 CHMN. CHENAL: Member Bingham.

6 MEMBER BINGHAM: Thank you.

7 So from the new Crane Lake looking in that  
8 general direction, do we have anything representing what  
9 that would look like? Is that visible? Will those  
10 lines be visible from the new Crane Lake and all the  
11 observation points being proposed within the new Crane  
12 Lake area?

13 MS. RIETZ: The simulation would be very similar  
14 to what the new Crane Lake is, because that is going to  
15 be along Kansas Settlement Road.

16 MEMBER BINGHAM: Can you point just generally  
17 where the new Crane Lake will be then, just so I can get  
18 a better orientation?

19 MS. RIETZ: My colleague is going to point. So  
20 that's the alignment along --

21 MEMBER BINGHAM: And the distance from new Crane  
22 Lake to the line?

23 MS. RIETZ: In the simulation I know it is 1.3,  
24 so I am assuming that's very close to 1.3 as well.

25 MEMBER BINGHAM: Thank you.

1 BY MR. GUY:

2 Q. So, Ms. Rietz, you were summarizing some of the  
3 visual impacts or the impacts on the visual resources in  
4 this area. Can you finish that summary?

5 A. (BY MS. RIETZ) Yes. We did determine that  
6 there would be some impacts to sensitive viewers. They  
7 would be both temporary and permanent in nature. The  
8 analysis indicated that the impacts to Willcox Playa  
9 would be -- and specifically the wildlife area that you  
10 were asking about -- low to moderate in the immediate  
11 foreground, and would be low beyond one mile.

12 The impacts are anticipated to be highest where  
13 any new structures are introduced into the existing  
14 landscape where there is unobstructed views in the  
15 foreground. And of course, as they get further away, it  
16 would be less impacts; visual impacts will be reduced.

17 When there is other linear existing features in  
18 the landscape, then the viewer -- it is very objective,  
19 but the viewer, it is just not so noticeable when there  
20 is other linear features, like roads or other  
21 transmission lines, the I-10 corridor, things like that.

22 Q. Thank you.

23 And are there any commitments that have been  
24 made by Southline to minimize the visual impacts?

25 A. (BY MS. RIETZ) Yes. There is quite a few

1 PCEMs. I know they handed out the table earlier. And  
2 what is nice about the table, if you look -- let's see.  
3 I don't know if you guys got into this very much when  
4 you were briefly looking at the table, but if you can  
5 see in the first column, it says PCEM standard  
6 mitigation, and you go down and some of them are either  
7 called out by, like named something like WILD-1 or  
8 things like that. That kind of identifies what resource  
9 issue it addressed. But then as you turn onto the  
10 second page and then continue, there is little  
11 subheaders on the table that tell you which PCEMs apply  
12 to which resources. So if you turn to --

13 MR. GUY: For the record, this table is Exhibit  
14 STL-30.

15 MS. RIETZ: So there is some specific -- this is  
16 in alphabetical order, I am assuming, so visual is after  
17 vegetation. I am sorry. Yes, it is on page, of the  
18 exhibit, page B-14.110. That's where the visual  
19 resources PCEMs begin. You can see on the left-hand  
20 side it has a subheader visual resources. Some of them  
21 are named, some of them are not. So there is multiple.  
22 It goes -- it is all of these that are specific to  
23 visual, these PCEMs on the bottom part of this page.

24 This table also off to the right-hand side gives  
25 you an idea of when these mitigation PCEM measures will

1 be applied, what stage of the project, whether it is  
2 preconstruction, construction, operation and  
3 maintenance, or the decommissioning of the project.

4 So, for instance -- and also these are specific  
5 to visual. There is a lot of them, like, you know,  
6 nonspecular colors on conductors and poles and things  
7 like that. But also there is a lot of general  
8 conditions in the beginning on some of the first pages  
9 that would help with the visual as well.

10 Like clearing of vegetation, one of the PCEMs is  
11 to minimize whenever possible the clearing of  
12 vegetation. And when you are looking out onto a  
13 landscape, if vegetation is cleared, that really pops  
14 out; you can really see that. That is considered  
15 temporary impact, but it does take time for the  
16 vegetation to grow back. So not only are these PCEMs  
17 specifically for visual committed to, it is also some of  
18 the other general PCEMs that would help mitigate the  
19 visual impacts.

20 BY MR. GUY:

21 Q. Thank you.

22 And what does nonspecular mean?

23 A. (BY MS. RIETZ) Nonspecular would mean not  
24 showing up so much. I am not quite sure. Not  
25 reflecting light, perhaps.

1 Q. Thank you.

2 Let's switch gears and talk about one of the  
3 other environmental factors, land use. And the effects  
4 of the project on land use is the next slide.

5 A. (BY MS. RIETZ) Yes, land use effects were  
6 analyzed and are in Exhibit H-1. For the entire project  
7 as far as land ownership, there are eight types of land  
8 ownership across the entire project. That includes BLM,  
9 Forest Service, specifically the Coronado National  
10 Forest, U.S. Bureau of Reclamation, Department of  
11 Defense, Arizona State Land Department, Arizona Game &  
12 Fish Department, Pima County lands, and private lands.

13 Q. Thank you, Ms. Rietz.

14 I understand you may have a correction or  
15 revision to text in Exhibit H-1, is that correct?

16 A. (BY MS. RIETZ) Yes. In Exhibit H-1, we found  
17 on page H-11 there needs to be a correction made to  
18 Section IV, Section I-V, Section IV, private entity  
19 plans.

20 Q. And can you state on the record what that  
21 correction is slowly, so those members who want to  
22 correct their copies, they can.

23 And Mr. Chairman, we are happy to provide a  
24 corrected page as an exhibit tomorrow or Monday.

25 A. (BY MS. RIETZ) Okay. In this section, it is

1 after, in the first sentence, after the word lands in.  
2 It says on private lands in. I want to add or in the  
3 vicinity of the proposed project route, and then strike  
4 the rest of the sentence.

5 And then in the last sentence, where it says no  
6 new planned residential subdivisions are identified in,  
7 I want to strike the study area and replace it with or  
8 in the vicinity of the CEC proposed route.

9 Q. Thank you.

10 And could you now read the corrected first  
11 sentence and corrected last sentence.

12 A. Yes. First sentence: No private entity plans  
13 were identified on private lands in or in the vicinity  
14 of the CEC proposed route. No new planned residential  
15 subdivisions are identified in or in the vicinity of the  
16 CEC proposed route.

17 Q. Thank you, Ms. Rietz.

18 So your Slide 14, you went through the ownership  
19 of the project. Can you describe more specifically who  
20 owns the land crossed by the CEC proposed route?

21 A. (BY MS. RIETZ) Yes. And I believe the map, the  
22 next map is what the Committee has seen as well, too.  
23 But there is four land ownership types. And as  
24 Ms. Bellavia pointed out earlier, Map 11, the BLM land,  
25 the CEC portion is crossed by BLM land, which is the

1 yellow on Map 11; state land, which is blue; the private  
2 land, which is white; and the Department of Defense just  
3 barely skirts the Willcox Playa, which is pink.

4 Q. Thank you.

5 Can you please identify the existing land use  
6 plans that were included as part of your analysis for  
7 the CEC application.

8 A. (BY MS. RIETZ) Yes. For the land use plans,  
9 for the CEC portion, we looked at existing land use  
10 plans and regulations. We updated the analysis from the  
11 EIS.

12 And those plans that the CEC portion traverses  
13 through would be the Cochise County comprehensive plan.  
14 It was amended through 2015. We considered that, the  
15 Pima County comprehensive plan as amended in 2015, the  
16 Pima County Sonoran Desert Conservation Plan from 2012,  
17 City of Willcox general plan, City of Tucson general  
18 plan, Arizona State Land Department conceptual land use  
19 plan.

20 There is several adjacent projects for Arizona  
21 State Land Department adjacent to this, and the federal  
22 and the military land use plans that are described in  
23 the EIS. And also on this list I inadvertently left off  
24 Pinal County comprehensive plan. And that was, the  
25 update to that was reviewed as well. And I just

1 accidentally left it off this slide.

2 CHMN. CHENAL: Just a moment.

3 Member Hamway.

4 MEMBER HAMWAY: So I am just looking for kind of  
5 a timeline for those plans, because communities are kind  
6 of in the process now of updating their general plans.  
7 So what date were you looking for Willcox and what date  
8 were you looking for Tucson?

9 And so you started in the BTA process in 2010, I  
10 think, or '9, and you didn't file your 10-year plan  
11 until 2015, the first one in January. So I am just  
12 wanting to make sure that there is no missing years of  
13 when you looked at this and when a developer may have  
14 come through and there might be, you know, some land  
15 designated for a development that you didn't catch and  
16 they didn't know that you were bringing this in because  
17 you didn't file your 10-year plan until January of 2015.  
18 So make me feel comfortable.

19 MS. RIETZ: Okay. Yes. We did look at all the  
20 updated plans. And that was the specific reason for  
21 that, because the plans that were used prior, as you  
22 mentioned, they update them all the time. And so we  
23 brought in that data and that was part of the analysis.

24 As far as the filing, the 10-year filing, I  
25 cannot answer that.

1 BY MR. GUY:

2 Q. On the review of the amended plan, were these  
3 plans reviewed as part of the EIS process or more  
4 recently as part of the CEC plans?

5 A. (BY MS. RIETZ) I am sorry. For these plans,  
6 yes, these plans were all reviewed for the EIS process.  
7 And then for the CEC process, we went back and looked  
8 everywhere there was plans that had been updated. And  
9 every case where they had been updated, we incorporated  
10 that into the CEC analysis.

11 MEMBER HAMWAY: Okay. So that was -- you filed  
12 your application in October. So you did this sometime  
13 over the summer?

14 MS. RIETZ: Oh, no. I am sorry. This was done  
15 just like shortly before filing the application. Is  
16 that the question?

17 MR. GUY: September of 2016, for example.

18 MS. RIETZ: Yes, that would be.

19 MEMBER HAMWAY: Okay.

20 BY MR. GUY:

21 Q. And what were your conclusions after reviewing  
22 these land use plans?

23 A. (BY MS. RIETZ) After reviewing all these plans  
24 we found that the project is consistent with federal,  
25 state, city, and county plans. We did find that there

1 would be impacts to existing land use, particularly farm  
2 and range resources and military operations. Those will  
3 be minor.

4 And we also found that the mitigations, here  
5 again, the mitigations and the PCEMs would help to  
6 mitigate any of these impacts. For instance, farming  
7 and ranching will be allowed uses in the right-of-way.  
8 And then for military, in the PCEM that specifically  
9 states that there will be anti-collision lighting on  
10 structures where appropriate, and there will be  
11 structure height restrictions in military training areas  
12 around airports and things like that.

13 CHMN. CHENAL: Mr. Guy, this may be an  
14 appropriate place to break for the evening, looking at  
15 the next page of the anticipated testimony.

16 One real quick question. The PCEMs are Table 8.  
17 And that's Table 8 to -- that's your Exhibit 30. That's  
18 Table 8 to --

19 MR. GUY: That -- I could have been better on  
20 the question earlier. Those PCEMs are Table 8 from the  
21 plan of development, which is an attachment to the BLM  
22 ROD. I don't remember the exhibit. That's an  
23 attachment to the application.

24 There is a reference to PCEMs in the WAPA ROD,  
25 reference Table 2-8. That is the EIS table. So

1 sometimes you will see a reference to a Table-8 PCEMs.  
2 Then you will see a reference to Table 8. Whichever one  
3 you are looking at, they are the same.

4 CHMN. CHENAL: So this is Table 8 to the BLM  
5 plan of development, which is attached to the BLM ROD.

6 MR. GUY: That's correct.

7 CHMN. CHENAL: Okay. Let's just chat for a  
8 second about tomorrow. I hadn't discussed this with  
9 you, Mr. Guy, but how much longer do you think we will  
10 have with Ms. Rietz and any other witnesses? Let's  
11 discuss what we are doing tomorrow and what we will take  
12 up in Willcox.

13 MR. GUY: I think based on the pace with  
14 Ms. Rietz now, probably a couple of hours. And then we  
15 have a number of follow-up items we have committed to  
16 get back with you on. And I don't think it is a lot,  
17 but then we would recall at least one witness, maybe  
18 two, to cover some of those follow-up items. And I  
19 would allot an hour for that. Maybe three hours in the  
20 morning, and that would be the end of our presentation.

21 CHMN. CHENAL: Then in Willcox what do you  
22 anticipate we will have? Will there be any witnesses in  
23 Willcox?

24 MR. GUY: We would not have any witnesses in  
25 Willcox unless we were not able to get all the

1 additional information to you tomorrow. Because I know  
2 we have some additional questions regarding Crane Lake.  
3 It is already 5:00. I don't know who to talk to for  
4 that. So I think it is at least possible there is  
5 follow-up we won't get to until tomorrow morning, but  
6 that will be the only additional witness in Willcox.

7 CHMN. CHENAL: Well, I would propose that we  
8 recess the hearing after that portion of the testimony  
9 tomorrow, break early, come back to Willcox on Monday.  
10 We have to have that public hearing because it has been  
11 noticed Monday evening. But maybe we could start -- I  
12 have to figure out how to do this, but maybe start --  
13 normally we finish the hearing and start the  
14 deliberations.

15 Maybe we discuss the CEC conditions, because I  
16 think that's going to take some time. Maybe we even  
17 break early from that, have the public hearing, which I  
18 don't anticipate will take very long. I think it would  
19 be helpful to have the tour Tuesday. Yeah, I think we  
20 should have that tour for those of us who would like to  
21 do that, and finish up deliberations. And maybe we are  
22 finished Tuesday, certainly by Wednesday.

23 So I think tomorrow we will be breaking early,  
24 and then we will just take it up in Willcox. Okay?

25 Any other housekeeping items before we break for

1 the night?

2 MR. JACKSON: Scheduling questions,  
3 Mr. Chairman. Is the expectation the conditions  
4 deliberation will be on Monday then in Willcox, at this  
5 point anyway?

6 CHMN. CHENAL: I think that's correct. I don't  
7 think we want to waste -- not use the time available on  
8 Monday by waiting for the tour to formally finish the --  
9 stop the hearing to finish the hearing process. So I  
10 would say yes. Unless there is some legal reason, I am  
11 not seeing why we can't engage in that discussion  
12 starting Monday. I think we go ahead and dive into the  
13 conditions and that process on Monday. Okay?

14 All right. Well, let's recess for the evening  
15 and we will see everyone tomorrow at 9:00 a.m. Thank  
16 you.

17 (The hearing recessed at 5:08 p.m.)

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1 STATE OF ARIZONA )  
2 COUNTY OF MARICOPA )

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4 taken before me; that the foregoing pages are a full,  
5 true, and accurate record of the proceedings all done to  
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10 the parties hereto nor am I in any way interested in the  
11 outcome hereof.

12 I CERTIFY that I have complied with the  
13 ethical obligations set forth in ACJA 7-206(F)(3) and  
14 ACJA 7-206 (J)(1)(g)(1) and (2). Dated at Phoenix,  
15 Arizona, this 5th day of December, 2016.

16  
17

18 \_\_\_\_\_  
19 COLETTE E. ROSS  
20 Certified Reporter  
21 Certificate No. 50658

22 I CERTIFY that Coash & Coash, Inc., has complied  
23 with the ethical obligations set forth in ACJA 7-206  
24 (J)(1)(g)(1) through (6).

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