

1 BEFORE THE ARIZONA POWER PLANT LS-387

2 AND TRANSMISSION LINE SITING COMMITTEE

3
4 IN THE MATTER OF THE APPLICATION) DOCKET NO.
5 OF SELMA ENERGY CENTER, LLC, IN) L-21324A-24-0210-00237
6 CONFORMANCE WITH THE REQUIREMENTS)
7 OF ARIZONA REVISED STATUTES) LS CASE NO. 237
8 40-360 ET SEQ., FOR A CERTIFICATE)
9 OF ENVIRONMENTAL COMPATIBILITY)
10 AUTHORIZING THE SELMA SOLAR)
11 PROJECT GENERATION TIE LINE,)
12 WHICH CONSISTS OF A NEW,)
13 APPROXIMATELY 2.3 TO) EVIDENTIARY HEARING
2.9-MILE-LONG, 230KV TRANSMISSION)
LINE CONNECTING THE PLANNED SELMA)
ENERGY CENTER LOCATED WEST OF)
HIGHWAY 87 NEAR THE INTERSECTION)
OF EAST SELMA HIGHWAY AND HIGHWAY)
87 IN UNINCORPORATED PINAL)
COUNTY, ARIZONA, TO THE EXISTING)
SALT RIVER PROJECT VAH KI)
SUBSTATION.)

14 At: Casa Grande, Arizona

15 Date: October 22, 2024

16 Filed: October 25, 2024

17

18 REPORTER'S TRANSCRIPT OF PROCEEDINGS

19 VOLUME II
20 (Pages 173 through 400)

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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 Arizona Power Plant and Transmission Line Siting
4 Committee at Francisco Grande Hotel & Golf Resort, 12684
5 West Gila Bend Highway, Casa Grande, Arizona, commencing
6 at 9:02 a.m. on October 22, 2024.

7

8 BEFORE: ADAM STAFFORD, Chairman

9 GABRIELA S. MERCER, Arizona Corporation Commission
10 DAVID FRENCH, Arizona Department of Water Resources
11 R. DAVID KRYDER, Agricultural Interests
12 MARGARET "TOBY" LITTLE, PE, General Public
13 DAVE RICHINS, General Public (via videoconference)
14 JOHN GOLD, General Public

15

16 APPEARANCES:

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30

1 CHMN STAFFORD: All right. We're in the
2 lobby of the hotel preparing to embark on our tour. We
3 have an itinerary. Mr. Crockett, would you like to
4 briefly describe the itinerary before we get started?

5 MR. CROCKETT: Yeah, just very briefly
6 we've got a bus that's parked out front of the hotel
7 here, we're going to get on the bus. We're going to
8 travel out to the location of the gen-tie.

9 We've got three locations that we've
10 identified as stops that'll give you I think a pretty
11 good sense of the length of the gen-tie, the route, and
12 the general characteristics of the area, and then we'll
13 be returning here to the hotel. We expect it will be
14 about a three-hour round trip, maybe a little less.

15 CHMN STAFFORD: All right. I'll remind
16 everyone that the stops are for asking questions. When
17 we're on the bus and the court reporter is not set up,
18 don't ask the applicant questions, don't discuss the
19 merits of the case.

20 At the stops, that'll be the time because
21 the court reporter will take everything down, we'll go on
22 the record to ask questions and get answers from the
23 applicant. Are there any things we need to talk about
24 before we get started?

25 MEMBER GOLD: Yes. Is there water on the

1 bus?

2 CHMN STAFFORD: Yes, there is. I'm
3 informed there's a case of water for us.

4 Anything else? All right. Let's go off
5 the record and get on the bus.

6 (TIME NOTED: 9:03 a.m.)

7 (Beginning of route tour.)

8

9 (TIME NOTED: 9:43 a.m.)

10 (Arrival at Stop No. 1)

11 CHMN STAFFORD: Let's go on the record
12 we're now at Stop 1 on the tour. Mr. Crockett, I'm going
13 to have Mr. Agner explain what we're looking at.

14 MR. CROCKETT: That would be just great.
15 Thank you, Chairman. Mr. Agner.

16 MR. AGNER: Okay. So we are currently
17 standing at route Stop 1, which is at the intersection of
18 East Selma Highway and State Route 87.

19 We are standing approximately where --
20 we're standing approximately where the interconnection
21 project would cross State Route 87.

22 As we explained during the virtual tour,
23 the interconnection project is going to cross at an angle
24 across State Route 87.

25 The interconnection project itself actually

1 begins .5 miles west of where we're standing. So it will
2 begin approximately .5 miles west along East Selma
3 Highway. It will then travel along East Selma Highway
4 for approximately a half a mile, and then it will make
5 that angled crossing across State Route 87.

6 We're also approximately -- we're also
7 approximately 600 feet north of where KOP-4 is. So KOP-4
8 is approximately 600 feet south of us along State
9 Route 87. We're currently in the field of view of KOP-4.
10 Meaning what you're going to see in the simulated
11 condition of KOP-4 is going to be where we're standing.

12 So also to just -- I'll wait.

13 CHMN STAFFORD: All right.

14 MR. AGNER: Okay. Okay. And also as you
15 can see in the landscape, we have numerous distribution
16 lines along East Selma Highway. And we also have some
17 along the north side of State Route 87 that are kind of
18 heading south on State Route 87.

19 We're currently surrounded by agricultural
20 fields as well. The canals -- the HIDD canal is to the
21 east of us and the existing railroad is also to the east
22 of us.

23 So that's kind of what you can see in the
24 existing landscape. If anyone has any questions.

25 MEMBER GOLD: Mr. Chairman.

1 CHMN STAFFORD: Member Gold. Step forward
2 and make sure the court reporter can hear you.

3 MEMBER GOLD: I'm looking at the map.
4 We're at Stop 1. Is that really the Francisco Grand
5 Hotel up there?

6 CHMN STAFFORD: No, that is --

7 THE COURT REPORTER: I can't hear you.

8 CHMN STAFFORD: This is an insert.

9 THE COURT REPORTER: Sorry.

10 MEMBER GOLD: Oh, thank you.

11 MR. AGNER: The insert is meant to show the
12 general route that we would take from the Francisco
13 Grande Hotel to each of these stops. So it gives you an
14 overview of the route that we just went along to get
15 here, which is essentially we took 287 east.

16 MEMBER GOLD: Gotcha. I didn't understand
17 the insert.

18 MR. AGNER: Yeah, so we took 287, we headed
19 east and then we turned south along 87 to get to Stop 1.

20 MEMBER GOLD: Gotcha.

21 MEMBER LITTLE: Mr. Chairman.

22 CHMN STAFFORD: Yes, Member Little.

23 MEMBER LITTLE: When you go kitty-corner
24 across this intersection, will the pole on the other side
25 be outside of that turning structure right there?

1 MS. JOHNSON: Yes. Our easements will be
2 adjacent to their easement but will not intersect with
3 the existing distribution lines.

4 MEMBER LITTLE: You're going to go over it
5 all.

6 MS. JOHNSON: Correct.

7 MEMBER LITTLE: Okay. Thank you.

8 MEMBER GOLD: Mr. Chairman.

9 CHMN STAFFORD: Yes, Member Gold.

10 MEMBER GOLD: So your project substation is
11 going to be on this side of the road on this farmland.
12 Is that a definite substation that you're going to need
13 or is that a possibility of a substation?

14 MS. JOHNSON: Our project will need the
15 substation to connect the energy generated from the solar
16 field to distribute it onto our transmission line to
17 reach the Vah Ki Substation.

18 MEMBER GOLD: Gotcha. And your solar field
19 is out in that direction?

20 MS. JOHNSON: Yes.

21 MEMBER GOLD: All right. And it looks like
22 we are literally in the middle of farmland.

23 MS. JOHNSON: Yes. I mean, there is
24 existing solar that surrounds the general area.

25 MEMBER GOLD: But this looks like a good

1 depiction of where you say it would be.

2 MS. JOHNSON: Correct.

3 MEMBER GOLD: It is literally the middle of
4 nowhere regarding habitation or human habitation.

5 MR. AGNER: And actually as we get to
6 Stop 3 we should see a better view of the existing
7 Saint Solar project as well, because we'll be near Saint
8 Solar and the Vah Ki Substation --

9 MEMBER GOLD: Gotcha.

10 MR. AGNER: -- when we get there.

11 CHMN STAFFORD: Okay. So our next Stop 2,
12 are we going to see anything along this route that you
13 want to point out now?

14 MR. AGNER: Mr. Chairman, we'll generally
15 continue to see agricultural land both on the east and
16 west side of State Route 87. As you saw during the
17 virtual tour, the interconnection project will be on the
18 east side of State Route 87 and it will continue to
19 advance north.

20 Stop 2 is actually where the
21 interconnection project first deviates. That will be
22 where the sub route option is going to be planned as well
23 as the preferred route.

24 So anything between here and where we stop
25 next, which is Stop 2, it will be on the east side of

1 State Route 87 and it will be continuing to advance north
2 along State Route 87.

3 CHMN STAFFORD: So the next stop is on
4 Earley Road?

5 MR. AGNER: Correct, Mr. Chairman.

6 CHMN STAFFORD: Okay and then we won't pass
7 under the TEP line till we get up to -- what road is
8 that? It's not a road. It's just a -- this is the TEP
9 line north of Earley Road?

10 MR. AGNER: Correct, Mr. Chairman. We
11 hopefully should be able to see some of the existing TEP
12 500-kilovolt transmission line structures, and we should
13 be able to see some of the existing SunZia transmission
14 line infrastructure.

15 CHMN STAFFORD: Okay. So the SunZia is
16 already -- we'll be able to see it, then?

17 MR. AGNER: I believe so, Mr. Chairman.
18 Our understanding is that it has been constructed so we
19 should be able to see some of that existing
20 infrastructure.

21 CHMN STAFFORD: Excellent. All right,
22 so --

23 MR. AGNER: But we'll know for sure when we
24 get to that stop.

25 CHMN STAFFORD: Okay. And that's going to

1 be next. Okay. Excellent. Any other questions from
2 members?

3 MEMBER KRYDER: Yes.

4 CHMN STAFFORD: Yes, Member Kryder.

5 MEMBER KRYDER: Where on the place mat are
6 these buildings? No, on the other side. I can read it
7 more clearly. Okay. So we're standing right here. And
8 these buildings are a quarter, half mile away.

9 MR. AGNER: Yes, Member Kryder. They are
10 approximately somewhere between where we're standing and
11 I would say they're probably less than somewhere around a
12 half mile away from us. They are hard to make out on the
13 existing aerial.

14 MEMBER KRYDER: But where is that? Where
15 is a half a mile from here?

16 MR. AGNER: The half mile is where the
17 interconnection project begins on East Selma Highway.

18 MEMBER KRYDER: Okay. So that would be
19 right across the street from these buildings?

20 MR. AGNER: It's difficult to make in the
21 landscape for sure, but I would imagine that those
22 buildings are about a half a mile away, maybe a little
23 bit less, I would guess.

24 MEMBER KRYDER: From?

25 MR. AGNER: Where we're standing right now.

1 MEMBER KRYDER: Right. I would have
2 guessed that also. But where are they from the
3 substation, from the line? Where are they -- put your
4 finger on the map where those would be, more or less.

5 MR. AGNER: If I had to guess, Member
6 Kryder, I would say they're somewhere around here. But
7 it's pretty difficult to make out in the aerial right now
8 because it's a pale color, and also those are kind of
9 pale-colored buildings.

10 MEMBER KRYDER: Right.

11 MR. AGNER: So they're going to be hard to
12 see. But maybe when we get back into the hearing room I
13 can get a more definitive view of this area and I can
14 point them out to you with more precision.

15 MEMBER KRYDER: But I would also guess that
16 they're in that vicinity right here. That they're
17 broadly in this area right here. So that's right across
18 the street from your -- from your line; right?

19 MR. AGNER: Correct, Member Kryder, but
20 from what I can see from those buildings from here, they
21 look like to be agricultural use building for storing the
22 agricultural products. They don't necessarily look like
23 they're residential structures from what I can tell.
24 They're taller and they just have roofs on the top. So
25 generally those types of structures are used to store

1 agricultural products like bales of hay or alfalfa,
2 et cetera.

3 MEMBER KRYDER: Okay.

4 MEMBER LITTLE: Mr. Chairman.

5 CHMN STAFFORD: One second. And the figure
6 you were looking at was Figure 2 from the place mat,
7 Member Kryder. If you flip it over and look at
8 Exhibit A-2 existing land uses, you can see that all this
9 is zoned agricultural and not residential along this road
10 here. So it's highly unlikely that those would be
11 residences because it's zoned agricultural.

12 MEMBER KRYDER: I was looking especially at
13 one that would lead to the left as we are facing it, that
14 kind of white or lighter colored ones, that looks to me
15 like a house. I don't know.

16 The other one I agree it looks like a hay
17 barn. And I was just wondering since it's -- it appears
18 that it would be almost directly across the road from
19 where your station was. That's what I was trying to
20 establish or disestablish.

21 MR. AGNER: And Member Kryder, that very
22 well could be also maybe a barn. I've seen silos, too,
23 that are taller that store material that are wider in
24 nature, but if there's a Google Street View of that
25 location that you're talking about, maybe we can pull

1 that up during the hearing and we can verify what kind of
2 use that is.

3 MEMBER KRYDER: I should be able to Google
4 that address and see what's there.

5 MR. AGNER: Correct. I would assume so,
6 Member Kryder.

7 MEMBER KRYDER: Does Google -- I've never
8 checked this -- does Google address hay barns?

9 MR. AGNER: Well, so what I meant by Google
10 is that you can have what's called --

11 MEMBER KRYDER: Right.

12 MR. AGNER: -- a Google Street View, and if
13 I put a -- if I put a pin at that location it will show
14 us what it looks like on the ground. So when we see it
15 on the ground hopefully we can make it out a little bit
16 better exactly what it is.

17 MEMBER KRYDER: Thank you.

18 CHMN STAFFORD: Member Little, did you have
19 a question?

20 MEMBER LITTLE: Mr. Kryder addressed it.
21 It looks like a house to me, too.

22 MEMBER GOLD: Mr. Chairman.

23 CHMN STAFFORD: Yes, Member Gold.

24 MEMBER GOLD: Is there a reason we can't
25 just drive down there and look at it? You don't have to

1 go with 21st century satellite images, it's a half a mile
2 away.

3 CHMN STAFFORD: It's not on the public
4 route. The notice was given for this route, so we'll
5 stick with that.

6 MEMBER GOLD: You don't want to look at it.

7 CHMN STAFFORD: We can look at through the
8 Google Earth view, but we had the -- we have the notice
9 provided the route we're taking, the stops we're making,
10 so we're going to stick to that.

11 MEMBER GOLD: So there's a legal precedent,
12 Mr. Chairman, that we cannot add to the route?

13 CHMN STAFFORD: I would prefer not to. I
14 think that's -- I think the best policy is we had
15 published the route and stops, and that's what we're
16 going to do.

17 So any other questions brought up from
18 where we are now that can be addressed when we get back
19 to the hearing room -- in the hearing room at the hotel?

20 MR. AGNER: And we'll take this up as an
21 action item for this stop, Mr. Chairman. We will do a
22 Google Street View to see if we can get a better picture
23 of what that structure may be used for.

24 MEMBER KRYDER: Wonderful. Thank you.

25 CHMN STAFFORD: And just to verify, as part

1 of your outreach you contacted that landowner.

2 MR. AGNER: Mr. Chairman, if you'd flip
3 over to Exhibit A-2, you can see that that particular
4 location is well within the one-mile outreach area. So
5 yes, they would have been notified of both the in-person
6 open house hearing and the CEC hearing that we're doing
7 right now.

8 MEMBER KRYDER: Okay.

9 CHMN STAFFORD: Oh, yes, and I'd like to
10 point out we are standing right next to one of your signs
11 that we can see clearly providing notice of the hearing.

12 MR. AGNER: It's good to see they're still
13 standing.

14 CHMN STAFFORD: Yes. Anything further?
15 All right. Let's go off the record and get back on the
16 bus and head to Stop 2.

17 (TIME NOTED: 9:57 a.m.)

18 (Conclusion of Stop No. 1.)

19

20 (TIME NOTED: 10:06 a.m.)

21 (Arrival at Stop No. 2.)

22 CHMN STAFFORD: Let's go on the record.

23 We're now at Stop 2. Mr. Crockett, are you
24 going to have Mr. Agner explain to us what we're looking
25 at.

1 MR. CROCKETT: Yeah. Thank you, Chairman.
2 Colin, I'll turn it over to you.

3 MR. AGNER: Okay. So we are at route
4 Stop 2 which is at the intersection of East Earley Road
5 and State Route 87.

6 Just for the committee's reference, the
7 interconnection project prior to this point as I
8 mentioned route Stop 1 is continuing to advance north
9 along State Route 87 on the east side.

10 Approximately here is where we see the
11 deviation between the sub route option and the preferred
12 route. So to remind the committee, the sub route option
13 would continue east along East Earley Road. It would
14 then go north for a little bit and then it would go
15 northwest and come back toward State Route 87.

16 Whereas the preferred route would just
17 continue to move north along State Route 87.

18 This is also approximately where KOP-3 was
19 taken, and the field of view that you will see at KOP-3
20 when we get back to the hearing room is going to be
21 facing east. So we are standing approximately where the
22 photograph for KOP-3 was taken.

23 So as you can see, we are continuing to be
24 surrounded by agricultural land. You can see the SunZia
25 transmission line is constructed. It's the taller

1 structure that's just a single structure that has the V
2 conductors hanging down from it. That is the SunZia
3 right-of-way.

4 And then behind that to the north are the
5 three monopole structures that are also that weathering
6 steel. We believe that is the existing TEP right-of-way
7 that we've been discussing as well.

8 CHMN STAFFORD: What line is that one
9 directly north of us? The two structures.

10 MR. AGNER: I believe the one south is
11 still SunZia. And the one that's immediately north I
12 believe is still the TEP 500kV transmission line.

13 CHMN STAFFORD: So those are two poles from
14 two different transmission lines, then.

15 MR. AGNER: And they're right next to each
16 other.

17 CHMN STAFFORD: Those are both 500kV;
18 right?

19 MR. AGNER: That is our understanding,
20 Mr. Chairman.

21 CHMN STAFFORD: Except for one is DC and
22 one is AC.

23 MEMBER LITTLE: Yes.

24 CHMN STAFFORD: So the one -- the one
25 that -- see the one I'm pointing at right there? That's

1 got the cross piece right there, the wide cross piece.

2 See what I'm talking about?

3 MR. AGNER: Yes.

4 CHMN STAFFORD: Is that TEP or SunZia?

5 MR. AGNER: That is SunZia.

6 CHMN STAFFORD: Okay. That is SunZia.

7 MR. AGNER: Yes. And then do you see the

8 one that's just north that is the three monopole

9 structures? That is TEP.

10 MEMBER LITTLE: Mr. Chairman.

11 CHMN STAFFORD: Yes, Member Little.

12 MEMBER LITTLE: The DC has two main

13 conductors that are on the bottom, the end of the

14 insulator strings --

15 MR. AGNER: That's the SunZia right-of-way.

16 MEMBER LITTLE: AC has three, and that's

17 TEP.

18 MEMBER GOLD: Why would one have AC and one

19 have DC?

20 CHMN STAFFORD: Because that's how they

21 were permitted. The SunZia, it's a DC line till it gets

22 to another station where it gets converted to AC before

23 it goes into Pinal south, I believe, substation.

24 MR. CROCKETT: Goes to Pinal Central.

25 CHMN STAFFORD: Pinal Central. One of

1 those. One of those sub -- Pinal something substation.

2 MEMBER LITTLE: Central.

3 CHMN STAFFORD: And then I think it says
4 less line loss, you get more of the power through the
5 line.

6 MEMBER LITTLE: Yes.

7 CHMN STAFFORD: So that's the point of a DC
8 line. They also have an authority to construct a second
9 AC 500kV line, but I don't -- that's also been cited but
10 I don't believe that one has been -- started construction
11 yet.

12 MEMBER KRYDER: Mr. Chairman.

13 CHMN STAFFORD: Member Kryder.

14 MEMBER KRYDER: On your map, Earley Road
15 turns to another name. Or explain that to me, would you
16 please? This says East Morgan Tri?

17 MR. AGNER: Trail. So we've been calling
18 it Earley Road just because that's the name of the road
19 that's over here that's kind of more, has a more known
20 name and it's on the Google aerial imagery.

21 It very well could be that the dirt road on
22 the other side of State Route 87 is more formally known
23 as East Morgan Trail. But I think for the purposes of
24 simplicity we're just going to -- I've been referring to
25 both sides as Earley Road, just for simplicity and

1 keeping the road names a little bit more clear.

2 MEMBER KRYDER: It appears --

3 THE COURT REPORTER: I can't hear you.

4 CHMN STAFFORD: She can't hear you when you
5 face that way.

6 THE COURT REPORTER: I just need you to
7 look at me when you talk, that's all.

8 MEMBER KRYDER: I'm pointing at the house
9 across the corner and there appears to be a person
10 walking out in the yard. So I assume that's inhabited.

11 MR. AGNER: Correct, Member Kryder. And
12 just to point out to the committee, so there was some
13 discussion yesterday about the commenter in terms of
14 their structure and the views of the interconnection
15 project. That structure is approximately 250 feet north
16 of where we're standing right now. So the people that
17 you see walking out could, in fact, be associated with
18 that same structure.

19 MEMBER KRYDER: Okay. So it's likely that
20 the commenter lives in that property.

21 MR. AGNER: Correct, Member Kryder.

22 MEMBER KRYDER: And how about the property
23 across the street, catty-corner from we're seated right
24 here? Is that occupied?

25 MR. AGNER: So Member Kryder, when we came

1 out to do our existing land use inventory, we tried to
2 identify whether or not it was a habitable structure or
3 not. From our land use inventory, when we went to
4 that -- the other side of State Route 87 along Earley
5 Road.

6 CHMN STAFFORD: To the east.

7 MR. AGNER: Yes. It was difficult to
8 determine from the road whether or not it was a habitable
9 structure or not, but for the purposes of the CEC
10 application to remain conservative, we assumed it is
11 habitable just for the purposes of nearest distance to
12 residential structures.

13 MEMBER KRYDER: So you never saw a person,
14 never spoke with anybody there.

15 MS. JOHNSON: No. I can add to that.

16 MEMBER KRYDER: Okay.

17 MS. JOHNSON: We did speak to the
18 landowners of that parcel and we do have an existing
19 option for a right-of-way with that parcel. And that
20 building is not inhabited.

21 MEMBER KRYDER: Okay. And is it correct
22 that the undergrounding, if it takes place, would begin
23 where?

24 MS. JOHNSON: A little more north of that
25 parcel.

1 MEMBER KRYDER: A little more -- a little
2 north of that parcel. So it would be south of the one
3 line here.

4 MS. JOHNSON: Yes.

5 MEMBER KRYDER: Okay. And then, but you've
6 got a right-of-way option to get whenever your one
7 nine-tenths of a mile or whatever it is that you need.

8 MS. JOHNSON: We're negotiating one more
9 right-of-way, but, yes.

10 MEMBER KRYDER: Okay.

11 MEMBER GOLD: Mr. Chairman.

12 CHMN STAFFORD: Let Mr. Agner point it out
13 to the map here. We're looking at the Figure 2 place
14 mat.

15 MR. AGNER: Yeah, I just -- before we keep
16 going I kind of wanted to explain what we talked about
17 yesterday, which is kind of the constraint of area in
18 this particular area.

19 As you can see, we have an existing
20 distribution line that is heading north along State
21 Route 87. We have the SunZia and TEP right-of-ways that
22 are moving east to west along this whole portion of the
23 project.

24 And we also have an existing canal that we
25 need to cross. So there are many things that need to be

1 engineered and crossed through this area. So that is why
2 they have both the preferred route and the sub route
3 option is because there is a lot of land constraints
4 around this particular area that need to be navigated.

5 MEMBER LITTLE: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Little.

7 MEMBER LITTLE: If you go the alternate
8 route, will the line go on the south side or the north
9 side of East Morgan Trail or Earley Road?

10 MS. JOHNSON: The south side, and we do
11 have an existing right-of-way agreement in place for
12 that.

13 MEMBER LITTLE: Okay. And if you go the
14 preferred route, either overhead or underground, will the
15 line go on the east side or the west side of that
16 distribution line?

17 MS. JOHNSON: The east side.

18 MEMBER LITTLE: Okay.

19 MEMBER GOLD: I'm sorry, which side?

20 MS. JOHNSON: The east side of the
21 distribution line going north-south.

22 MEMBER GOLD: Mr. Chairman.

23 CHMN STAFFORD: Yes, Member Gold.

24 MEMBER GOLD: What is the big -- what's the
25 big conflict with your preferred route? What seems to be

1 stopping the preferred route? Is it agreements with TEP
2 and --

3 MS. JOHNSON: I think the two main points
4 that we need to continue working on are the design of our
5 crossing, so they work with those existing lines; right?

6 And then also the one last right-of-way
7 agreement that we're currently working on right now.

8 MEMBER GOLD: With whom?

9 MS. JOHNSON: It's a private landowner.

10 MEMBER GOLD: Oh, so there's a private
11 landowner on that side as well, not just this fellow
12 that's --

13 MS. JOHNSON: Correct. Correct.

14 MEMBER GOLD: Okay.

15 MR. AGNER: And I think this illustrates
16 well, too, Mr. Chairman and the Committee, that as
17 Mr. Givens was testifying to yesterday, there are --
18 there's the SunZia right-of-way and the TEP right-of-way,
19 and so if they were to go aboveground you can clearly see
20 the two lines are next to each other and the difficulties
21 that it would be to span right-of-ways safely if it were
22 to be aboveground.

23 And so that's why there is the option to go
24 underground, just because that just may be too difficult
25 to navigate given the constraints of the design.

1 CHMN STAFFORD: Right. And then so the
2 underground portion, I'm looking at the figure 2, the
3 place mat, so you would stay aboveground until you got
4 somewhere approaching the TEP and would just go
5 underground by the side of road, go under the lines and
6 come back up and go aboveground; correct?

7 MR. AGNER: Or --

8 CHMN STAFFORD: That's one thing. That's
9 one possibility. Correct?

10 MS. JOHNSON: Yes.

11 MR. AGNER: Yes.

12 CHMN STAFFORD: All right. And the other
13 possibility is you would go -- would you go aboveground
14 down to Earley Road, then go into ground somewhere over
15 there?

16 MS. JOHNSON: Yes.

17 CHMN STAFFORD: So this portion that the
18 east -- if you're looking at the alternate route --

19 MR. AGNER: Sub route option.

20 CHMN STAFFORD: Sub route option. Okay.
21 So if you're heading east along Earley Road or Morgan
22 Trail, would it be aboveground up until you crossed
23 over -- you'd run it aboveground east and you would go,
24 and at some point after you'd turn north you would go
25 underground somewhere along this stretch?

1 MS. JOHNSON: Both the preferred route and
2 the sub route option would transition underground just
3 before crossing the SunZia and TEP lines.

4 CHMN STAFFORD: Okay. All right. And then
5 they would come back aboveground at some point north on
6 the 87.

7 MS. JOHNSON: They would likely for sub --
8 for option A would likely come back aboveground around
9 this northwest corner. Or, again, pending additional
10 surveys of the existing collection lines in the area,
11 would transition aboveground at the beginning of option
12 B, or continue underground. But, again, we need
13 additional surveys.

14 CHMN STAFFORD: Right because you got to
15 get -- there's two SRP lines, there's a 230 and a 500kV
16 you'd also have to cross.

17 MS. JOHNSON: Correct. And it would be
18 ideal to cross underground.

19 CHMN STAFFORD: Right. So if you're going
20 to go underground or cross here, you're going to stay
21 underground and cross the SRP line, most likely as well.

22 MS. JOHNSON: Most likely.

23 CHMN STAFFORD: Okay. All right. Thank
24 you. Any other questions from members?

25 MEMBER LITTLE: My questions were answered.

1 MEMBER GOLD: Mr. Chairman.

2 CHMN STAFFORD: Member Gold.

3 MEMBER GOLD: So to summarize, you have a
4 route that you are not worried about losing.

5 MS. JOHNSON: Yes.

6 MEMBER GOLD: And this individual who has
7 whatever that is on the other side will agree with you
8 and be less expensive than going this way, you'd go the
9 preferred route.

10 MS. JOHNSON: Correct.

11 MEMBER GOLD: But in either case you have a
12 definite route you can take.

13 MS. JOHNSON: Yes.

14 MEMBER GOLD: Thank you.

15 MEMBER LITTLE: Mr. Chairman.

16 CHMN STAFFORD: Yes, Member Little.

17 MEMBER LITTLE: I would make the
18 observation that I'm assuming that if, in fact, this
19 property that is just north of where we are is the
20 commenter number 9, that I'm assuming that what he's
21 referring to when he says he has an unobstructed view of
22 the distant mountains, is this view here looking
23 southeast. Which, in any event, this project as built
24 will have lines that go right through that view.

25 MEMBER GOLD: He will have an obstructed

1 view of the mountains from now on.

2 MR. AGNER: I would point out, though, to
3 the committee in the background I would not say it's
4 fully unobstructed, there are views of distribution lines
5 in the background. And that commenter can clearly see
6 the SunZia transmission line right-of-way poles and the
7 TEP right-of-way poles.

8 So they have -- they have existing views of
9 transmission line infrastructure already.

10 MEMBER LITTLE: I'm aware of that. Thank
11 you.

12 MEMBER GOLD: Mr. Chairman, if I may add,
13 there was also an existing distribution line obstructing
14 his view.

15 CHMN STAFFORD: Yes, that runs along Earley
16 Road and East Morgan Trail.

17 MR. CROCKETT: Chairman Stafford, if I
18 could make one observation here. This afternoon we're
19 going to be talking about noise associated with the
20 transmission line. And I'd just like to note that I
21 think you'd be hard pressed to hear noise from a
22 transmission line over the existing road noise, the crop
23 duster noise, the Pinal County Sheriff's Department
24 noise.

25 MR. AGNER: And active agricultural

1 operations; right? Tractors, et cetera.

2 MR. CROCKETT: Yes.

3 CHMN STAFFORD: Good point.

4 MEMBER MERCER: You forgot the railroad.

5 MR. AGNER: And the railroad.

6 MS. JOHNSON: Yes.

7 CHMN STAFFORD: That's the noise that you
8 get to experience on the tour is the railroad.

9 Anything further from members? All right.

10 Let's go off the record and get on the bus and head to
11 Stop 3.

12 (TIME NOTED: 10:21 a.m.)

13 (Conclusion of Stop No. 2.)

14

15 (TIME NOTED: 10:29 a.m.)

16 (Arrival at Stop No. 3.)

17 CHMN STAFFORD: Let's go on the record.

18 We are now at Stop 3 along 87 and

19 approximately East Laughlin Road.

20 MR. AGNER: Just a little bit north of
21 Laughlin Road, Mr. Chairman.

22 CHMN STAFFORD: All right. Which is this
23 road directly behind us.

24 MR. AGNER: Yes, Mr. Chairman.

25 CHMN STAFFORD: This is the place where the

1 line would split between option A -- we're past where it
2 would split between option A and B.

3 MR. AGNER: Yes. We're just a little bit
4 north of where the split would occur.

5 So approximately just a little bit south of
6 Laughlin Road on the east side of State Route 87, that is
7 where there is the split between options A and B.

8 And so --

9 CHMN STAFFORD: Just because right now
10 directly behind us is the SRP 230/500kV line and the
11 split would occur just south of that.

12 MR. AGNER: Correct, Mr. Chairman.

13 And so as a reminder to the committee,
14 option A is actually going to continue to move north
15 along the Saint Solar project, which is just north of us
16 that we can clearly see within our viewshed.

17 It would continue to move north and then
18 it's going to head east along the Saint Solar project and
19 then it's going to go south to connect into the Vah Ki
20 Substation, which we can see at the northeast of us is
21 the existing Vah Ki Substation.

22 CHMN STAFFORD: Behind the wall.

23 MR. AGNER: Correct, Mr. Chairman. And so
24 option B is actually going to head at more of a northeast
25 angle. It's then going to head east and then it's going

1 to turn north to connect into the Vah Ki Substation which
2 is, again, the structure that you see to the northeast
3 and is behind the wall as the chairman just noted.

4 Also, I wanted to note that KOP-2 was taken
5 at the intersection of Laughlin Road and State Route 87,
6 and it's going to be looking east. So when we get back
7 into the hearing room and we talk about KOP-2, that'll be
8 what we're talking about is at that intersection facing
9 east.

10 And so something I think that's worth
11 pointing out as well is as we had described previously
12 there's a potential for undergrounding and then coming
13 back aboveground.

14 And so again you can see towards the
15 northeast is the Vah Ki Substation. The structures that
16 you'll see in the underground simulation that we have
17 been describing would be near that structure, and that's
18 to allow the underground portion to transition from
19 underground to aboveground to connect into the Vah Ki
20 Substation as an aboveground connection.

21 So even if option A or B were to go
22 underground, there would be additional structures near
23 the Vah Ki Substation to allow it to transition from
24 underground to aboveground.

25 And so I would like to point out within the

1 viewscape as I have mentioned previously, you can clearly
2 see the Saint Solar project within the landscape. It's
3 to the north and northeast of us.

4 And it's also south of us. So there is a
5 lot of existing energy infrastructure within the
6 landscape. There's the existing Vah Ki Substation that
7 we've been talking about that's to the northeast.

8 You can still see the SunZia right-of-way
9 and the transmission transition structures to the south
10 of us as well as the existing TEP right-of-way that's to
11 the south of us, and as the Chairman pointed out to us
12 we're fairly close, it's just south, is the SRP
13 right-of-way.

14 There's also a lot of other existing
15 transmission line infrastructure that surrounds us on all
16 sides.

17 CHMN STAFFORD: And looking at the TEP, you
18 can get a better view of the TEP structures and the
19 SunZia structures from this angle. And you can see the
20 three-pole structures, that's the TEP line and it's much,
21 much lower than the 500 -- than the SunZia line. Looking
22 at the pole, you can see the contrast.

23 MR. AGNER: Correct, Mr. Chairman. Though
24 I believe, and I would maybe see if the applicant would
25 correct me if I'm wrong, the larger, taller three-pole

1 structures that you can see that are kind of more towards
2 the east and the State Route 87, that's where their
3 interconnection project needs to move north.

4 So while there are smaller structures to
5 the east, kind of what their focus would be of concern
6 are those larger three monopole structures because that's
7 where they need to move north along State Route 87.

8 And so you can see the two spans, from this
9 angle it's not an engineering exact thing that I'm about
10 to state, you can kind of see they both have spans that
11 are kind of lower and they're kind of dipping along the
12 same angle.

13 So you can see especially from this angle,
14 you can see the challenge of trying to stay aboveground
15 and having to navigate all of that right-of-way for those
16 spans if they were to stay aboveground.

17 CHMN STAFFORD: Looks like the TEP line
18 gets taller, gets higher above the ground as it
19 approaches the road.

20 MR. AGNER: Correct, Mr. Chairman. And
21 that could be as a result of needing to cross SR 87
22 safely and probably in accordance with the ADOT standards
23 of crossing their right-of-way. They probably need to
24 get taller to allow clearance for traffic.

25 MEMBER LITTLE: Mr. Chairman.

1 CHMN STAFFORD: Yes, Member Little.

2 MEMBER LITTLE: Is the Vah Ki Substation,
3 that you're calling the Vah Ki Substation does it have
4 transformation, power transformation in it or is it just
5 a switchyard? Does anybody know? Does Vah Ki have power
6 transformation in it or is it just a switchyard?

7 MR. CROCKETT: We don't know the answer to
8 that question.

9 MEMBER LITTLE: Okay. And my second
10 question is, and you may not now the answer to this one
11 either, is it just a collection, switchyard or substation
12 for all the solar in this area? It does not look like
13 the SRP lines go into it and out of it.

14 MR. GIVENS: Looks like this 230kV line
15 goes into it.

16 MEMBER LITTLE: Sure does, doesn't it? My
17 mistake.

18 MR. AGNER: I mean, presumably, Member
19 Little, SRP would have their own lines connect in and out
20 of the Vah Ki Substation to allow the grid for their area
21 to be used by the substation. So I would imagine there
22 are SRP lines that are going into this Vah Ki Substation.

23 MEMBER LITTLE: Thank you.

24 MR. CROCKETT: And Mr. Agner, I may not
25 have heard you. Did you point out the location of the

1 Saint substation?

2 MR. AGNER: Oh, yes. So the Saint
3 substation that you can see is just north of the Vah Ki
4 Substation. And it's approximately -- we can kind of all
5 see that white container-type structure, shipping
6 container structure. It is around that general area
7 that's outside of the Vah Ki walled area. That's --
8 that's the Saint collection.

9 MR. GIVENS: Where that pickup truck is;
10 right?

11 MR. AGNER: Yes. There's also a pickup
12 truck there, too.

13 CHMN STAFFORD: Member Kryder.

14 MEMBER KRYDER: Mr. Agner, whose battery
15 farm is that back there?

16 MR. AGNER: It's --

17 MS. JOHNSON: Yeah, that should be a
18 NextEra battery project.

19 MEMBER KRYDER: That's part of yours;
20 right?

21 MS. JOHNSON: Yes.

22 MR. AGNER: It's likely another affiliate,
23 Member Kryder.

24 CHMN STAFFORD: And that's separate from
25 the solar field?

1 MR. CROCKETT: I don't know for sure, but I
2 assume that that battery storage is part of the Saint
3 project.

4 MEMBER KRYDER: Okay.

5 MR. CROCKETT: And that it wouldn't be a
6 separate NextEra affiliate, but would have just the
7 battery. Typically the projects contain both.

8 MS. JOHNSON: We do have standalone battery
9 projects but this is typically -- this should be with the
10 Saint Solar project.

11 CHMN STAFFORD: Any other questions?

12 MEMBER LITTLE: Mr. Chairman.

13 CHMN STAFFORD: Yes, Member Little.

14 MEMBER LITTLE: Does the applicant know how
15 far away those homes are from the project? If we use the
16 option that continues north and then comes back down?

17 MR. AGNER: So Member Little, I don't have
18 an exact distance for you at this time. However, if you
19 look at Exhibit A-2, you can see there are residential
20 areas called out that are north of the interconnection
21 project that likely are the structures that you're seeing
22 in the background.

23 We can get a distance for you, but you're
24 right, we do have them called out as residential and we
25 can get that distance for you from the nearest point of

1 option A to those structures when we get back to the
2 hearing room.

3 MEMBER LITTLE: Thank you. Thank you.

4 MR. AGNER: You're welcome.

5 CHMN STAFFORD: Anything further from
6 members? All right. With that let's go off the record
7 and get back on the bus and conclude the tour.

8 (TIME NOTED: 10:38 a.m.)

9 (Conclusion of Stop No. 3.)

10

11 (The tour concluded at 11:12 a.m.)

12 (The hearing resumed at 11:34 a.m.)

13 CHMN STAFFORD: Let's go back on the
14 record.

15 We are back in the hearing room after
16 completing the tour.

17 Mr. Crockett, I believe you were about to
18 start on the environmental section of the presentation.

19 MR. CROCKETT: Thank you, Chairman. And
20 welcome back from the tour, everyone.

21 As they say, a picture is worth a thousand
22 words, so I think it was a good tour. I think we got a
23 lot of good information.

24 Okay. So we are going to talk about the
25 environmental studies this afternoon.

1 ASHLEY JOHNSON, LORI BROWNE, COLIN AGNER,
2 and PHIL GIVENS, (continued)
3 called as witnesses as a panel on behalf of Applicant,
4 having been previously affirmed or sworn by the Chairman
5 to speak the truth and nothing but the truth, were
6 examined and testified as follows:
7

8 DIRECT EXAMINATION (continued),
9 BY MR. CROCKETT:

10 Q. Mr. Agner, let's begin with you.

11 Would you please provide the committee with an
12 overview of the studies, the environmental studies that
13 were prepared in support of the application for a CEC.

14 A. (Mr. Agner) Yes. So the environmental studies
15 that were completed to date in the CEC application
16 include land use, which is Exhibits A, B, and H;
17 biological resources, which Exhibits C and D; visual
18 resources, which is Exhibits E and G; cultural resources,
19 which is Exhibit E; recreational resources, which is
20 Exhibit F; and noise and interference, which is
21 Exhibit I.

22 And then just to refresh the committee,
23 Exhibit J, special factors, which normally includes a
24 summary of public outreach efforts, was discussed earlier
25 during Ms. Johnson's testimony, so we won't be covering

1 that.

2 Q. Mr. Agner, what areas did SWCA study in
3 performing its environmental evaluations?

4 A. (Mr. Agner) So SWCA reviewed and studied areas
5 within a one-mile buffer around the CEC corridor, and we
6 call that the study area.

7 The study area can be seen in Exhibits A-1, A-2,
8 and A-3 of the CEC application, and it's also on the
9 place mat in front of committee members. It's
10 Exhibit A-2. You can see the study area on that map.

11 Q. Mr. Agner, would you please describe the land
12 ownership and the land jurisdictions within the study
13 area.

14 A. (Mr. Agner) Certainly. So I will start with
15 land jurisdiction.

16 So the CEC corridor is approximately 418 acres.
17 Of the 418 acres, approximately 241 acres or
18 approximately 58 percent of that CEC corridor is within
19 the incorporated City of Coolidge.

20 The remaining CEC corridor acreage, which is
21 177 acres or approximately 42 percent, is in
22 unincorporated Pinal County.

23 Land ownership within the CEC corridor is
24 entirely privately owned property, or 418 acres.
25 Therefore, the CEC corridor, the interconnection project,

1 the sub route option, option A and option B, are all on
2 entirely owned private property.

3 Q. Mr. Agner, would you next describe your findings
4 regarding the existing land uses as those are detailed in
5 Exhibit B and mapped in the application as Exhibit A-2.

6 CHMN STAFFORD: I have a quick question
7 about the land ownership.

8 It's 100 percent on privately owned
9 property, but the applicant will not own 100 percent of
10 that; is that correct?

11 MR. CROCKETT: Yeah, I guess, Ms. Johnson,
12 let's get a clarification on that.

13 MS. JOHNSON: That's correct. For the
14 interconnection project, the portion of the routes
15 leading into the Saint Solar project area will be a
16 leased right-of-way agreement. We will have a leased
17 right-of-way agreement with our affiliate Saint Solar;
18 however, that project is owned by an affiliate of the
19 project.

20 CHMN STAFFORD: All right. And the land
21 along the 87, was that -- are you buying that land or is
22 that being easement as well?

23 MS. JOHNSON: It will be an easement.

24 CHMN STAFFORD: Okay. Thank you.

25 MEMBER LITTLE: Mr. Chairman.

1 CHMN STAFFORD: Yes, Member Little.

2 MEMBER LITTLE: Just to clarify, I believe
3 I heard that there's just one section that you do not
4 have that easement yet; is that true?

5 You have easements over the rest of the --

6 MS. JOHNSON: Correct.

7 MEMBER LITTLE: -- route?

8 MS. JOHNSON: Along -- along our preferred
9 gen-tie route, there are three parcels before we enter
10 into the Saint Solar project area. So there are two very
11 small parcels with the same landowner that we are
12 currently negotiating a right-of-way easement agreement
13 with.

14 MEMBER LITTLE: Okay. Does the county
15 require -- that's -- oh, that's in the city, isn't it,
16 that section?

17 It's is in the City of Coolidge?

18 MS. JOHNSON: I need to confirm whether
19 it's in the City of Coolidge or Pinal County.

20 MEMBER LITTLE: I'm just wondering whether
21 there are any easement requirements for the landowners,
22 or if this is just something that they choose to have or
23 not have.

24 Like, when I lived in town in my yard, the
25 back part of the property was specified as a utility

1 right-of-way, and I really didn't have the right to tell
2 them they couldn't use it. But now I live in the county,
3 and if anybody wants to use any piece of my property, I
4 have the right to say no.

5 MEMBER KRYDER: Toby, could you speak into
6 your microphone a little bit closer, please.

7 MEMBER LITTLE: Sorry. Now that I live in
8 the county there are no specified utility easement areas.

9 MS. JOHNSON: Well, we would come to an
10 agreement with the landowner, so they would have a say
11 whether or not they would want the easement on their
12 property, and they would be fairly compensated for it.

13 MEMBER LITTLE: Okay, and if they say
14 absolutely not, that's when you would have to use the --

15 MS. JOHNSON: Correct.

16 MEMBER LITTLE: -- alternate.

17 Okay. Thank you.

18 BY MR. CROCKETT:

19 Q. Okay. Mr. Agner, now let's talk about existing
20 land uses in the study area.

21 A. (Mr. Agner) Certainly. And before we talk
22 about existing land uses, I'll just briefly describe how
23 we created the map that you can see on the right-hand
24 side.

25 We used desktop data, GIS data that describes

1 the existing land uses and categorizes them for the study
2 area. We then need to go out and conduct a detailed
3 field inventory of the study area to verify that the
4 desktop data matches the on-the-ground realities of the
5 existing land uses.

6 And so if we find a conflict between the desktop
7 data and the field data, we will update the desktop data
8 with the field data findings before you see the exhibit
9 on the right-hand side of the screen.

10 So the exhibit includes our field findings and
11 as is an accurate representation of the existing land use
12 as best as we can determine.

13 MEMBER KRYDER: Mr. Chairman.

14 CHMN STAFFORD: Yes, Member Kryder.

15 MEMBER KRYDER: Mr. Agner, is this at the
16 point you were going to show us the Google of the
17 buildings we were talking about at our stop number 2, or
18 were you going to get to that later?

19 MR. AGNER: So I can describe it now. I
20 don't know how we want to handle the Google street view
21 image. I don't -- I'll defer to Jeff on whether we need
22 to make that an exhibit or I can show it in realtime.

23 But I will say, Member Kryder, during the
24 break, I did look at that white structure that we saw at
25 stop 1 that was to the west of us. And looking at it

1 from a Google aerial imagery, it did look like it was
2 additional agricultural buildings. It consisted of white
3 roofs that didn't have any walls associated with them.

4 So my suspicion is, again, it was used to
5 store agricultural products or maybe it's used for other
6 commercial purposes.

7 But from what I could see on the Google
8 street view, they did not look like they were inhabitable
9 structures.

10 MEMBER KRYDER: Thank you. Is it possible
11 to bring that up for us, or is that a big deal?

12 MR. CROCKETT: Chairman, we can certainly
13 arrange to do that. Perhaps we could get that set up
14 over the lunch break and then handle it after the lunch
15 break. We'll just -- I think we can connect a computer
16 in and put it up on the screen, and Mr. Agner can zoom in
17 on areas of interest.

18 MEMBER KRYDER: Thank you. That'd be
19 great.

20 CHMN STAFFORD: Thank you, Mr. Crockett.
21 It's like you're reading my mind. I was just about to
22 suggest that that sounds like something we could do after
23 the lunch break.

24 It should be technically feasible because
25 we typically do that, project the screen when we vote on

1 the CEC and work off of that, so you should be able to do
2 the same with a Google Earth image.

3 I don't know if we need to introduce that
4 as a screen print for an exhibit or just rely on the
5 testimony of your witness to explain what we're all
6 looking at.

7 MR. CROCKETT: My preference and
8 recommendation would be it would be supported by the
9 testimony. I don't know. It's difficult to -- you know,
10 we're going to be looking around at different places
11 perhaps. It's kind of hard to make that an exhibit. But
12 I think the testimony will support the discussion along
13 with the tour that we took, I think that should be
14 sufficient.

15 CHMN STAFFORD: And correct me if I'm
16 wrong, but there is a video recording of the proceeding.
17 I think that as long as that video captures the images
18 we're all looking at on the screen, I think that will be
19 more than adequate.

20 MR. CROCKETT: And I don't know the answer
21 to that question, but we can ask Peaks Audio during the
22 break, and we can get an answer. I'm getting the
23 thumbs-up from across the room. I can barely see Grace
24 over there from where I sit, but it looks like --

25 CHMN STAFFORD: Oh, two thumbs-up.

1 MR. CROCKETT: Two thumbs-up. So let the
2 record reflect.

3 All right. We'll get that set up over the
4 lunch hour.

5 CHMN STAFFORD: Excellent. Thank you.
6 Please proceed.

7 MEMBER KRYDER: Thank you very much.

8 CHMN STAFFORD: Oh, thank you, Member
9 Kryder.

10 Please proceed, Mr. Crockett.

11 BY MR. CROCKETT:

12 Q. Okay. Back to you, Mr. Agner.

13 A. (Mr. Agner) So now that I've given the
14 committee an overview of how we come up about these
15 existing land uses I'll go ahead and describe our
16 findings.

17 So overall we found that the study area can be
18 described as mixed use. And we would say that the major
19 land uses within the study area include utilities. And
20 I'll go ahead and use my pointer here on the right-hand
21 side to try to point them out.

22 So the light yellow that you can see in the
23 study area, those are the utility uses. And those are
24 mainly associated with the Saint Solar and Storey Energy
25 Center that are within the study area. Those are the

1 primary utilities that are within the study area.

2 We also have agriculture. And agriculture is
3 the green existing land use. And you can see that makes
4 up a good chunk of these study areas' existing land use.

5 We also have public facilities.

6 CHMN STAFFORD: And you're pointing at the
7 map on Slide 87 of SEC-2; correct?

8 MR. AGNER: Correct, Mr. Chairman.

9 And I would say this is also Exhibit A-2 in
10 the CEC application as well.

11 We also have the utilities, which is a
12 lighter blue, and it's a little hard to make out at this
13 scale, but it's around here is the utility land use that
14 we defined.

15 And then the other use that we defined is
16 residential. And you can see it is a darker yellow on
17 this map.

18 I would say that on the place mats it's
19 actually an orange color, but as the exhibit in A-2 of
20 the CEC application, it remains that darker yellow color.
21 The reason we switched it from darker yellow to orange
22 for the place mats in front of committee members is we
23 felt it would be a little bit easier to distinguish than
24 going two different shades of yellow, so we opted to go
25 with an orange color to make it a little bit more

1 definable for the committee.

2 CHMN STAFFORD: Thank you for that because
3 that certainly does make it easier to see.

4 MR. AGNER: Good. I'm glad it was a good
5 decision.

6 And the final land use that I want to point
7 out is the vacant. And the vacant land use has no color
8 associated with it. It's just the underlying aerial
9 imagery within the study area that has no underlying
10 color associated with it.

11 It is important to note I'll take a second
12 to point out anything outside the study area that is just
13 the aerial imagery, that does not necessarily mean it's
14 vacant. It just means we did not quantify existing land
15 uses outside the study area.

16 So there you should not necessarily
17 consider all the area outside the study area to be
18 vacant. It just means we did not look at the existing
19 land uses beyond the boundary of the study area.

20 MEMBER KRYDER: Mr. Chairman.

21 CHMN STAFFORD: Yes, Member Kryder.

22 MEMBER KRYDER: You spoke about the vacant
23 areas, and I assume you're talking about that; is that
24 correct?

25 MR. AGNER: Correct, Member Kryder. It's

1 any area that has no color associated with it that's in
2 the study area.

3 MEMBER KRYDER: But it is privately owned?

4 MR. AGNER: Correct. The entire CEC
5 corridor and the interconnection project are all sited on
6 privately owned property.

7 MEMBER KRYDER: And is this privately owned
8 by one of your parent companies, sub companies, or is
9 this by Joe Farmer or something?

10 MR. AGNER: I think I'll turn that question
11 maybe to Ms. Johnson to speak to which portions of that
12 vacant land are owned by its affiliate, and I'll give her
13 the pointer here to try to help point that out for you,
14 Member Kryder.

15 MEMBER KRYDER: Thank you.

16 MS. JOHNSON: So not all of the vacant land
17 you're seeing on the map is owned by an affiliate of the
18 Selma Energy Center project.

19 But if you can see on the right-hand screen
20 where my red pointer is, just south of the SunZia
21 right-of-way, you'll see some vacant land that is owned
22 by the Saint Solar, LLC. So generally where my red
23 pointer is.

24 But then between the preferred route and
25 our sub route where you see the vacant land, that is the

1 private landowner that I was previously talking about.

2 MEMBER KRYDER: Okay. This is the one
3 you're negotiating with for the option or you're working
4 on an easement with; correct?

5 MS. JOHNSON: Correct.

6 MEMBER KRYDER: Okay.

7 MS. JOHNSON: We have -- we have an
8 easement agreement with one -- with one landowner. They
9 are very small parcels. But then the two -- two
10 additional parcels that we are currently negotiating with
11 are with one landowner.

12 MEMBER KRYDER: Thank you. That's very
13 clear.

14 MEMBER LITTLE: Mr. Chairman.

15 CHMN STAFFORD: Yes, Member Little.

16 MEMBER LITTLE: The vacant parcels, what is
17 their zoning?

18 Maybe it --

19 CHMN STAFFORD: I think it's a subsequent
20 slide that's coming up; is that correct?

21 MEMBER LITTLE: Okay. Thank you.

22 MR. AGNER: I don't think we show you the
23 zoning throughout the entire study area or the
24 interconnection project.

25 What I can say broadly is that the

1 unincorporated Pinal County portion is generally zoned as
2 general rural, which does allow for an interconnection
3 project and is a permitted use.

4 The portion of the interconnection project
5 route that you're seeing right now that is within the
6 incorporated City of Coolidge is zoned as agricultural
7 and general industrial, but it also has an overlay zone
8 on top of that that's called industrial solar facility
9 overlay zone, and that allows for solar facilities and
10 the associated infrastructure including gen-ties as a
11 permitted use.

12 So broadly the interconnection project as
13 it's sited now is a permitted use in both unincorporated
14 Pinal County and the City of Coolidge.

15 MEMBER LITTLE: And what is the status of
16 those permit -- that permitting? Have you applied --
17 completed the permits or --

18 MR. AGNER: Well, Member Little and
19 Chairman Stafford, by permitted use, it means that it is
20 allowed to be constructed without a change in the zoning
21 designation. Sometimes there are additional permits that
22 are needed for commercial and industrial uses after you
23 would hypothetically change a zone. This could include,
24 like, building permits and things like that.

25 But, you know, the applicant can correct me

1 if I'm wrong, but certainly they would work with the
2 jurisdictions to identify those, you know, more refined
3 permits. But broadly speaking, the interconnection
4 project is allowed as a permitted use both from a land
5 use perspective and a zoning perspective.

6 MEMBER LITTLE: Okay. So the word "permit"
7 means allowed, not paper permit application?

8 MR. AGNER: Yeah, it's a little bit of a
9 confusing term, but it's sometimes referred to as a
10 permitted use or by right use meaning that you're just
11 inherently allowed to build it under that current zoning
12 district.

13 MEMBER LITTLE: Thank you.

14 MR. AGNER: You're welcome.

15 BY MR. CROCKETT:

16 Q. Mr. Agner, would you -- if you're through
17 describing the existing land uses in the area, would you
18 please talk about the existing utility infrastructure
19 within the vicinity of the interconnection project.

20 A. (Mr. Agner) Certainly. And so I think this
21 will make a nice connection to the in-person tour that we
22 took this morning.

23 So you can see that the SunZia right-of-way we
24 have in that blue and gray hatched area. There are
25 currently structures within that right-of-way that we

1 were able to view this morning as we got near stop 2, and
2 we could also see them to the south and during stop 3.

3 There's also the existing TEP right-of-way.
4 And, again, we could see those structures. It was the
5 three monopole structures that were just north of the
6 SunZia right-of-way. We could, again, see those more
7 clearly at stop 2 and south of us at stop 3.

8 We were also able to see that specifically for
9 the TEP transition project it got taller as it approached
10 to State Route 87. And while it's kind of speculative as
11 we described, that's probably to allow it to safely cross
12 State Route 87 and allow for traffic to continue to flow
13 along State Route 87.

14 And then also to the north near the options A
15 and B, it's kind of hard to make out at this zoomed-out
16 angle, but where there is the option A and B split we
17 also have the SRP transition right-of-way project.

18 And then in addition to just the transmission
19 infrastructure as I highlighted, during the utility
20 existing land use designation we have the Saint Solar and
21 Storey Energy Center projects. They are existing energy
22 infrastructure projects within the study area as well.

23 Q. Mr. Agner, were you able to make any conclusions
24 regarding the compatibility of the interconnection
25 project with the existing uses in the area?

1 And if so, what was that conclusion?

2 A. (Mr. Agner) Yes. So we were able to conclude
3 that the construction and operation of the
4 interconnection project would not conflict with the
5 existing land uses that it crosses and would be
6 compatible with the existing land uses in the vicinity of
7 the study area as well.

8 It would parallel existing features such as
9 existing transmission lines and distribution lines and
10 roadways.

11 And it would cross parcels that have compatible
12 land uses such as agriculture, utilities, and vacant land
13 uses.

14 So overall what we determined is that the
15 interconnection project is compatible with the existing
16 land uses.

17 Q. Mr. Agner, did you also as part of your
18 evaluation look at future land uses within the study
19 area?

20 A. (Mr. Agner) Yes, we did.

21 Q. Would you please describe what you found in
22 terms of future land uses or planned land uses.

23 A. (Mr. Agner) Certainly. So to first, again,
24 kind of set the stage a little bit here for committee
25 members, when we talked about planned land uses, they --

1 planned land uses are generally categorized and
2 identified by the applicable jurisdictions that you're
3 crossing.

4 Generally, jurisdictions in Arizona create some
5 sort of comprehensive plan or general plan that
6 identifies how they envision seeing that jurisdiction to
7 grow and generally what land uses they feel appropriate
8 to go in their jurisdiction.

9 So that's what we looked towards for this study
10 area is the planned comprehensive plan and general plan
11 for the jurisdictions that we cross.

12 And so for our particular study area we looked
13 at the Pinal County comprehensive plan, and we looked at
14 the City of Coolidge general plan.

15 And so we identified several planned land uses
16 within the area. There is the employment planned land
17 use, which is the green. The -- oh, I'm sorry.

18 MEMBER LITTLE: Mr. Chairman.

19 CHMN STAFFORD: Yes, Member Little.

20 MEMBER LITTLE: What does an employment
21 area mean?

22 I mean, if it's farming, people are
23 employed on the farm, but --

24 MR. AGNER: I would need to look at the
25 specific definition of the jurisdiction to see what they

1 categorize it as employment.

2 But generally, employment is an area where
3 they would like a concentrated number of jobs to be
4 created for their local community. And so that could
5 include a variety of uses that would support a number of
6 high number of jobs like a manufacturing plant or maybe a
7 commercial strip that includes a bunch of shopping
8 centers that would employ a number of people.

9 So generally it's focused on creating jobs
10 for the people in the area. But, again, I would need to
11 dig into the specific definition for that jurisdiction to
12 see what they would categorize the employment as, and I
13 can do that if you would like.

14 MEMBER LITTLE: No, that's fine. Thank
15 you.

16 BY MR. CROCKETT:

17 Q. So, Mr. Agner, in support of your review of both
18 existing and future land uses in the area of the
19 interconnection project, did you reach out and contact
20 existing landowners and stakeholders?

21 A. (Mr. Agner) Yes. And so when we reach out to
22 people regarding existing and planned land uses, we're
23 not necessarily focused on landowners. We're focused on
24 stakeholders because stakeholders generally know how they
25 want to plan and execute existing and planned land uses

1 within the study area that we should consider as part of
2 our exhibit.

3 And so we sent out 32 letters to 32 individuals
4 that encompassed 18 stakeholders, and we generally
5 identify the stakeholders by doing a review of the study
6 area and identifying what types of infrastructure are in
7 place or could be in place and generally speaking which
8 jurisdictions or stakeholders would be responsible for
9 those types of facilities.

10 So we do try to capture as many relevant
11 stakeholders as we can within the study area, so that's
12 kind of what helps determine that mailing list that we
13 send out this letter to.

14 And so when we sent out those letters, we did
15 get one response back, and it was from the Arizona Game &
16 Fish Department. And the Arizona Game & Fish Department
17 provided their standard recommended mitigation and best
18 practices for the interconnection projects, but they did
19 not identify any existing or planned land uses that would
20 be appropriate necessarily to include in Exhibits A
21 and B.

22 So the Arizona Game & Fish Department letter
23 that we discussed in Exhibits C and D, the biological
24 resources, where it's a little bit more appropriate to
25 discuss their response.

1 Q. And, Mr. Agner, was the letter from Arizona Game
2 & Fish also included as part of Exhibit H?

3 A. (Mr. Agner) Yes, it was.

4 Q. What is your -- well, first of all, have you
5 formed a conclusion regarding the compatibility of the
6 interconnection project with future uses?

7 A. (Mr. Agner) Yes, we have.

8 Q. And what is your conclusion?

9 A. (Mr. Agner) Our conclusion is that the
10 future -- that the interconnection project is compatible
11 with future land uses. And really that's taking into
12 account the zoning that I described earlier and ensuring
13 that it is compatible with the zoning districts that it
14 crosses, and for unincorporated Pinal County that would
15 be general rural.

16 And for the incorporated portion in the City of
17 Coolidge, we cross the industrial solar facility overlay
18 zone, and the interconnection project is compatible
19 within both of those zoning districts. So we do feel it
20 is compatible from a future land use perspective.

21 CHMN STAFFORD: Quick follow-up question
22 looking at Slide 89 of your presentation. If you look at
23 the City of Coolidge general land use plan, it has that
24 tan color for urban neighborhood, which is where a big
25 chunk of the solar project would be put.

1 Now, you've already obtained a plan
2 amendment for the solar array.

3 MR. AGNER: So for the City of Coolidge,
4 the applicant has obtained a conditional use permit to
5 allow the energy facility to go within the incorporated
6 portion of the City of Coolidge, yes.

7 CHMN STAFFORD: And then the solar -- was
8 it the solar energy overlay, that's at the county level?

9 MR. AGNER: That is at the City of Coolidge
10 level.

11 CHMN STAFFORD: Okay.

12 MR. AGNER: It is not displayed on this map
13 because we wanted to focus on just the future land uses,
14 but an overlay zone is typically put on top of zoning
15 districts to allow some additional flexibility for
16 additional uses that may not have been considered as part
17 of the underlying zoning district.

18 So you can elect to use an overlay zone
19 instead of the underlying zoning district, if that helps.

20 CHMN STAFFORD: Okay. And that's what the
21 applicant has done in this case; correct?

22 MR. AGNER: For the portion of the solar
23 facility that is within the City of Coolidge it all --
24 they went through a conditional use permit process that
25 did allow the energy facility.

1 For the interconnection project that's
2 within the City of Coolidge, the industrial solar
3 facility overlay zone has already existed by other -- by
4 other applicants, so there is -- there's no need to apply
5 for anything additional.

6 CHMN STAFFORD: All right. Thank you.

7 MEMBER LITTLE: Mr. Chairman.

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: What is the blue area
10 that's public? The little triangle with the chimney on
11 top of it.

12 MR. AGNER: So, Member Little, I would need
13 to look into that a little bit more.

14 It does look like it could be from what I
15 can see on the aerial maybe it's -- it's currently
16 vacant. But, again, when these jurisdictions prescribe
17 future land uses, it can sometimes guide development to a
18 certain area that may not have that existing land use, so
19 I would need to see -- I could look into what they
20 describe a -- that particular planned land use as, and I
21 can see if there's anything identified within the plan
22 that maybe specifically calls out what they had in mind
23 for this area, but I can't say for certain right now what
24 the intent of that area is.

25 MEMBER LITTLE: I would appreciate that.

1 And also, it's hard to tell where the
2 boundaries are on our map between city and county, but it
3 looks like both the green -- pale green square that's
4 above the little blue triangle and the blue triangle area
5 are county islands in the middle of the City of Coolidge;
6 is that correct?

7 MR. AGNER: I don't want to speak to
8 specific boundaries because I don't have -- as you said,
9 I don't have the exact information in front of me.

10 What I can say is it's not uncommon to see
11 unincorporated county portions right next to incorporated
12 portions in Arizona because of the way jurisdictions
13 annex and grow over time is they will create unusual
14 shapes, and they will sometimes annex areas that don't
15 follow necessarily linear paths, and so it is not
16 uncommon to see islands of jurisdictions bumping up to
17 each other or creating unusual shapes just with the way
18 jurisdictions grow and are annexed in Arizona.

19 MEMBER LITTLE: And my last question is
20 on -- I guess it shows best on that map right there,
21 which is A-4, I believe, in the application. There is an
22 urban trail that is maybe proposed along the canal that's
23 in the southern portion of the -- of the map. There are
24 two canals that are shown on that map, and it looks like
25 there's -- my question is the urban trail -- I don't

1 think it was called exactly that by Game & Fish, but
2 proposed multiuse trail corridor -- thank you -- only
3 exists for that canal and not the one that is further
4 north; is that correct?

5 MR. AGNER: That is accurate. And we'll
6 kind of discuss that during, I believe, the recreational
7 resource section.

8 But there is a planned trail that is
9 identified that is associated with a canal. Our review
10 of the area around that canal suggests that it would take
11 a decent amount of work to make it a suitable trail to be
12 used by the public as it's just currently dirt. So you
13 would need to do some improvement probably to make it a
14 suitable trail for the public to use.

15 So we do feel it's accurate that it's --
16 that you could call it a planned land use. And I
17 believe -- and, again, we'll describe it in greater
18 detail during Exhibit F, but I believe it was Pinal
19 County that identified that planned land use trail.

20 MEMBER LITTLE: Thank you.

21 MR. CROCKETT: Chairman Stafford, that
22 finishes our discussion of planned or of existing and
23 future land uses.

24 If there are no questions or no further
25 questions for Mr. Agner, we're going to move forward to

1 talk about biological resources.

2 MEMBER MERCER: Mr. Chairman.

3 CHMN STAFFORD: Yes, Member Mercer.

4 MEMBER MERCER: So I'm looking at the two
5 maps, the existing land use and the planned future, I
6 guess.

7 So basically what I'm looking at -- hold
8 on. All this area, the one that was on this map is
9 solar, right, utilities or whatever you call it?

10 MR. AGNER: That is correct, Member Mercer.

11 MEMBER MERCER: So what I'm seeing is that
12 all the agriculture is going to be gone, and all of this
13 area is going to be -- is that -- no, it's not going to
14 be solar -- it's going to be urban neighborhoods, all of
15 this.

16 So, I guess, I'm trying to understand is
17 there plans already for that, or is that -- I don't have
18 a crystal ball.

19 MR. AGNER: So, I guess, maybe to help try
20 to answer your questions, so when these planned land uses
21 are prepared by jurisdictions, really they're served as
22 guiding planned land uses, and, in other words, it's
23 maybe what the jurisdiction envisions maybe one day could
24 go in that area, but it doesn't always match the
25 on-the-ground reality of either what's there now or maybe

1 what developers would propose in that area.

2 And so there are a variety of reasons why
3 that occurs, but you're correct that even though maybe it
4 says urban neighborhood, there is solar there, and that
5 is, you know -- there could be -- they may one day
6 envision it being urban neighborhood, but that sometimes
7 doesn't always happen just because for a variety -- like
8 I said, for a variety of reasons, lack of maybe interest
9 or proposals.

10 But certainly it doesn't necessarily need
11 to be held to just let's say urban neighborhood with
12 residential. Usually these categories are relatively
13 broad to encompass a variety of uses that sometimes maybe
14 the name doesn't suggest. It could include a number of
15 uses.

16 And you can also get things like as we
17 mentioned conditional use permits, which maybe it doesn't
18 necessarily envision it right away, but there is a path
19 to getting that type of use in that specific area through
20 an additional permitting process.

21 MEMBER MERCER: Okay. So I'm just trying
22 to understand.

23 So the solar that is going -- that is there
24 already and the one that is coming in in 30 years going
25 to be gone according to this future planned use possibly?

1 MR. AGNER: Well, so it's not -- the solar
2 facilities are permitted through the jurisdictions. They
3 are the ones that ultimately approve and allow that solar
4 facility to be there.

5 And so whenever the solar facility has
6 their permits for, they could choose to continue to use
7 those permits for however long they're good for. If the
8 permit were to, say, expire and, you know, they needed to
9 get an additional permit to allow it to continue to
10 operate, then maybe that particular developer could
11 choose to do that.

12 But I would say that the future land use
13 does not necessarily mean that the solar facility must go
14 away. The jurisdiction can continue to allow that solar
15 facility to operate if it feels that that is the best use
16 for that area.

17 MEMBER MERCER: Okay. Thank you.

18 CHMN STAFFORD: Well, it is 12:11, so I
19 think before you begin on the biological resources
20 portion I think now would be a good time to take our
21 lunch break.

22 MR. CROCKETT: And I believe we're back up
23 on the ninth floor; is that correct?

24 MR. AGNER: Yes.

25 MR. CROCKETT: I'm seeing a nodding head,

1 so lunch should be up there.

2 CHMN STAFFORD: All right. Excellent.

3 Let's take an hour recess for lunch and come back at a
4 quarter after one. We stand in recess.

5 (Recess from 12:12 p.m. to 1:17 p.m.)

6 CHMN STAFFORD: All right. Let's go back
7 on the record. Mr. Crockett.

8 MR. CROCKETT: Thank you, Chairman
9 Stafford. We thought before we jumped into the
10 biological resources we'd finish up with Mr. Agner on
11 responding to a couple of questions we have about
12 residences in the area.

13 I've had Mr. Agner connect his computer
14 into our system so that we can look at a Google image on
15 the screen and zoom in on a couple of areas of interest
16 that the committee members have.

17 So with that, I would turn it over to
18 Mr. Agner. And maybe we can focus on the original
19 question -- the original area we had questions about.
20 And then if there are other questions we can move to
21 other areas.

22 MR. AGNER: Sounds good.

23 So to provide some context on what we're
24 going to look at here, this came up during the virtual
25 tour -- or I'm sorry -- not the virtual, the in-person

1 tour at Stop 1. And also during the hearing room by
2 Member Kryder as to what are the white structures to the
3 west of the interconnection project.

4 As a reminder it was structures that we
5 could see kind of far off on the landscape a little bit,
6 but it was not something that we could definitively
7 determine where we were standing at Stop 1.

8 So as you can see on my Google Earth
9 imagery here, the red line is the interconnection project
10 as it starts to leave the energy facility and head east
11 along East Selma Highway. And then turn north along
12 State Route 87.

13 The pin, while it says Sign 1, as we
14 discussed at Stop 1, we could see Sign 1. So that pin is
15 a good approximation of where we were standing at Stop 1.

16 So I'll go ahead and show you here what the
17 white structure is. And this is just using what's called
18 Google Street View, which allows you to see the
19 on-the-ground conditions for areas through which Google
20 or its subsidiaries or something like that has driven the
21 roadways with cameras and takes pictures of its
22 surroundings. So it's a fairly accurate representation
23 of the on-the-ground conditions for at least the time
24 that the picture was taken.

25 And as you can see here, the white

1 structures are north on the northern end of East Selma
2 Highway. Which is consistent with what we saw at Stop 1.

3 The structures that were kind of far off in
4 the landscape were more on the northern end of East Selma
5 Highway.

6 And as we can see here, they're just white
7 structures with roofs on top and then just, you know,
8 poles leading down to connect the roofs to the ground,
9 but there's no walls or -- or anything like that that may
10 suggest that these are necessarily residential habitable
11 areas.

12 Based on my best assessment of what we're
13 looking at, it seems like it's just additional
14 agricultural operation and storage areas and not
15 necessarily meant for any short-term or long-term
16 habitable use.

17 MEMBER KRYDER: Mr. Chairman.

18 CHMN STAFFORD: Yes, Member Kryder.

19 MEMBER KRYDER: Thank you very much. This
20 is incredibly clear now. These are obviously hay barns
21 and I could not determine that from where we were this
22 morning on Stop 1 and this takes out all doubt in my
23 mind. Thank you again.

24 MR. AGNER: You're welcome, Member Kryder.

25 MR. CROCKETT: And Chairman, is there any

1 other area that we wanted to look at before we move on?

2 CHMN STAFFORD: I thought there might be,
3 but I can't recall specifically.

4 Members, did you have any other questions
5 about any of the structures that we saw? Do you want to
6 get a closer look to anything that we saw from the
7 street?

8 MEMBER FRENCH: Mr. Chairman.

9 CHMN STAFFORD: Yes, Member French.

10 MEMBER FRENCH: The only other one that I
11 recall being mentioned was Member Little had asked about
12 the residential area at the northernmost portion of the
13 project.

14 CHMN STAFFORD: To the north of the
15 substation that they're going to connect to?

16 MEMBER FRENCH: Yes.

17 MEMBER GOLD: Yeah, by Steele Road.

18 MR. CROCKETT: And Mr. Agner, does this --
19 her question as I recall was regarding the distance from
20 option A to those residences.

21 Does this -- are you able to calculate a
22 distance using Google Maps?

23 MR. AGNER: Yes, I can get approximation
24 here in one minute. Just let me -- give me a second here
25 to navigate.

1 So, again, just to orient the committee,
2 you can see the yellow line which is the option A, which
3 is the option that extends the northernmost along State
4 Route 87 before it heads east, I believe Member French is
5 correct, Member Little had asked about distances to
6 residences from this area.

7 Looking at our Exhibit A-2, existing land
8 use that's on your place mat, it looks like the majority
9 of the residential areas are north of East Steele Road.
10 So if I were to just do a rough approximation here, those
11 residences are approximately 1,340 feet north of the
12 center line of option A. And that's assuming I just
13 roughly measured it to Steele Road, but the residential
14 structures themselves may be a little bit further north.

15 But for -- to answer Member Little's
16 question we're looking at approximately 1300 feet north
17 of the center line of option A.

18 CHMN STAFFORD: And can you zoom in to the
19 area to the left? Because it looks like based on the map
20 in that corner -- yeah, thank you, Member Gold. You're
21 pointing to that area there.

22 MR. AGNER: Is this the area you were
23 pointing to? I'm sorry, Member Gold, I didn't --

24 CHMN STAFFORD: Yes.

25 MR. AGNER: It looks like at this

1 particular location, we do have, mainly commercial is
2 identified, but there is a little bit of residential as
3 well. If we were to assume some of these areas were
4 residential, looks like the nearest structure is
5 potentially maybe here. And if that were the case, then
6 the nearest residential structure is approximately
7 600 feet north of the center line of option A.

8 But these residences are currently
9 surrounded by the Saint Solar project both to the south
10 and east.

11 MEMBER GOLD: Mr. Chairman.

12 CHMN STAFFORD: Yes, Member Gold.

13 MEMBER GOLD: Could you do that Google
14 Earth thing and plant it right about here or here so we
15 can see what those residences look like?

16 CHMN STAFFORD: Street View.

17 MEMBER GOLD: Street View, that's the word.

18 MR. AGNER: This is the Street View of that
19 approximate location, and we're looking east --

20 MEMBER GOLD: Would you put that Street
21 View in that location, please, and look this way?

22 So that area there is commercial. There
23 doesn't appear to be any residential here. Am I missing
24 any residential further in this direction, further south?
25 Nope.

1 MR. AGNER: It doesn't appear there are any
2 structures south of this area, Member Gold.

3 CHMN STAFFORD: Is that commercial right
4 there? Pan left. Is that a commercial -- is that a
5 trailer or is that a --

6 MR. AGNER: It looks like it's commercial
7 based on our existing land use map. We did identify
8 commercial in this area, but we also did identify a small
9 stretch of residential.

10 So it is possible that maybe we thought
11 there is a potential structure around here or two that
12 might be used for residences. But we also felt that
13 there's at least one structure that's being used for
14 commercial use.

15 MEMBER KRYDER: Could you move up closer to
16 that white building, please?

17 CHMN STAFFORD: Keep going.

18 MR. CROCKETT: I seem to remember on the
19 tour, I may be wrong, but it seems like that had some
20 kind of sign on it about body shop work or something.

21 MEMBER KRYDER: Let's go over in front of
22 that a little more. Can anyone read that? I can read EZ
23 but I can't read the rest.

24 MR. AGNER: I can -- I see EZ. I can't see
25 the thing in between it. But on the far right it says

1 auto body and paint. So, yeah, I would assume this is a
2 commercial use.

3 CHMN STAFFORD: And then to the left it
4 looks there's a trailer with a car parked in front. That
5 might be the residential use, it looks like there's a
6 couple trailers back there.

7 MR. AGNER: It appears so, Mr. Chairman.
8 This may be the residential structures we were
9 identifying in close proximity to this commercial use or
10 these two trailers.

11 CHMN STAFFORD: Okay. Thank you.

12 MR. AGNER: You're welcome.

13 MEMBER GOLD: Mr. Chairman.

14 CHMN STAFFORD: Yes, Member Gold.

15 MEMBER GOLD: Would you just pan around
16 that area? Do a 360 so we can see what you would see
17 from there if we were there?

18 So if I may make an assumption based on
19 what I've seen on the tour and on the map, we're looking
20 at an area that sits in the middle of existing
21 transmission distribution lines, roadways with heavy
22 vehicular traffic, a railroad in the back of it, an
23 irrigation canal that runs behind it, farmland, some in
24 use, some vacant.

25 Sparse residential plots, a multitude of

1 solar fields, a bunch of vacant areas. I did pass a
2 small horse ranch and a couple of these small businesses.
3 I don't think I missed anything.

4 This looks like it's a place where people
5 already are used to transmission lines, solar plants,
6 energy surrounding them. And when I measured the
7 electronic emissions right in the middle where I was
8 underneath 500kV lines and 230kV lines, both alternating
9 current and DC current, even there the electronic
10 emissions were reasonable. It was nothing that my
11 indications said were deadly. This looks like perhaps a
12 place that if you didn't put a transmission line there it
13 would be out of place.

14 MR. AGNER: Yeah, and it's worth pointing
15 out too, they're not super far from the Vah Ki
16 substation, and substations tend to have many
17 transmission lines entering and exit them.

18 So presumably there are -- there are
19 numerous distribution lines around them that aren't
20 mapped on our maps just because we can't -- if it's too
21 low of a voltage we can't map them. But presumably there
22 are other existing distribution lines around them as
23 well.

24 MEMBER GOLD: And we saw them, the low
25 voltage distribution lines, and this area is pretty much,

1 nothing in the zoning prohibits what you're doing, does
2 it?

3 MR. AGNER: Correct. I think as I
4 testified to earlier during our land use, the portion of
5 the interconnection project that is within the city of
6 Coolidge, we have the industrial solar facility overlay
7 that allows the interconnection project as a permitted
8 use, meaning that they're allowed to build it without any
9 zone change or land use change.

10 Similarly, the unincorporated portion in
11 Pinal County is zoned as general rural which allows for
12 transmission lines without any additional zone change.

13 So from a zoning perspective, the
14 interconnection project is allowed.

15 MEMBER GOLD: And the last point, the one
16 residence we did see which may have been the residence
17 that was referred to earlier as a resident said it would
18 harm his view of the quote/unquote, mountains, when I
19 looked from that location I already saw distribution
20 lines that were in between the residence and his view of
21 the mountains. Is that not correct?

22 MR. AGNER: That is correct. And I would
23 add that that particular location, there's also
24 distribution lines in the background, not necessarily
25 just in the foreground. You can see distribution lines

1 further out, so it's not necessarily an unobstructed
2 view.

3 And I would also add that that particular
4 location, both the SunZia right-of-way and the TEP
5 right-of-way are north of that particular location, but
6 not by much. So, again, that individual can clearly see
7 the TEP and SunZia right-of-way from his location. And
8 those are very high voltage 500kV transmission lines.

9 MEMBER GOLD: Thank you.

10 MEMBER LITTLE: Mr. Chairman.

11 CHMN STAFFORD: Yes, Member Little.

12 MEMBER LITTLE: Apologies for being a few
13 minutes late.

14 Can you on this program that you're on
15 right now, can you go down to that residence and we could
16 actually do the street view from the front -- from the
17 road in front of his house and look and see what he
18 sees -- they see?

19 CHMN STAFFORD: That was the one in between
20 Stops 1 and 2?

21 MEMBER LITTLE: Yes. It's the house right
22 there.

23 MR. AGNER: So, yeah, just to -- I guess
24 orient what we saw on the ground during our in-tour
25 activities this morning, Stop 2 was approximately

1 250 feet south of this particular location.

2 So when we were on there on the ground at
3 Stop 2, while we don't have the exact viewshed of that
4 person, it is very, very close because they're only
5 250 feet north. So we can get a very good understanding
6 of his existing viewshed from that stop.

7 So I did just a little bit of a 360-degree
8 view. From what I could see, I could see smaller
9 distribution lines present within the viewshed. I was
10 able to make out the SunZia transmission structures. And
11 I did not necessarily have a hard time seeing the Vah Ki
12 Substation either. I could make out the structures
13 associated with the Vah Ki Substation.

14 So I feel as though that individual has
15 views of existing electrical infrastructure from many
16 directions.

17 MEMBER KRYDER: Could you swing a little
18 bit more so we can see the mountains that were alleged in
19 the comment? Can you raise it any way to get up above
20 the foliage?

21 MR. AGNER: Unfortunately not, Member
22 Kryder. These pictures are taken from -- I've seen them
23 drive by. They're cameras above a car. And so that's
24 where it's taking it from is that position. So I'm
25 unable to raise it any further.

1 MEMBER KRYDER: Very fine. I see one
2 mountain in the background there.

3 MEMBER LITTLE: Mr. Chairman.

4 CHMN STAFFORD: Yes, Member Little.

5 MEMBER LITTLE: Will the project line be on
6 the other side of those bushes, trees? It will, won't
7 it?

8 MS. JOHNSON: Yes.

9 MEMBER LITTLE: And how much higher will
10 the poles be than that distribution line?

11 MEMBER KRYDER: A little closer to your
12 mic, Toby.

13 MEMBER LITTLE: How much higher will the
14 transmission line poles be than those distribution lines,
15 approximately?

16 MS. JOHNSON: Our interconnection project
17 will have a maximum height of 145 feet. However, I --
18 and Mr. Givens might be able to correct me, but I believe
19 the structures along this portion of the route will be
20 110 feet. Is that correct, Mr. Givens?

21 MR. GIVENS: That's the typical maximum
22 height, 110 feet.

23 MR. CROCKETT: And Mr. Givens, I know
24 you're -- I'm going to ask you to maybe estimate how tall
25 are those distribution structures? Do you have an

1 estimate or is that not possible to estimate that?

2 MR. GIVENS: I would guess they're maybe a
3 little more than 30 feet aboveground at the top.

4 MEMBER LITTLE: Thank you.

5 BY MR. CROCKETT:

6 Q. And Ms. Johnson, I think I heard you say the
7 maximum height would be 145 feet. Is it actually
8 146 feet?

9 A. (Ms. Johnson) Yes.

10 Q. Okay.

11 A. (Ms. Johnson) Thank you.

12 MEMBER GOLD: Mr. Chairman.

13 CHMN STAFFORD: Yes, Member Gold.

14 MEMBER GOLD: I specifically remember
15 looking at that area because I was concerned about that
16 neighbor.

17 MEMBER KRYDER: Into your microphone, Jon.

18 MEMBER GOLD: I was specifically concerned
19 about that neighbor's view so I deliberately looked at
20 that area. And from a standing position roughly six
21 feet, I could see more of the mountains and the
22 transmission lines appear to be within the mountains from
23 my vantage point.

24 That was just the impression I was left
25 with when I was standing there. And I'm gathering that

1 based on the position of your transmission line, if
2 they're double or triple the height they'll either be
3 above the mountain or, again, within the view of the
4 mountains if you're looking there.

5 So this resident is already looking through
6 transmission lines and he's surrounded by transmission
7 lines on the other side. So he is familiar with
8 transmission lines already and he did not come to the
9 meeting, best of my knowledge, last night.

10 So I don't see an issue with transmission
11 lines. They're already there in view.

12 MR. AGNER: I would agree, Member Gold.
13 There are transmission structures currently in his
14 viewshed that are readily visible.

15 MEMBER LITTLE: Mr. Chairman.

16 CHMN STAFFORD: Yes, Member Little.

17 MEMBER LITTLE: If we look at the before
18 and after pictures that are shown in Exhibit G-11C, or
19 G-11, there's a view from where we stopped,
20 approximately. Without this project and with the
21 project.

22 CHMN STAFFORD: Which KOP is that?

23 MEMBER LITTLE: I apologize. I was looking
24 at the wrong KOP.

25 MR. AGNER: I believe it's KOP-3.

1 MEMBER LITTLE: 3? No. That's where --
2 the KOP-3 is where the two alternate routes go. So it's
3 KOP-4, I believe. But KOP-4 is looking in a different
4 direction, so --

5 MR. AGNER: So I think I'm fairly certain
6 that the KOP that's near this area is KOP-3. You can't
7 exactly compare it one to one in this image because we're
8 actually a little bit further north because we wanted to
9 focus on that particular residence's viewshed.

10 So if we wanted to see that extend in this
11 program, I would have to move it a little bit further
12 south to reflect the actual KOP conditions that were
13 taken, so --

14 MEMBER LITTLE: So we are looking at G-11.
15 It's the bridge; right?

16 MR. AGNER: Correct, Member Little. KOP-3
17 is represented by Exhibit G-11.

18 MEMBER LITTLE: And, in fact, from his
19 view -- from his -- the house was tilted and he was
20 facing somewhat southeast -- I'm sorry -- yes, southeast.

21 And he does -- would have a view of those
22 mountains as Mr. Gold -- or Member Gold pointed out. And
23 with the transmission line -- actually his house is south
24 of where the alternate route would go; right? Or not the
25 alternate, what are we calling that thing --

1 MR. CROCKETT: Well, we've got sub route,
2 sub route option which is the one that leaves there at
3 the bridge and goes east.

4 MEMBER LITTLE: Right.

5 MR. CROCKETT: And that's KOP-3.

6 MEMBER LITTLE: Right.

7 MR. CROCKETT: And I -- and Chairman
8 Stafford, Member Little, I think if your point is that
9 from that person's home you would see the transmission
10 line under either the sub route option or the preferred
11 option, I think that is a true statement that that
12 homeowner would see that transmission line in their view.

13 MR. AGNER: I believe that's a pretty
14 accurate statement. We did the KOP at the intersection
15 of that roadway and State Route 87, so it's an
16 approximate view. I mean his house is only 250 feet
17 north, so it's a fair -- our KOP at this location is a
18 fairly accurate representation of both the existing and
19 what would be the simulated condition.

20 CHMN STAFFORD: And that's from roughly the
21 intersection of Earley Road and State Route 87?

22 MR. AGNER: Correct, Mr. Chairman.

23 MEMBER LITTLE: I'm just trying to
24 visualize whether some foliage barrier along his front
25 fence line would help or not. As far as his view of

1 what's in front.

2 I recognize that he's got the other two big
3 transmission lines to the north of him. I recognize that
4 there's a distribution line in front of him currently.

5 But a transmission line that is going to be
6 three times as tall as the distribution lines, the poles
7 are going to be three times as tall, is a little bit
8 different story.

9 And while I also recognize that one
10 residence is just one residence, but if there was
11 something we could do to help with his view, that might
12 be an appropriate thing.

13 CHMN STAFFORD: It seems to me the biggest
14 problem with his view would be placement of the
15 structures along the 87.

16 MR. AGNER: Well, I guess what I wanted to
17 point out here, and you can kind of see in this image
18 here is the SunZia transmission line structures are
19 visible to him to the north and they are at least as tall
20 as what we're proposing.

21 MEMBER LITTLE: I --

22 MR. AGNER: And he has not as far as this
23 image shows and as from what I can recall during the
24 in-person tour has not elected to put any visual
25 screening to block his view of those structures.

1 Now, I'm not necessarily trying to assign
2 values to him or suggest that he wouldn't do that in the
3 future. But he does have structures visible to him at
4 least this tall, and there's no visual mitigation effort
5 that he has currently undertaken to try to block those
6 views.

7 MEMBER LITTLE: I understand that. But
8 there could be all kind of reasons why he's not done
9 that. It's expensive, for one thing. Another is that it
10 doesn't look to me there are very many windows out that
11 side of the house.

12 However, all that said, I'm just wondering,
13 I'm not sure that a screen of any sort would help much.
14 I'm just thinking that it might be -- it might be
15 something that the applicant might consider as a help
16 with that.

17 MEMBER GOLD: Mr. Chairman.

18 CHMN STAFFORD: Yes, Member Gold.

19 MEMBER GOLD: If I remember that resident's
20 comments, he was concerned about the effect it would have
21 on the value of his property, how it would affect his
22 view of the mountains, and something about an owl. And
23 he did not come to the hearing last night. When he
24 was -- was he present at your meeting or did he just
25 leave a comment?

1 MR. AGNER: Member Gold, that particular
2 commenter left a comment in our virtual open house, and
3 it was after that we had requested deadlines for the CEC
4 application itself. It was commented between the CEC
5 application filing and this hearing.

6 So we still included it because it was a
7 comment that was received during the virtual open house
8 and we were able to accommodate it in time prior to the
9 hearing, but it was after the deadline that we had
10 requested that comments be received.

11 MEMBER GOLD: That is to your credit.

12 I think we're spending a lot of time on
13 some guy who likes the look of wide open spaces and likes
14 looking at the mountains. May have concerns about the
15 value of his property.

16 But I think his proximity to those
17 500-kilvolt lines that are much closer to his property
18 would have more of an effect than your project. And I
19 don't think screening would help other than perhaps a
20 smoke screen. I mean. This guy's got a house in the
21 middle of nowhere in an area that's surrounded by solar
22 panels. He looks like he maintains it well. As a matter
23 of fact, we saw him maintaining it.

24 But the fact that he didn't bother coming
25 to this hearing troubles me. And if he doesn't bother

1 coming to this hearing, why would we go to such great
2 lengths to support someone who didn't have enough -- I
3 mean, he was mobile. I saw him cleaning his yard. I saw
4 a lady cleaning the yard. I saw them setting up a burn
5 pit for refuse. I don't understand why one of them
6 couldn't have come to the meeting.

7 So we're spending a lot of time trying to
8 help this one individual in an area that's surrounded by
9 electrical structures. And it's still going to be
10 surrounded by electrical structures no matter what we do
11 for him.

12 In that case I think I represent the
13 public, but the public should also represent itself,
14 especially if he took the time to send you an
15 electronic -- it was an electronic text or mail or
16 something; correct?

17 MR. AGNER: It was submitted as a comment
18 through our virtual open house, so yeah, it was an
19 electronic submittal.

20 MEMBER GOLD: So we're not dealing with
21 somebody who's illiterate or doesn't speak the language.
22 I mean, the sign is facing his property where you're
23 having this meeting.

24 Anyway, I think I've spent enough time on
25 this.

1 MR. CROCKETT: And Chairman Stafford, if I
2 could just briefly make a comment on this.

3 To Member Little's point, you know, in
4 terms of screening with trees, I guess it depends on what
5 the homeowner values. Because if there were trees along
6 there, they would probably screen the view of the
7 mountain. And so we don't know what the -- we don't know
8 what the priority is there for the homeowner.

9 You know, we've reached out to -- the
10 homeowner expressed a concern through the virtual open
11 house, we reached out to the homeowner and they've not
12 contacted us since then. So I'm not sure there's more
13 that we can do based on the information we have right now
14 on this particular homeowner.

15 MEMBER LITTLE: Mr. Crockett, I appreciate
16 that information. I -- that particular piece of
17 information is -- gives me a little more comfort than
18 anything that I've heard yet.

19 I really appreciate the fact that the
20 applicant has tried to reach the homeowner to see if
21 there's anything that they could do to help. That's all
22 I'm asking. And it sounds like if your response was what
23 you said it is and I was actually looking back to see if
24 I could find it, then I believe that the applicant has
25 done their due diligence. Thank you.

1 MEMBER GOLD: Mr. Chairman.

2 CHMN STAFFORD: Yes, Member Gold.

3 MEMBER GOLD: I would like to reiterate
4 what Member Hill said. I think that's 100 percent
5 accurate.

6 CHMN STAFFORD: Member Little, you mean?

7 MEMBER GOLD: Little. Little. Why did I
8 say Hill? I apologize. Little. Toby, you can call me
9 another name later.

10 MR. CROCKETT: So Chairman, if there's
11 nothing else we're prepared to move on to Ms. Browne.

12 CHMN STAFFORD: Yes, please. I think we're
13 ready to begin the biological resources unless Member
14 Little has one last question.

15 MEMBER LITTLE: Yes, I do. And I apologize
16 if you addressed this before I got here this morning, but
17 what about the blue triangle?

18 MR. AGNER: I'll continue to look into it.
19 I apologize.

20 MEMBER LITTLE: Thank you.

21 MR. AGNER: I will get back to you.

22 MEMBER LITTLE: Thank you.

23 CHMN STAFFORD: Member Little, you did hear
24 the distances that they --

25 MEMBER LITTLE: Yes. Thank you.

1 CHMN STAFFORD: Okay. All right. Please
2 proceed, Mr. Crockett.

3 BY MR. CROCKETT:

4 Q. Okay. Well, Ms. Browne, good afternoon.

5 A. (Ms. Browne) Good afternoon.

6 Q. Would you please describe for the committee the
7 approach that was taken regarding biological resources
8 and the evaluation of those within the study area?

9 A. (Ms. Browne) Sure. Application Exhibit C
10 addresses species protected by federal or state laws and
11 policies because of their conservation status. It also
12 evaluates whether any areas protected for conservation
13 purposes are present in or near the vicinity of the
14 interconnection project.

15 To evaluate these biological resources, a
16 desktop review and reconnaissance field level --
17 reconnaissance-level field survey were conducted to
18 document existing conditions in the interconnection
19 project and study area and to note whether habitat
20 features important to the special status, threatened or
21 endangered species were present.

22 The desktop review included information provided
23 by the Arizona Game & Fish Department and the United
24 States Fish & Wildlife Service to identify protected
25 species and their critical habitat in any protected areas

1 that may be present.

2 In addition to a database search, the applicant
3 also reached out to Arizona Game & Fish Department about
4 the interconnection project as Mr. Agner spoke to
5 earlier.

6 The reply from Arizona Game & Fish is included
7 in Exhibit H, and included recommendations for best
8 practices to minimize impacts to wildlife.

9 These recommendations were incorporated into the
10 CEC application and following receipt of the application,
11 Arizona Game & Fish Department replied again noting they
12 had no additional comments at that time and thanked the
13 applicant for including their comments and for the
14 detailed analysis included in the application.

15 Their response is included as Exhibit SEC-10.

16 Q. So, Ms. Browne, on the right-hand screen are
17 these copies or images of the correspondence that you had
18 with fish and game?

19 A. (Ms. Browne) Yes.

20 Q. And Exhibit 10 -- Exhibit SEC-10 is the
21 communication trail between the applicant and Arizona
22 Game & Fish?

23 A. (Ms. Browne) That's correct.

24 Q. Would you please describe the findings regarding
25 areas of biological wealth as detailed in Exhibit C to

1 the CEC application?

2 A. (Ms. Browne) SWCA found that the proposed
3 interconnection project includes agricultural fields,
4 electrical generation infrastructure, solar arrays,
5 irrigation canals, roadways and light industrial
6 commercial land uses as we've been discussing.

7 There is no designated or proposed critical
8 habitat, important bird areas, conservation opportunity
9 areas or wildlife corridors and linkages in the
10 interconnection project or study area.

11 There is a Pinal County identified riparian area
12 in the interconnection project and study area which was
13 identified using remote sensing data. A review of aerial
14 imagery and the results of the site reconnaissance,
15 however, confirmed that no naturally occurring riparian
16 habitat is present within the study area or
17 interconnection project.

18 Q. So, Ms. Browne, do you anticipate any impacts to
19 areas of biological wealth from the interconnection
20 project?

21 A. (Ms. Browne) Any impacts to the Pinal County
22 identified riparian area identified previously would be
23 localized and temporary. There are no other areas of
24 biological wealth identified in the study area, so no
25 impacts to any other areas of biological wealth would

1 occur as a result of the interconnection project.

2 MEMBER FRENCH: Mr. Chairman.

3 CHMN STAFFORD: Yes, Member French.

4 MEMBER FRENCH: Ms. Browne, could you point
5 out where that riparian area is? I couldn't find it.

6 MS. BROWNE: I believe it is along -- so
7 Pinal County identified basically any area adjacent to
8 water sources as potential riparian habitat. So it's
9 along the canal.

10 MEMBER FRENCH: So essentially it just
11 follows the canal path?

12 MS. BROWNE: Yeah.

13 MEMBER FRENCH: Is it both of them, the
14 Hohokam canal and San Carlos canal?

15 MS. BROWNE: I believe so. I'm sorry. Do
16 you have that?

17 CHMN STAFFORD: Which one's which, Member
18 French? Just -- there's two, there's one to the north
19 and one to the south; right?

20 MEMBER FRENCH: The southernmost canal is
21 the San Carlos Irrigation Project canal.

22 MS. BROWNE: It is the -- I apologize. It
23 is the canal down here, that is a San Carlos canal.

24 MEMBER FRENCH: So besides what they've
25 identified essentially bordering the canal, was there any

1 other riparian area within the study area?

2 MS. BROWNE: The very -- so outside --
3 outside the interconnection project area but within the
4 study area further to the east outside the extent of this
5 map.

6 MEMBER FRENCH: I'm assuming it's the
7 Picacho reservoir east of this location.

8 CHMN STAFFORD: That's to the east of this,
9 isn't it?

10 MS. BROWNE: It is. Yes, it is the
11 reservoir.

12 MEMBER FRENCH: Okay. Got it. I just
13 wanted to make sure I wasn't missing anything. Thank
14 you, Ms. Browne.

15 MS. BROWNE: Sorry about that. Yep.

16 MEMBER LITTLE: Mr. Chairman.

17 CHMN STAFFORD: Yes, Member Little.

18 MEMBER LITTLE: And just to reiterate,
19 Ms. Browne, you said that there will be no impact by the
20 project on those riparian areas except perhaps during
21 construction in the area right adjacent to where the
22 project will be built?

23 MS. BROWNE: That is correct. We do plan
24 to span the canal and avoid direct impacts to the canal
25 itself and the riparian area.

1 MEMBER LITTLE: And do you -- I know that
2 Game & Fish, and then also in other areas within the
3 application I read that there may be -- what was it
4 called? -- a pathway, a nature trail, a corridor
5 adjacent to the canal.

6 Will the span be long enough that there
7 will still be space for whatever they choose to do for
8 reevaluation purposes adjacent to the canal?

9 MS. BROWNE: Yes. We do plan and we'll
10 discuss that a little bit more in the recreation section.

11 MEMBER LITTLE: Oh, that's right.

12 MS. BROWNE: But yes, we do plan to avoid
13 the proposed trail area as well.

14 MEMBER LITTLE: Okay. Thank you.

15 BY MR. CROCKETT:

16 Q. Ms. Browne, would you describe now SWCA's
17 general findings regarding biological resources?

18 A. (Ms. Browne) The interconnection project is not
19 likely to significantly affect any rare, endangered or
20 special status species. No threatened or endangered
21 species listed under the Endangered Species Act are
22 present in the interconnection project or study area.
23 And none would be affected by the interconnection
24 project.

25 The interconnection project and study area are

1 within the known range of the Monarch butterfly, which is
2 listed as a candidate species under the Endangered
3 Species Act. Habitat in the study area may be suitable
4 for use by the Monarch butterfly, but no plants in the
5 milkweed family were observed.

6 Milkweed is essential for reproduction of the
7 Monarch butterfly. So Monarch butterflies may use other
8 plants in the study area for foraging but not for
9 reproduction. As such, any potential impacts to the
10 Monarch butterfly would be minor. A very small portion
11 of suitable dispersal or foraging habitat would be lost
12 relative to the total amount of habitat in the vicinity
13 in connection with the construction of the
14 interconnection project.

15 Individual Monarchs may be impacted as a result
16 of the interconnection project, but individuals would be
17 expected to largely shift activity to nearby suitable
18 habitat.

19 The interconnection project does not contain any
20 suitable roosting or nesting habitat for bald and golden
21 eagles. However, bald and golden eagles may pass through
22 the study area as foraging habitat is present.

23 The interconnection project may impact
24 vegetation and general wildlife temporarily during
25 construction. However, the interconnection project and

1 vicinity have been previously disturbed and the project
2 will comply with applicable mitigation measures.
3 Therefore interconnection project impacts to biological
4 resources would be low.

5 Q. Ms. Browne, given that there are no threatened
6 or endangered species and only minimal impacts to areas
7 of biological wealth within the interconnection project
8 area, are any mitigation measures required to reduce the
9 impact of the interconnection project?

10 A. (Ms. Browne) Mitigation measures that would be
11 implemented for the interconnection project would be
12 typical, and the applicant would comply with the Arizona
13 Game & Fish Department guidelines for handling protected
14 animal species should any be encountered during
15 construction and operations for the project.

16 And we would consult with Arizona Game & Fish
17 and/or the U.S. Fish & Wildlife Service as appropriate on
18 any issues concerning wildlife.

19 Additionally transmission structures would be
20 constructed in compliance with standards provided by the
21 Avian Power Line Interaction Committee, which minimizes
22 the risk of electric for large birds.

23 Finally the applicant will follow the Arizona
24 Native Plant law and follow best management practices for
25 construction.

1 Q. Ms. Browne, would you please state your
2 conclusions regarding whether or not the interconnection
3 project is compatible with wildlife and plant species and
4 any affected habitat?

5 A. (Ms. Browne) Based on our evaluation, the
6 development and operation of the interconnection project
7 would be compatible with wildlife and plant species as
8 well as the affected habitat.

9 MR. CROCKETT: Chairman, we're going to
10 move ahead now. If there are no questions or additional
11 questions on biological resources we're going to move
12 ahead and talk about visual resources which is a
13 discussion we've been having for a good part of the day
14 but we're going to really get into it now with Mr. Agner.
15 BY MR. CROCKETT:

16 Q. Mr. Agner, would you please describe SWCA's
17 approach regarding visual resources as detailed in the
18 application under Exhibit E?

19 A. (Mr. Agner) Yes. So SWCA completed a visual
20 resource inventory to identify the existing scenery,
21 scenic quality, and sensitive viewers within the study
22 area.

23 And this was done in order to identify the level
24 of visual modification that would occur as a result of
25 the construction and operation of the interconnection

1 project.

2 So I'll go ahead and start off with the existing
3 scenery in the study area.

4 So what we found is that the existing scenery is
5 mostly open and it includes views of open fields and open
6 desert beyond the study area to the east.

7 There are also panoramic views of the Granite
8 Hills approximately 7.4 miles to the east. And the
9 Picacho Peak area approximately 13.5 miles to the
10 southeast.

11 So we also made a determination regarding the
12 scenic quality. And overall we found the scenic quality
13 within the study area to generally be considered low.
14 And the reason we found that is there is generally a lack
15 of visually interesting land forms and vegetation within
16 the study area.

17 There's also a lack of visually sensitive
18 resources. And finally, there is a lot of prominent,
19 existing, built environment that provides a high degree
20 of contrast with the natural landscape.

21 So we also identified two sensitive viewer types
22 within the study area. We identified residential areas
23 as being potential sensitive viewers and we also
24 identified travel route viewers as being potential
25 sensitive viewers. It is important to note that we did

1 not identify any sensitive recreational viewers within
2 the study area.

3 So I'll go ahead and start talking about the
4 residential sensitive viewers that we found within the
5 study area.

6 They are scattered really throughout the study
7 area as you could kind of see on the existing land use
8 map. But the nearest is approximately 210 feet north of
9 the interconnection project. And I would note that a lot
10 of the existing transmission and distribution
11 infrastructure that's present in the study area is coming
12 from the residential structures themselves.

13 We also have some sensitive, potential sensitive
14 travel route viewers and those are mainly along the
15 well-traveled roadways within the study area,
16 specifically routes such as State Route 287, State
17 Route 87 and East Selma Highway.

18 However, there are other named roadways within
19 the study area that could be used for local access or
20 local travel such as East Laughlin Road, East Earley
21 Road, and there are numerous other named and unnamed
22 roadways in the study area that would be used for travel
23 route viewers.

24 Q. Mr. Agner, we've talked periodically today about
25 visual simulations. We actually looked at one or two

1 with Member Little's questions.

2 Would you please describe how you determined
3 where you would locate the key observation points for
4 this, for the visual simulations?

5 A. (Mr. Agner) Yes, I'll do that and then I'll
6 also step through each of the KOPs as well.

7 So in general the KOP locations were chosen
8 based on a representation view of a sensitive viewer. Or
9 it was in a location where we felt that the potential for
10 visual impacts was greatest as a result of the
11 interconnection project.

12 So you can see on the right-hand screen all four
13 KOPs are mapped. And then on the left-hand screen is a
14 table of the KOPs.

15 And I'll kind of walk through them with the
16 committee one by one and I'll kind of point out some
17 things as well.

18 So in general as we move from KOP-1 to KOP-4,
19 we're going to move from north near the northern extent
20 of the interconnection project and we're going to work
21 our way south.

22 So KOP-1 starts at the northernmost extent and
23 then KOP-4 is going to be at the southernmost extent.

24 So I'll go ahead and start with KOP-1.

25 As you can see here on the map and on my pointer

1 here, KOP-1 is along East Steele Road. It's near the
2 northern extent of the interconnection project as I just
3 mentioned.

4 And you can also see on the map there is a blue
5 cone. And that blue cone is helpful for reference to the
6 committee because it actually shows the extent to which
7 you can see the facilities from that particular location.

8 So you can't always see the entire extent of the
9 interconnection project. There will only be certain
10 portions visible just based on how the camera takes the
11 picture. So the blue cone helps identify what is
12 potentially visible within that KOP extent.

13 So KOP-1 like I said is a view facing southwest
14 and that's towards the Vah Ki Substation and it's along
15 East Steele Road.

16 And this KOP was chosen to represent vehicular
17 travelers as well as residential areas. And that's kind
18 of in relation to what we just talked about earlier about
19 some residents being located north along Steele Road.
20 This KOP kind of reflects that.

21 Moving to KOP-2. This is a view that's looking
22 northeast from the intersection of East Laughlin Road and
23 State Route 87. And as you can see on the KOP dot and
24 the view cone, this is located approximately where
25 options A and B would split from one another along the

1 interconnection project. This is also I believe around
2 Stop 3 where we stopped during our in-person tour.

3 So the committee got a relatively comprehensive
4 view of this particular location during our tour this
5 morning.

6 KOP-3 is located a little bit further south
7 along the interconnection project. And it's at the
8 intersection of East Earley Road and State Route 87.

9 And this is located approximately where the
10 interconnection preferred route would continue to move
11 north and the sub route option would move east, then head
12 north and then head northwest to connect back into the
13 interconnection project. So this is located
14 approximately where that deviation in the interconnection
15 project route occurs.

16 And this was also Stop 2 during our in-person
17 tour. So, again, the committee was provided a relatively
18 comprehensive view of what the existing conditions look
19 like on the ground at this particular location. And this
20 location is meant to represent vehicular travelers as
21 well as residential areas.

22 And finally we have KOP-4. And KOP-4 is near
23 the southernmost extent of the interconnection project,
24 and it's a view that's facing northwest of State
25 Route 87. It's meant to represent vehicular travelers

1 and during the tour this morning, we -- our first stop,
2 Stop 1, was actually closer to the actual interconnection
3 project route itself.

4 We were roughly about 600 feet north of where
5 KOP-4 is. And we were within the viewshed or field of
6 view of the blue cone area. We were standing within that
7 area.

8 So I just wanted to step through each of the
9 KOPs, provide some context, as well as link it back to
10 the in-person tour today.

11 Q. Mr. Agner, would you please orient the committee
12 regarding the information that they will see on your
13 visual simulations?

14 A. (Mr. Agner) Yes, I will. And I'll orient the
15 committee as to what each of these are going to look like
16 and then we'll step through KOP-1 itself.

17 So on the left-hand screen on the very far
18 left-hand side, you're going to see information about
19 each of the KOPs themselves as well as our high-level
20 findings for each of the KOPs.

21 On the right-hand portion of the left-hand
22 screen is the existing condition photograph, so this
23 includes no simulations. It's just what the on-site
24 conditions look like today without any simulations
25 occurring within the field of view.

1 And then on the right-hand side of the screen
2 you're going to see the simulated conditions. Sometimes
3 these will include multiple simulations. In the instance
4 of KOP-1 it includes option A and B and the
5 undergrounding portion. However, that's not always going
6 to be the case, there sometimes will only be one
7 simulation on the right-hand side.

8 However, the general layout that I just
9 described is going to be the same as we step through each
10 of the KOPs.

11 So like I said I'll start with KOP-1.

12 And this is a view facing southwest from East
13 Steele Road. And it's meant to generally represent the
14 vehicular travelers and residential areas within
15 sensitive viewer types.

16 As you can see on the existing condition
17 photograph on the left-hand side, there is ample energy
18 and transmission infrastructure present within the
19 existing condition photograph. You can see the
20 Saint Solar project kind of in the below portion of the
21 viewshed.

22 And then you can also see numerous electrical
23 distribution lines and infrastructure as well.

24 So, again, the existing condition already at
25 this KOP includes energy infrastructure and numerous

1 transmission lines within the viewshed.

2 So turning our attention to the simulated
3 conditions, you can see for all options, option A, B and
4 the undergrounding portion, the simulated condition
5 project structures are somewhat difficult to discern from
6 this vantage point and would not change the overall
7 scenic quality or viewer enjoyment at this particular
8 location.

9 The structures will protrude into the sky as the
10 other transmission structures do. But it will be in
11 similar appearance to the ones that exist there today.

12 Views of the interconnection project would be
13 subordinate to the existing built features within the
14 landscape and so we would say there would be a weak
15 degree of contrast.

16 So therefore we conclude that the
17 interconnection project visual impacts to travel route
18 viewers and residential viewers at KOP-1 are expected to
19 be low.

20 And these impacts are expected to be similar for
21 both options A and B. But for the undergrounding
22 portion, the visual impacts might be a little bit less
23 because there are obviously fewer structures aboveground
24 when compared to the aboveground option A and aboveground
25 option B.

1 However, I will note and as we've described
2 previously, there still will be structures present near
3 the Vah Ki Substation as even the underground option
4 would need to transition from underground to aboveground
5 and then connect into the Vah Ki Substation as an
6 aboveground connection. So there still are structures
7 present at this KOP location even if the interconnection
8 project were to go underground.

9 So I'll talk about KOP-2 next.

10 KOP-2 is a view that's facing northeast from the
11 intersection of East Laughlin Road and State Route 87.
12 And, again, we were approximately at route Stop 3 when we
13 saw similar existing conditions.

14 This KOP is meant to represent vehicular
15 travelers, and as you can see in the existing condition
16 photograph on the right-hand portion of the left screen,
17 again, the Vah Ki Substation is clearly visible in the
18 landscape, there's numerous electrical transmission line
19 structures visible within the landscape, as well as
20 wiring associated with those transmission line
21 structures.

22 So, again, we determined that the existing
23 conditions at this particular KOP have energy,
24 infrastructure, and transmission line structures readily
25 visible within the landscape.

1 So turning to the simulated conditions. Again,
2 what we found at this particular KOP is that the project
3 structures would be difficult to discern within the
4 landscape. And it, again, it would not change the
5 overall scenic quality or viewer enjoyment of this area.

6 The structures, again, will protrude into the
7 sky similar to the ones that exist there today, and they
8 would be in similar form to those existing structures.

9 Views of the interconnection project would be
10 subordinate when compared to the existing condition
11 transmission structures. And therefore we have found
12 that it would result in a weak degree of contrast.

13 Therefore, interconnection projects, visual
14 impacts are expected to be low at this KOP-2 location for
15 both travel route viewers -- or I'm sorry -- vehicular
16 sensitive viewers.

17 Again we found that the impacts generally are
18 expected to be the same for both options A and B. But
19 for the undergrounding portion, again, there would be
20 less structures aboveground so the visual impacts are
21 going to be slightly less.

22 But, again, there are clearly structures still
23 simulated near the Vah Ki Substation to again reflect the
24 fact that the -- even if it were to go underground, it
25 needs to come up aboveground and connect into the Vah Ki

1 Substation as an aboveground connection.

2 So there still would be some visual impacts even
3 if it were to go underground at this KOP location.

4 So now I'll talk about KOP-3. So KOP-3 is a
5 view that's facing east from East Earley Road and State
6 Route 87. And it's meant to represent vehicular
7 travelers and residential areas.

8 As you can see in the existing condition
9 photograph and as we saw at Stop 2 today, it's a little
10 bit hard to make out specifically in this existing
11 condition photograph, but we were able to see existing
12 distribution lines visible both in the foreground and in
13 the background.

14 Specifically these wires you can kind of see
15 here are associated with some of the distribution line
16 infrastructure and there are, again, distribution lines
17 here in the background as well that you can make out in
18 the existing condition.

19 So, again, there is still some existing
20 transmission and distribution line infrastructure visible
21 in the landscape at this KOP location.

22 Moving on to the simulated condition for KOP-3.
23 As I think I mentioned during the virtual tour which
24 feels like forever ago at this point, at this KOP
25 location we simulated the sub route option.

1 And the reason that we simulated the sub route
2 option is we feel that the -- there is the most
3 structures that would be placed in the landscape, and we
4 also feel, given that we've seen the preferred route at
5 other KOP locations, we wanted to provide the committee a
6 simulation of what the sub route option could look like
7 at this particular KOP location.

8 And so you can see there on the right-hand
9 screen that the structures are continuing to move east
10 along East Earley Road or Morgan Trail Road. And then
11 they're going to turn north and then they'll go northwest
12 to connect back into the interconnection project.

13 So what we would say for this simulated
14 condition is that the foreground color patterns are just
15 visible from this vantage point and do not change with
16 the introduction of the interconnection project.

17 Again, the structures do protrude into the sky
18 and the structures are above the background mountains.

19 The lines, forms, colors, textures and scale of
20 the interconnection project facilities will be similar in
21 appearance to other transmission lines and infrastructure
22 within the existing landscape.

23 However, we would say that the interconnection
24 project will begin to attract attention and appear as
25 co-dominant features within the existing landscape

1 resulting in a moderate degree of contrast. Therefore,
2 project visual impacts to travel route and residential
3 area viewers at KOP-3 are expected to be medium.

4 And finally I'll move on to KOP-4.

5 KOP-4 is located at the southernmost end of the
6 interconnection project, and it's facing northwest from
7 State Route 87.

8 And this KOP is meant to represent vehicular
9 travelers, and again as you can see in the existing
10 condition photograph here, I'll point some of the
11 infrastructure out.

12 Again, you can see existing electrical
13 transmission and distribution infrastructure in the area.
14 And, again, to connect it back to our in-person tour this
15 morning, this was approximately where Stop 1 more or less
16 was.

17 We were 600 feet north of where this KOP was
18 taken. We were closer to the interconnection project
19 route itself, but we were standing in an area that's
20 visible within this field of view.

21 So turning our attention to the simulated
22 condition, you can see on the right-hand screen that
23 there are structures visible as it makes its way east
24 along East Selma Highway, and then it begins to cross at
25 an angle and then you can also see some tangent

1 structures visible as it continues to move north along
2 State Route 87.

3 Overall, we found that the lines, forms, colors,
4 textures, and scale of the interconnection project will
5 be similar to those of the existing transmission line
6 infrastructure in the area.

7 The interconnection project will be viewed
8 peripherally and for a short duration of time just based
9 on the travel speeds of State Route 87. And there is
10 existing intervening vegetation, transmission line
11 infrastructure, and surrounding roadway and residential
12 infrastructure that will further influence the viewer's
13 ability to focus on the interconnection project.

14 So overall we found that the interconnection
15 project will be seen. It will begin to attract
16 attention. And it will appear co-dominant to the other
17 built features in the landscape.

18 Therefore, we found that the interconnection
19 project visual impact to travel route viewers at KOP-4 is
20 expected to be medium.

21 Q. Mr. Agner, what is your conclusion regarding the
22 visual impact associated with the interconnection
23 project?

24 A. (Mr. Agner) So overall what we found is that
25 the interconnection project would be similar in form,

1 line, color, and texture compared with the other energy
2 facilities and transmission infrastructure in the study
3 area, which would result in a low to moderate impact to
4 scenery.

5 Similarly, impacts to sensitive viewers overall
6 would be low to moderate as a result of the perceived
7 contrast due to intervening visual elements, existing
8 infrastructure, composition of the views of the
9 interconnection project, and a low number of visual
10 resources within the study area.

11 Overall we found that the interconnection
12 project is going to be compatible with visual resources.

13 MR. CROCKETT: Chairman Stafford, that
14 completes our presentation on visual resources. So I'll
15 ask if there are any additional questions on that.

16 CHMN STAFFORD: Questions, Members? I
17 don't have any.

18 Please proceed.

19 MR. CROCKETT: Okay. We're going to move
20 on to cultural resources now. And hand the microphone
21 back to Ms. Browne.

22 BY MR. CROCKETT:

23 Q. Ms. Browne, would you please describe SWCA's
24 findings regarding cultural resources as those are
25 outlined in Exhibit E to the CEC application?

1 A. (Ms. Browne) Yep. SWCA's archaeology completed
2 an inventory of the previously identified historic sites,
3 structures, or archaeological sites within the study
4 area.

5 The inventory was completed by consulting the
6 Arizona State Museum, National Register of Historic
7 Places, General Land Office plat maps, and USGS
8 historical topographic maps.

9 The records review identified 37 previous
10 cultural resource surveys within the study area. 13 of
11 which meet modern survey criteria. These 13 surveys
12 covered approximately 258 acres of the CEC corridor.

13 The records review identified two historic era
14 sites within the one-mile study area. Neither of these
15 intersect the CEC corridor or the interconnection
16 project.

17 It also identified 19 historic era in-use
18 structures within the study area. Eight of these
19 structures are still in use and do intersect the CEC
20 corridor. These include the State Route 84 alignment,
21 now State Route 87; State Route 87; Selma Highway; the
22 Florence Case Grande Canal Extension; the Casa Grande
23 Canal; the SCIDD No. 1 Cross-cut Canal; the Southern
24 Pacific Railroad: Wellton-Phoenix-Eloy Spur, and a
25 utility line.

1 Three of these have been determined not eligible
2 or recommended not eligible, and the remaining five have
3 segments determined eligible.

4 The records review also identified three
5 previously recorded archaeological sites within the study
6 area, but none of these sites interconnect the SEC
7 corridor or the interconnection project.

8 The interconnection project will avoid directly
9 impacting these historic properties through engineering
10 controls. Four additional historic properties are within
11 the study area and don't intersect the proposed CEC
12 corridor. These have been recommended or determined
13 eligible.

14 The interconnection project will not introduce
15 indirect effects that would adversely affect the nine
16 identified historic properties. The applicant is
17 committed to conducting a Class III survey of the
18 interconnection project right-of-way.

19 Q. And, Ms. Browne, in connection with this
20 project, was the State Historic Preservation Office
21 consulted regarding cultural resources?

22 A. (Ms. Browne) Yes. SWCA consulted with the
23 Arizona State Historic Preservation Office, or SHPO, and
24 later provided a link to the CEC application.

25 A copy of SWCA's initial consultation and SHPO's

1 response is shown on the screen and provided in the
2 project CEC application as Exhibit E-1.

3 SHPO concurred with the consultation
4 recommendation that a cultural resources inventory be
5 conducted of the portions of the project area that have
6 not been previously surveyed to modern criteria to
7 identify and evaluate cultural resources that may be
8 present.

9 SHPO also requested that two conditions be
10 included in the CEC application. The conditions as
11 requested are also shown on the right-hand screen and we
12 verified these conditions are consistent with the
13 previously approved CEC, CEC-232.

14 Q. And Ms. Browne, are the communications between
15 the applicant and SHPO included as Exhibit SEC-7?

16 A. (Ms. Browne) Yes.

17 Q. Was there tribal outreach conducted as part of
18 the public outreach, and, if so, would you please
19 describe that?

20 A. (Ms. Browne) Yes. Eleven tribes were contacted
21 that claim affiliation with the lands in the study area
22 as identified through the Arizona Consultation Toolkit.
23 An invitation to attend the in-person open house was
24 provided and requests for comments or feedback.

25 Of the 11 tribes, two responded to the outreach.

1 The Salt River Pima Maricopa Indian Community requested
2 the applicant present the project to the four southern
3 tribes working group.

4 The applicant conducted this presentation on
5 September 20, 2024. Representatives from the SHPO,
6 national park service, ASU, and the four southern tribes
7 were present at the working group meeting.

8 Working group areas of inquiry included sources
9 of water during construction, limiting the spread of
10 invasive species, the extent of the class III surveys
11 that will be conducted in the future, proximity to other
12 well-known archaeological sites in Coolidge near the
13 national monument, and proximity in relation to the
14 SunZia transmission line project.

15 Additionally, the Tohono O'odham Nation
16 expressed an interest in continuing to receive
17 information, so the applicant will continue to provide
18 the Nation with relevant information moving forward.

19 Q. Ms. Browne, will -- you testified earlier
20 regarding the acreage that was covered by existing
21 surveys that qualify under modern standards.

22 Will the balance of the interconnection project
23 be addressed in a subsequent class III survey?

24 A. (Ms. Browne) Yes, it will.

25 Q. And that's one of the things that SHPO had

1 recommended?

2 A. (Ms. Browne) Yes.

3 Q. And that's been included in the draft of the
4 proposed CEC that we'll be looking at later today?

5 A. (Ms. Browne) Yes.

6 Q. Okay. Ms. Browne, what do you conclude
7 regarding the project's compatibility with cultural
8 resources in the vicinity of the interconnection project?

9 A. (Ms. Browne) The available records indicated
10 that there is unlikely to be any direct or indirect
11 effects on known historic properties as a result of the
12 interconnection project.

13 To ensure that additional potential historic
14 properties would not be impacted by the interconnection
15 project, then the applicant would complete a cultural
16 resources inventory of the portions of the project that
17 have not been previously adequately surveyed to identify
18 and evaluate any cultural resources that may be present.

19 If any historic properties are encountered, the
20 inventory would provide recommendations to mitigate any
21 adverse effects on those historic properties. The
22 applicant will comply with the two conditions recommended
23 by SHPO.

24 Therefore it's unlikely that there will be any
25 direct or indirect effects on known historic properties

1 as a result of the interconnection project.

2 Q. Ms. Browne, did the surveys also include looking
3 at recreational uses in the area?

4 A. (Ms. Browne) Yes.

5 Q. Would you please describe what you found with
6 regard to recreational resources?

7 A. (Ms. Browne) Sure. As mentioned previously,
8 the CEC corridor consists entirely of privately owned
9 land, which is generally not open for public recreation.
10 But public data sources from Pinal County and
11 the City of Coolidge were reviewed to identify potential
12 recreational resources that could be within the
13 interconnection project.

14 So a planned land use trail was identified by
15 Pinal County that's associated with the Florence-Casa
16 Grande canal. The interconnection project will cross the
17 proposed trail but no long-term disturbance features will
18 be placed in the proposed land use trail. No other
19 reevaluation features were identified in the CEC
20 corridor.

21 Additionally, the interconnection project will
22 not be fenced, so it would not inhibit or impact existing
23 or potential future opportunities for recreation.

24 The applicant has no plan to develop any
25 additional recreational opportunities in the area.

1 Q. Thank you, Ms. Browne.

2 MR. CROCKETT: Chairman Stafford, that
3 finishes the presentation on cultural resources and
4 recreational resources in the project area.

5 We're prepared to move now to -- finally to
6 noise and signal interference if there are no questions
7 before we move on.

8 MEMBER KRYDER: Mr. Chairman.

9 CHMN STAFFORD: Yes, Member Kryder.

10 MEMBER KRYDER: If we could go back to that
11 previous slide, Ms. Browne, there was some discussion and
12 I missed actually this morning about a walking path along
13 one of the irrigation canals.

14 If you would, please, run the laser through
15 that area? Could you do that for me, please?

16 MS. BROWNE: That would be that canal down
17 here.

18 MEMBER KRYDER: As you're queueing that up,
19 is that the canal that we saw running along the state
20 highway that we drove down?

21 MS. BROWNE: There were a number of canals.
22 There's an additional one. I don't know if you're
23 talking about this one.

24 MEMBER KRYDER: Yes, I was talking about
25 the one that runs up the highway here.

1 MS. BROWNE: That runs parallel, yeah, that
2 is a different canal.

3 We have I believe three canal crossings,
4 two with San Carlos and one with Hohokam.

5 MEMBER KRYDER: Just a little closer to
6 your mic, please.

7 MS. BROWNE: Sorry. Apologies. We have
8 three canal crossings, actually two with San Carlos and
9 one with Hohokam.

10 MEMBER KRYDER: And where is that?

11 MS. BROWNE: This one is San Carlos. This
12 one is San Carlos. And then I believe the north-south
13 one is Hohokam.

14 MEMBER KRYDER: And the one that was to be
15 the recreational walkway or bikeway, which is that?
16 Where is that?

17 MS. BROWNE: Down here on the southern end
18 where that Pinal County-identified riparian area is.

19 BY MR. CROCKETT:

20 Q. And Ms. Browne, is that the San Carlos
21 Irrigation and Drainage District Canal?

22 A. (Ms. Browne) Yes, it is.

23 MEMBER KRYDER: Were we not located here on
24 one of our stops?

25 MS. BROWNE: We were.

1 MEMBER KRYDER: Okay. And as I recall,
2 just to the east of that highway was the irrigation
3 ditch, and is that the one about which we're speaking?
4 Or is there another? That's where my confusion is. I
5 didn't know which one -- I didn't see a second one and I
6 was hoping you'd point that out if I'm missing it.

7 MS. BROWNE: Yes, there are a number. So
8 there is this one which kind of cuts along here which is
9 San Carlos. But then the one that I think you were
10 referring to that runs north-south parallel on 87 is a
11 different one.

12 BY MR. CROCKETT:

13 Q. And Ms. Browne, if I could interject, is there a
14 planned pathway along that canal or only the southern
15 canal that runs east-west generally, the San Carlos
16 irrigation drainage canal?

17 A. (Ms. Browne) Only the southern one that goes
18 east-west.

19 Q. So let me just in response to Member Kryder's
20 question, it sounds like that canal that runs parallel to
21 State Route 87 north and south, there is no planned
22 walkway or recreational pathway along that canal; is that
23 correct?

24 A. (Ms. Browne) That's correct.

25 MEMBER KRYDER: Okay. That -- so the

1 one -- someone brought up earlier this morning -- was
2 well away from the gen-tie that we're talking about; is
3 that correct?

4 That's what I was trying to find out.
5 Point out to me where that one was supposed to be was my
6 question. I recognize this one, but I don't know of any
7 others. Or is there no other? That's -- I don't
8 understand what's going on.

9 MR. CROCKETT: And Chairman Stafford,
10 Member Kryder, if you could look at this Figure 2 on one
11 of the maps, if you look down toward the bottom of the
12 project, you see a canal, a dotted line that starts --

13 MEMBER KRYDER: This is A-2?

14 MR. CROCKETT: Figure 2. Figure 2.

15 MEMBER KRYDER: Oh, other side? Okay.

16 MR. CROCKETT: So if you look where the
17 project substation is, up above that there's a canal, a
18 dotted line that comes down, it drops down to the south
19 and then it crosses over State Route 87 and then jogs
20 south again and then continues east. Do you see that
21 canal?

22 MEMBER KRYDER: I do.

23 MR. CROCKETT: Ms. Browne, is that the
24 canal that we're referring to?

25 MS. BROWNE: Yes, it is.

1 MR. CROCKETT: And so as you can see,
2 Member Kryder, the proposed gen-tie crosses that
3 interconnection at Selma Highway and State Route 87 at a
4 45-degree angle.

5 MEMBER KRYDER: I do.

6 MR. CROCKETT: And then it goes north, just
7 above where it crosses and goes north it will cross
8 that -- that canal. And so we're saying that that will
9 be spanned in such a way that it would not impact
10 construction of that recreational trail if and when that
11 happens.

12 MEMBER KRYDER: Thank you very much. That
13 is incredibly clearer. Thanks, Jeff.

14 MEMBER GOLD: Mr. Chairman.

15 CHMN STAFFORD: Yes, Member Gold.

16 MEMBER GOLD: Just for clarification,
17 because I'm not familiar, we didn't see this. Do these
18 canals intersect just near the junction where you go at a
19 40-degree angle across them?

20 If you look at Selma Highway, just a little
21 bit above Selma Highway, it looks like the north-south
22 canal intersects the east-west portion of the canal
23 before it bends south. Do they connect? I'm curious. I
24 don't know if it has any relevance to this project. I'm
25 just curious.

1 MS. BROWNE: I will have to confirm. I
2 don't think so. But I will have to double-check.

3 MEMBER GOLD: Because I don't recall canals
4 jumping over or burrowing under another canal.

5 MS. BROWNE: Some of them just end.

6 MEMBER GOLD: They do.

7 MEMBER LITTLE: Mr. Chairman.

8 CHMN STAFFORD: Yes, Member Little.

9 MEMBER LITTLE: Now I'm confused.

10 MEMBER KRYDER: Sorry I brought this up,
11 folks.

12 MEMBER LITTLE: Are we confusing ditches
13 and canals.

14 MEMBER GOLD: Perhaps.

15 MEMBER LITTLE: The yellow lines on this,
16 the squiggly ones that go east to west.

17 CHMN STAFFORD: The A-2 map on the back of
18 the place mat you're talking about.

19 MEMBER LITTLE: Yes.

20 MEMBER GOLD: The Figure 2 map.

21 CHMN STAFFORD: No, A-2. The other one on
22 the other side. There you go.

23 MEMBER LITTLE: Those are the two main
24 canals. Hohokam up north and San Carlos south.

25 CHMN STAFFORD: Hold on a second, Member

1 Little. Can you get that map up on the screen and we can
2 point a laser to so it will be clear to not everyone is
3 looking at their own place mat and pointing at it? Thank
4 you.

5 MEMBER GOLD: While they're looking for
6 that let me clarify, this thing that runs north-south, is
7 that a ditch or is it a canal?

8 CHMN STAFFORD: I think that's a ditch.
9 Yes.

10 MEMBER LITTLE: It's a ditch.

11 MEMBER GOLD: If there's water in the ditch
12 do we call it a canal or do we still call it a ditch?

13 MEMBER LITTLE: It's still a ditch.

14 CHMN STAFFORD: Right. And that's the
15 opposite of a tributary to a canal, it's where the canal
16 water flows out to the people that take irrigation; is
17 that correct, Member French?

18 MEMBER LITTLE: It carries the water from
19 the canals to the fields.

20 MEMBER GOLD: So the north-south ditch is
21 an irrigation something, that gets water from the canal?

22 CHMN STAFFORD: And that's not what they're
23 talking about putting a path on.

24 MEMBER GOLD: So they're putting a path on
25 this yellow thing that's squiggles down there?

1 MEMBER LITTLE: Yes.

2 CHMN STAFFORD: Yes. That's a possibility.
3 But my understanding is it's going to require quite a bit
4 of work to make that happen. And I don't think there's
5 any immediate plans to make it so at the county or city
6 level. I'm not quite sure who would be doing that.

7 MR. AGNER: I'm not sure either, Chairman
8 Stafford. I would generally agree that the current
9 existing conditions along that canal would make it
10 challenging to make it a usable trail, especially if you
11 want to use it for something beyond just walking, for it
12 to be a multi-use trail that involves biking or anything
13 else.

14 It would presumably require even more work
15 to make it a usable trail for those particular uses. So
16 it would require a decent amount of work, and it would
17 probably also require some coordination with the
18 irrigation district because you could feasibly need to
19 use some of their right-of-way as well. It would take a
20 decent amount of time to do it as well.

21 MEMBER FRENCH: I was going to provide a
22 little bit more clarity as to the use of the irrigation
23 canals as walking paths.

24 Most municipalities reserve the right to do
25 that due to the fact that the irrigation canals almost

1 always have water in them, so they're a little bit better
2 to walk next to as opposed to an irrigation ditch that
3 only has water in it whenever it's serving a specific
4 field or set of fields.

5 CHMN STAFFORD: Thank you. Now, we've got
6 that map on the screen, the A-2 -- is there a way to blow
7 it up on the screen? To kind of zoom in? There you go.

8 Okay. So I'm seeing -- who's got the
9 pointer? So there's this canal which is the -- Member
10 French?

11 MEMBER FRENCH: San Carlos Irrigation
12 District.

13 CHMN STAFFORD: And there's this one here.

14 MEMBER FRENCH: Hohokam Irrigation
15 District.

16 CHMN STAFFORD: And I believe this is a
17 third one up at the very top.

18 MEMBER FRENCH: I'm unfamiliar.

19 CHMN STAFFORD: Or is that some other
20 feature? Mr. Agner?

21 CHMN STAFFORD: It's marked as a utility.

22 MR. AGNER: Chairman Stafford, I would need
23 to look at the aerials and potentially see what's nearby.
24 It doesn't necessarily look or stand out as a canal at
25 the moment but I would need to zoom in on the aerial to

1 see if it is, in fact, a canal.

2 CHMN STAFFORD: I think for our purposes
3 that's largely irrelevant because it's well above where
4 the project -- it's just on the cusp of the study area
5 but nowhere really near the project.

6 MR. AGNER: Correct.

7 CHMN STAFFORD: It won't be exacted by the
8 project other than potentially visually.

9 MR. AGNER: Would not -- they would not
10 need any crossing permit even for a canal because the
11 interconnection project is nowhere near it.

12 CHMN STAFFORD: Right.

13 MEMBER GOLD: Mr. Chairman.

14 CHMN STAFFORD: Yes, Member Gold.

15 MEMBER GOLD: Out of curiosity sake, why
16 are we listing canals in yellow instead of blue like
17 everybody else in the world does?

18 CHMN STAFFORD: Because blue, there's only
19 so many colors you can make out with the naked eye on one
20 of these things. And so I think blue got opted into the
21 route option B and then SunZia -- and then they have the
22 transportation which is the roads and the railroad
23 primarily.

24 And then yellow was the catch-all for all
25 the utility functions which are solar fields, canals, I

1 think it's about pretty much -- and transmission -- well,
2 solar fields and canals is about what the yellow is on
3 here.

4 Once again I'm going to appreciate you
5 adding the orange color instead of a darker yellow for
6 the residential sections. That certainly made it easier
7 to see.

8 MR. AGNER: I'm glad that helped, Chairman
9 Stafford. I would say, yes, a canal is, you know, used
10 by a utility provider and so that's why it's yellow is
11 because water is a utility.

12 MEMBER GOLD: Okay. Yellow water was just
13 something --

14 CHMN STAFFORD: This is nonpotable water.
15 I think we've been going for approximately 90 minutes.
16 I'm sure the court reporter could use a break. So let's
17 take a break and come back at three o'clock, and then I
18 think at that point you said you're going to go on to
19 noise and signal interference.

20 MR. CROCKETT: Yeah, that's the last topic
21 and then we've just got a little bit of --

22 CHMN STAFFORD: Cleanup.

23 MR. CROCKETT: -- cleanup to do with
24 Ms. Johnson, and we'll be ready to move on to the CEC.

25 CHMN STAFFORD: Excellent. The only two

1 exhibits that I have left for you to cover are the
2 Commission Staff letter and your response to the data
3 request.

4 MR. CROCKETT: Yes, we're going to cover
5 both of those.

6 CHMN STAFFORD: Excellent. We stand in
7 recess.

8 (Recess from 2:49 p.m. to 3:08 p.m.)

9 CHMN STAFFORD: Let's go back on the
10 record. Mr. Crockett, I believe we're about to hear the
11 noise and signal interference analysis.

12 MR. CROCKETT: Thank you, Chairman
13 Stafford.

14 Before we jump to that, we do have some
15 information to report back on the triangular piece of
16 property that Member Little asked about.

17 MEMBER LITTLE: I'm here.

18 MR. CROCKETT: We'll let Member Little get
19 back to her seat before we pounce on this information.

20 But, Mr. Agner, did you, during our break,
21 have an opportunity to take a look at the land use
22 mapping for the city of Coolidge and that particular
23 parcel that we referenced earlier that Member Little
24 asked about?

25 MR. AGNER: Yes. And we may need to take a

1 second for Peaks to get to the planned land use map just
2 so we can again maybe reference it.

3 But I can report that in general, we did
4 figure out what the specific definition is for general
5 public facilities and services is as defined in that
6 comprehensive plan. And they define that as large public
7 and quasi-public facilities that require significant
8 space such as power plants, landfills, solid waste
9 transfer stations, wastewater facilities, water campuses,
10 and concentration of public buildings.

11 And so reviewing the particular area that
12 was identified in that blue and taking a look at the
13 aerial imagery, we don't think that that particular area
14 falls within any of these areas that I just defined, so
15 our best judgment is that it may have just been a mismap
16 of land use designation.

17 I don't see there being any of qualifying
18 use that would fit -- that could fit in that area. It
19 mentioned significant space and I guess that's
20 subjective. But it does not feel like that is a
21 significant amount of space to me.

22 BY MR. CROCKETT:

23 Q. Mr. Agner, did you -- were you able to determine
24 whether that property was privately owned?

25 A. (Mr. Agner) It is privately owned.

1 Q. And were you able to determine whether it's
2 within the city of Coolidge or Pinal County?

3 A. (Mr. Agner) I believe we determined it was city
4 of Coolidge. Correct. City of Coolidge.

5 Q. Okay. And from the aerial did it appear to be
6 developed or undeveloped property?

7 A. (Mr. Agner) Undeveloped.

8 Q. Okay.

9 MR. CROCKETT: So that's our report.
10 Again, the conclusion is that we think it may be
11 misidentified because it doesn't appear to fit within the
12 category that it's designated, but we just don't know at
13 this point whether it's correct, whether the zoning
14 designation is correct or not on that.

15 MEMBER LITTLE: Thank you.

16 CHMN STAFFORD: Thank you.

17 BY MR. CROCKETT:

18 Q. Okay. Mr. Agner, let's talk for a minute about
19 noise from construction and operation of the gen-tie and
20 signal interference.

21 Was that part of your scope of work in reviewing
22 this project?

23 A. (Mr. Agner) Yes.

24 Q. And would you please describe the anticipated
25 noise emission levels from construction of the proposed

1 gen-tie as that is detailed in Exhibit I to the CEC
2 application?

3 MR. AGNER: Yes. Let me go ahead and
4 advance the slides here to noise and signal interference
5 for the committee.

6 So I'll go ahead and start with the
7 anticipated noise levels from construction.

8 So we would expect that there would be some
9 temporary noise that would be emitted from the
10 interconnection project construction activities.
11 However, noise as a result of construction would be
12 temporary.

13 Furthermore, because there are a limited
14 number of people in the adjacent properties and because
15 construction would occur during daytime hours when
16 tolerance to noise is generally higher, noise impacts
17 associated with the construction of the interconnection
18 project are expected to be temporary and minor. The
19 applicant would adhere to any Pinal County noise-related
20 ordinances.

21 And I also want to point out during our
22 in-person tour today, I believe we got a relatively
23 accurate depiction of the noise landscape within the
24 study area. And it appears predominantly dominated by
25 traffic along State Route 87.

1 BY MR. CROCKETT:

2 Q. Mr. Agner, would you next discuss the
3 anticipated noise emission level from operation of the
4 gen-tie?

5 A. (Mr. Agner) Yes. So during interconnection
6 project operation there would be some audible noise
7 emitted from the proposed facility, primarily due to the
8 corona effect, which is a result of the electric and
9 magnetic fields creating a small electric discharge that
10 ionizes air close to the conductor.

11 The corona effect can be exacerbated by wet
12 weather, which is atypical within the study area.

13 Under normal circumstances, the audible noise at
14 the edge of the project right-of-way would be at most 17
15 decibels, and would quickly decline over distance away
16 from the interconnection project.

17 The audible noise level during heavy rain could
18 get as high as 42 decibels at the edge of the
19 right-of-way, but I would note that it would also be
20 masked by the noise of the rain itself. And it would
21 also again similarly decline the further away a receptor
22 was from the interconnection project.

23 I also want to point out that these estimated
24 noise levels are within the existing noise level
25 soundscape within the vicinity of the interconnection,

1 which is 34 decibels at night and 40 decibels during the
2 day.

3 Q. Mr. Agner, what is the potential for the
4 proposed gen-tie to interfere with communication signals
5 in the area?

6 A. (Mr. Agner) So as we describe it in Exhibit I,
7 potential interference from the interconnection project
8 facilities can be caused by corona as well as gap
9 discharges. The planned regular maintenance of the
10 proposed facility would minimize interference caused by
11 gap discharges. The corona-generated radio interference
12 is most likely to affect the AM broadcast and FM radio is
13 rarely impacted.

14 Furthermore, as described in my testimony
15 earlier and by others, we know that there is a large
16 amount of existing electrical infrastructure in the
17 immediate vicinity of the proposed facilities, and that
18 includes extra high-voltage transmission lines.

19 And we're not aware of any concerns raised by
20 nearby residences about potential interference as a
21 result of the existing infrastructure in the study area.

22 Q. Mr. Agner, have you been able to form a
23 conclusion regarding whether or not the interconnection
24 project would result in interference of television,
25 radio, cellular, or microwave communication signals?

1 A. (Mr. Agner) Yes.

2 Q. And please go ahead and explain the conclusion.

3 A. (Mr. Agner) Certainly. The construction and
4 operation of the interconnection project is unlikely to
5 cause interference with radio communication signals
6 surrounding the project, and any interference would only
7 be minor.

8 Only AM receivers located very near the
9 transmission lines have the potential to be affected by
10 radio interference, but these effects would be no greater
11 than those caused by the existing transmission lines in
12 the study area that exist today.

13 Satellite television signals are actually at a
14 much higher frequency than transmission lines and so
15 they're not affected by transmission operation or corona.

16 Cable television service is likewise unaffected.

17 Specific instances of broadcast television
18 reception interference are nearly always related to spark
19 gap discharges due to loose, worn, or defective hardware
20 which would be remedied for this interconnection project
21 just by regular maintenance of the facilities.

22 Therefore, we would expect there to be no
23 significant impacts to television communication signals
24 as a result of constructing and operating the
25 interconnection project.

1 And finally I want to note that cellular phone
2 antennae and microwave receivers are commonly mounted on
3 top of transmissions structures to take advantage of the
4 added height afforded by these structures, which
5 demonstrates that transmission lines do not interfere
6 with cellular phone tower operations or microwave
7 communication signals.

8 Therefore we would not expect any significant
9 impacts to cellular or microwave communication signals as
10 a result of the interconnection project.

11 Q. And Mr. Agner, what's your overall conclusion
12 regarding whether the project would result in excessive
13 noise or interference with communication signals?

14 A. (Mr. Agner) Based on my testimony that I just
15 provided, we conclude that the construction and operation
16 of the interconnection project would not result in
17 significant noise impacts and there is minimal potential
18 for communication signal interferes to occur as a result
19 of constructing and operating the interconnection
20 project.

21 Q. Now, Mr. Agner, in light of all of the testimony
22 and evidence that has been presented today regarding this
23 project, have you formed an opinion regarding whether or
24 not the Selma Energy Center interconnection project is
25 compatible with the environment?

1 A. (Mr. Agner) Yes. In my professional opinion
2 and based on SWCA's analysis, the interconnection project
3 would be environmentally compatible consistent with the
4 factors set forth in Arizona Revised Statute
5 Section 40-360.06, and consistent with previous projects
6 approved by the line siting committee.

7 Q. Mr. Agner, does that conclude your testimony?

8 A. (Mr. Agner) Yes, it does.

9 Q. And Ms. Browne, I'll ask you the same question.
10 Does that conclude your testimony?

11 A. (Ms. Browne) Yes, it does.

12 Q. Mr. Givens, does that conclude your testimony?

13 A. (Mr. Givens) Yes, it does.

14 MR. CROCKETT: Chairman, I have a few final
15 things to cover with Ms. Johnson, but if there are any
16 additional questions on any of the environmental studies
17 or the project itself we're happy to entertain those at
18 this time.

19 CHMN STAFFORD: Any questions from members?

20 MEMBER KRYDER: Mr. Chairman.

21 CHMN STAFFORD: Yes, Member Kryder.

22 MEMBER KRYDER: Question for Mr. Crockett.
23 We talked a bit yesterday about the end of project and
24 bonding and such as that. Were you going to cover that
25 now or later?

1 MR. CROCKETT: We're going to cover that
2 with Ms. Johnson.

3 MEMBER KRYDER: Oh, perfect.

4 MR. CROCKETT: Okay. So, in fact, why
5 don't we deal with that right now.

6 BY MR. CROCKETT:

7 Q. Ms. Johnson, did you have, in light of some of
8 the questions that Member Kryder has asked, have you had
9 occasion to do a little further research regarding the
10 questions of whether there is a performance bond that is
11 required for this project or how -- how the remediation
12 or restitution of the land at the end of the project will
13 be handled? What -- what have you found out on that?

14 A. (Ms. Johnson) We were able to confirm that
15 decommissioning bonds can be a jurisdictional
16 requirement. The portion of the project that's located
17 within the city of Coolidge's industrial solar facility
18 overlay does have a funding assurance requirement for
19 instances of abandonment. And that amount is to be
20 determined with the City of Coolidge.

21 To our knowledge, Pinal County does not have a
22 decommissioning bond requirement; however, our power
23 purchase agreements do include abandonment clauses. So
24 if a project were to ever be considered abandoned, the
25 Selma Energy Center, for example, would be considered in

1 an event of default in which there would be an
2 agreed-upon security amount that would cover the cost of
3 that abandonment.

4 I want to also clarify that NextEra's credit
5 rating is an A minus, which means we are able to get
6 pretty favorable investment terms. If we were to ever
7 abandon a project, that would significantly impact our
8 credit rating which is one of the highest in the
9 industry.

10 Not only would we not do that because of the
11 millions of individuals relying on our power, but we
12 wouldn't do it because it would jeopardize our credit
13 rating and ability to finance future projects.

14 CHMN STAFFORD: I have a quick question,
15 follow-up on that.

16 You have the -- you talked about NextEra's
17 credit rating. But Selma Energy Center, LLC, is the
18 owner of this project. What is their credit rating or do
19 they receive all their credit through the parent company?

20 MR. CROCKETT: I'll direct that again to
21 Ms. Johnson if she knows the answer to it. I mean Selma
22 Energy Center is a relatively newly created entity for
23 this project. I would doubt that they have a credit
24 rating on their own. But I'll see if Ms. Johnson knows
25 the answer to that question.

1 MS. JOHNSON: I don't think I can answer
2 that with confidence. But my understanding is that our
3 credit rating is through our parent company. But I don't
4 think I can confidently confirm that for you right now.

5 CHMN STAFFORD: All right. And at what
6 point would the bond amount be determined by the City of
7 Coolidge?

8 MS. JOHNSON: I would need to confirm that
9 with the City of Coolidge.

10 CHMN STAFFORD: Okay. Member Kryder, you
11 had a question.

12 MEMBER KRYDER: A couple.

13 Yes, thanks, Ms. Johnson. You spoke about
14 in the event that Selma Energy started the project but
15 didn't finish it, that's one scenario.

16 The one I was thinking more about was 30 or
17 50 years hence at some point this technology, these
18 fields and so on are likely to become obsolete. And as
19 big an organization as your parent companies are, I
20 suspect they've answered this question before.

21 But do they have a proposal that they stand
22 on regardless of what is required by the local entity?
23 In terms, the usual term that I understand is a
24 reclamation bond and that is as you're undoubtedly aware,
25 to turn the solar fields that we drove past this morning

1 back to farmland like the one on our first stop.

2 So talk with me about that, if you would,
3 please.

4 MS. JOHNSON: Certainly, Councilmember. As
5 you know the typical life span or term of a solar project
6 is generally 20 to 30 years. At end of the lifetime of a
7 project, it's determined whether to decommission that
8 project or repower that project.

9 In the event that the project is determined
10 to be decommissioned, we've already included in our
11 initial cap ex of the project cost for the
12 decommissioning.

13 You know, the Selma Energy Center project
14 is not at that point yet, but when it is more mature and
15 we have the site plan approval, we will determine an
16 appropriate decommissioning plan. But we have
17 incorporated those costs in the project. So we are
18 prepared for when the time is financially, for when the
19 time has come to decommission.

20 MEMBER KRYDER: I accept that. But I try
21 to follow the rule trust everybody but check, okay? And
22 so that -- the check in all of that is a bond.

23 And does someone in the organization
24 regardless of whether they're talking about Selma Energy,
25 LLC, or whatever level above it, somebody, an LLC by the

1 very nature of it, people can bail out and you're left
2 with nothing, right?

3 Okay. But your company wouldn't do that.
4 I mean they're a reputable company as you've established
5 and I believe.

6 At the same time, does your company have a
7 bond for this project? Not that it will be required by
8 Coolidge or not required by the county or whatever.
9 But -- and you've got the money set aside, I get that.

10 But 'meaning to' don't pick no cotton,
11 okay? Tell me about the bond that is held by someone
12 that is going to pay the town of Coolidge 10 to 12 to
13 \$15,000 an acre for this thing when it goes -- it's time
14 to retire? Can you talk to that?

15 MR. CROCKETT: And if I could just
16 interject, Chairman Stafford, Member Kryder, and ask a
17 question. Are you referring to the solar, the acreage
18 where the solar facility -- or are we talking about the
19 gen-tie which is a much smaller part of the project?

20 MEMBER KRYDER: Well, we only have
21 jurisdiction, as you certainly well know, over the
22 gen-tie. But the gen-tie ceases to have any merit or
23 value if there's not the field behind it. So in a sense,
24 it's a chicken/egg sort of thing.

25 So I'm not trying to be belligerent here,

1 but I am very concerned that it's something better than
2 somebody's word or the corporate word at one level or 15
3 levels above that says we're the good guys, you can trust
4 us. And I do. But I also like to see a bond on the
5 table.

6 BY MR. CROCKETT:

7 Q. And Ms. Johnson, if I could just follow up, when
8 you testified earlier about the financial assurance with
9 the City of Coolidge, that would be money that would be
10 available for the City of Coolidge to use in the event
11 that Selma Energy Center did not reclaim the land when
12 the project was at an end; is that correct?

13 A. (Ms. Johnson) Yes.

14 Q. And a substantial part of the gen-tie, not all
15 of it, but a significant part is located within the city
16 of Coolidge ISF overlay area; correct?

17 A. (Ms. Johnson) Yes.

18 Q. Okay. And do you know whether or not apart from
19 that financial assurance that Coolidge will require
20 whether Selma Energy Center has a separate bond?

21 A. (Ms. Johnson) No, I don't know. But I can
22 follow up with that and confirm with you all.

23 Q. You're not aware that they have a bond; is that
24 correct?

25 A. (Ms. Johnson) That's correct.

1 Q. And you're the project manager on this project?

2 A. (Ms. Johnson) Yes.

3 Q. And I would assume that you would be aware if
4 they had a bond; is that right?

5 A. (Ms. Johnson) Yes.

6 Q. Okay. So in all likelihood apart from the
7 financial assurance with the City of Coolidge, there
8 isn't a separate bond, to your knowledge?

9 A. (Ms. Johnson) Correct.

10 Q. Okay.

11 MEMBER KRYDER: Thank you very much,
12 Attorney Crockett and Ms. Johnson.

13 How do I get to the bottom of does nobody
14 ask? Am I the only fool in the room that needs some
15 proof? Someone somewhere is a whole lot brighter and a
16 whole lot more experienced than I am. I just walked in
17 off a farm.

18 But it is frightening to me when Bureau of
19 Land Management says about the field and they tie into
20 that the gen-tie lines and so on. But in their 2015
21 documents they said \$10,000 an acre is a minimum and how
22 many acres is the field here? The solar field's going to
23 be?

24 MS. JOHNSON: 1,053 acres.

25 MEMBER KRYDER: Okay. Multiply that times

1 in 2015 it was \$10,000. Inflation has got it up to
2 13,000 back of the envelope. Okay. Do the arithmetic.
3 That's a big number. And as you said with a AAA plus or
4 whatever you can buy a bond for it.

5 And that would be my recommendation that
6 the company say we're not required to do this but we're
7 the good citizens, we're the good guys. And therefore we
8 stand behind this, and even though my brother-in-law
9 sells them, I'm going to go talk to him about getting a
10 bond for this.

11 Is there -- I mean you're a project
12 manager, do you have that kind of a discussion? Or,
13 again, am I only the dumb guy on the block?

14 MS. JOHNSON: Absolutely not. I think that
15 your question is completely fair, and I want to get a
16 clear answer for you regarding when we acquire a bond,
17 who acquires it, how much it's for.

18 I aim to get those answers for you. But I
19 want to assure you as I'm sure you're aware, you know,
20 our reputation in Arizona and the United States I think
21 backs -- backs our company when we say that we see a
22 project through when we develop a project. We do not
23 abandon it.

24 We're committed to the communities that
25 we're in and delivering the energy that we promise that

1 we will. And I don't think I've ever seen an instance
2 where we have abandoned a project in Arizona.

3 MEMBER KRYDER: Okay. I -- you said you're
4 a Fortune 200 company, or your parent is. I work for
5 Fortune 5, and have advised several other organizations
6 that are not quite that high on the board.

7 But in all of this, and I don't mean to say
8 I got 12 years of experience and you can believe me, what
9 I mean to say is it would really be good customer
10 relations and community service, and if you're an A-plus
11 credit rated organization as undoubtedly Florida Light &
12 Power and whoever the parent company is would be, why
13 don't you recommend that they buy the bond and show that
14 they're the good guy.

15 It would take a lot of -- it would take a
16 lot of the concern that a number of people have -- again,
17 I represent Arizona farmers. And selling your land to
18 the solar project is one thing. But your neighbors all
19 say, you stinker. Okay. Make sure that that comes back
20 to be farmland 25, 50 years from now.

21 Go online, have your company go online and
22 say, hey, we're all over this. And buy the bond. And if
23 Coolidge doesn't require it, stand up and ride the white
24 horse in and say we're going to give it anyway. That
25 would be a personal recommendation.

1 And I know I'm taking a lot of valuable
2 time so I'll zip the lip and stop. But I thank you for
3 your -- any information you could give to me or to the
4 committee I think would be appreciated.

5 MS. JOHNSON: And I will, Councilmember. I
6 do want to assure you, though, that when we do
7 decommission the projects and how that is funded, we
8 absolutely return the land as it was prior to
9 construction.

10 MEMBER KRYDER: Okay.

11 CHMN STAFFORD: I have a kind of follow-up
12 question to this.

13 The applicant owns the land where the solar
14 array will be built; correct?

15 MS. JOHNSON: Yes.

16 CHMN STAFFORD: All right. Now, it's
17 different than a lease where you have to -- the term of
18 the lease dictates, okay, what condition the property
19 will be restored to at the termination of the lease.
20 When you own it, it's a little different. You don't have
21 a lease that says, okay, when you give it back to me it
22 is to be in XYZ condition.

23 In this case they own the land outright.
24 So I'm trying to understand the mechanism by which
25 Coolidge would require a bond. Wouldn't that have to be

1 in the conditional use permit? Where's the requirement
2 for a bond for decommissioning coming from if you own the
3 land outright?

4 MR. CROCKETT: Chairman Stafford, I'll
5 direct that to Ms. Johnson and see if she can respond to
6 that.

7 MS. JOHNSON: This requirement is included
8 in their industrial solar overlay that Mr. Agner was
9 speaking to earlier.

10 CHMN STAFFORD: Okay. So it's established
11 in their plan, then?

12 MS. JOHNSON: Yes.

13 CHMN STAFFORD: Okay. And then, so there's
14 a formula in the plan to calculate what a bond amount
15 needs to be. I guess it is going to be depending on what
16 the -- so this applies not just to generating stations
17 like your solar project, it would also apply to other
18 industrial facilities that -- in that area because it's
19 an industrial zone overlay?

20 MS. JOHNSON: The overlay is specifically
21 for solar.

22 CHMN STAFFORD: Okay.

23 MS. JOHNSON: Industrial solar.

24 CHMN STAFFORD: Okay. And so it's that
25 plan that has the requirement for decommissioning and a

1 bond?

2 MS. JOHNSON: Yes. Yes. It's specifically
3 worded as a funding assurance requirement.

4 CHMN STAFFORD: Then the plan must say when
5 and how much that must be tendered to the city; right?

6 MS. JOHNSON: Yes. And I need to study
7 their solar overlay a little better and specifically with
8 those requirements, because I don't think we've concluded
9 how much for our project that would be.

10 CHMN STAFFORD: Okay. But we've
11 established that there is a requirement and that it's
12 required by the city. So I think even if we don't know
13 the amount of what that bond will be, the standard
14 condition that we put in the CEC that says they'll comply
15 with, you know, all of the regulations of the city,
16 county, then that requires them to do that. And if they
17 don't then it's a violation of the condition of the CEC.

18 Do you agree with that assessment,
19 Mr. Crockett?

20 MR. CROCKETT: Yes, I do agree that it's
21 covered, and I certainly, you know, without knowing what
22 happens generally in the industry in Arizona, we
23 certainly comply with all of the local requirements. And
24 I would be very reluctant to have an additional condition
25 in a CEC that doesn't appear in other CECs with regard to

1 a bonding requirement.

2 And, Chairman, I think you raise a valid
3 point. This land is owned by the applicant and 30 years
4 from now, it's going to be more valuable than it is
5 today. And so presumably either they would extend the
6 life of the project and continue to generate power or
7 they would remove -- they would reclaim the project so
8 they could sell the land for houses or farmland or
9 whatever they're going to do at that point in time.

10 So I do agree with you that I believe that
11 the standard condition in the CEC is adequate to protect
12 the public here with regard to reclaiming the land at the
13 end of the PPA.

14 CHMN STAFFORD: Right. If, in fact, they
15 don't decide to continue on.

16 MR. CROCKETT: Yes.

17 CHMN STAFFORD: Because they could,
18 typically the solar panels won't all derate at the same
19 time. I assume, that we haven't seen one of these big
20 new projects, it hasn't been 30 years yet for any of them
21 so we don't -- we haven't seen the end of life cycle for
22 them.

23 I mean, unless, you know, there's a
24 breakthrough in technology that like you suggested makes
25 these obsolete, I think that it may be that we see

1 breakthroughs in technology that make better solar panels
2 that get a much higher production of power, in which case
3 they would just want to keep the site as is and just
4 start phasing in the new, better panels as the old ones
5 start to derate.

6 And I think that's something that they'll
7 have to make that decision based on the economics of the
8 project, I would think.

9 Right, Mr. Crockett?

10 MR. CROCKETT: I agree with everything
11 you've said, Chairman.

12 CHMN STAFFORD: Do you have anything else
13 further, Member Kryder?

14 MEMBER KRYDER: No, I thank you very much
15 for bringing it up and for Ms. Johnson's knowledge and
16 information and whatever she may find for us and for
17 yours, Attorney Crockett. Thank you.

18 MEMBER LITTLE: Mr. Chairman.

19 CHMN STAFFORD: Yes, Member Little.

20 MEMBER LITTLE: I'd like to just make a
21 couple of comments that I don't think will affect the CEC
22 or the conditions in the CEC, but I feel obligated to
23 speak to.

24 First of all, again, I don't mean to beat a
25 dead horse here, but the resident that is so close to the

1 transmission line to the project, I went back and I
2 reread what you guys or what the applicant reported was
3 the response to his comment or whatever it is you want to
4 call what he submitted to you.

5 And I would just like to see the applicant
6 to commit to actually reach out to that person and
7 perhaps work with the people who live in that residence
8 to -- particularly if the line if you go the preferred
9 route and the line ends up right in front of his house,
10 perhaps work with him a little bit on siting the poles.

11 If that pole is right in front of his front
12 door, that's a little different than if it's a little
13 ways one way or the other, for example.

14 So to reach out and just show that good
15 faith I think would be worth a lot.

16 And the second thing, Mr. Crockett, you
17 have heard this spiel before, and I'm going to keep
18 saying it. Developers come in to us and it's clear that
19 they are at a point in the development of their project
20 that they thought about this before January 1 of this
21 year that the 10-Year Plan that is outlined in the law to
22 be submitted to the Corporation Commission is intended to
23 aid the State in their transmission line planning. And,
24 you know, everybody's heard the phrase garbage in,
25 garbage out.

1 If they do not have information on all of
2 the projects that are being contemplated, then the output
3 is pretty worthless.

4 And once again I'm sure that this project
5 has been -- was considered and talked about and planned
6 for long before January 1 of this year. And I believe I
7 would really like to see 10-Year Plans sent in to the
8 Commission when projects are contemplated. Thank you.

9 CHMN STAFFORD: All right. Mr. Crockett, I
10 believe the outstanding issues to resolve in terms of
11 exhibits anyway are 6 and 9, the response to the
12 Commission Staff data request and the correspondence from
13 Commission Staff.

14 MR. CROCKETT: Yeah. Chairman Stafford, I
15 do have a few questions for Ms. Johnson that I will get
16 these into the record and we'll do that now.

17 I just did want to briefly respond to
18 Member Little and tell her that we hear those comments.
19 At lunch today we were having a discussion about 10-Year
20 Plans and about the quality of 10-Year Plans.

21 I'm not speaking about the applicant here,
22 but quality of those plans that get submitted to the
23 Commission and how you -- and I know you've personally
24 been involved with these, how you rely upon those to make
25 decisions for the state going forward.

1 So those plans are very important and I
2 will continue to be a missionary on that and advocate
3 early and well-thought-out 10-Year Plans. So I will
4 assure you we will do that.

5 In terms of the other comment about the
6 landowner, I think I commit on behalf of the applicant to
7 reach out and make a contact there. I would, and I know
8 you're not suggesting a condition in the CEC. That would
9 concern me to start giving landowners, you know, rights
10 in a CEC with regard to their viewshed. But we do hear.

11 CHMN STAFFORD: Especially when they don't
12 come to the hearing or they don't make public comment
13 before the committee.

14 MR. CROCKETT: Yes. Yes. Yes. Right.
15 But we certainly hear your concern, we've seen it, you
16 know, on our tour today and we will follow up and see if
17 we can help address the concern.

18 And I know for some things, for example,
19 the comment about burrowing owls in the ground, we have a
20 plan to deal with burrowing owls, so that's information
21 that we can communicate to that landowner as far as the
22 biology and preservation of species out there.

23 But we've heard your comment and we will
24 follow up on that.

25 //

1 BY MR. CROCKETT:

2 Q. So, Ms. Johnson, just a few things here before
3 we wrap up the evidence.

4 Did Selma Energy Center receive a data request
5 from the Commission's Utilities Division Staff?

6 A. (Ms. Johnson) Yes.

7 Q. And did Selma provide a response to that data
8 request?

9 A. (Ms. Johnson) Yes.

10 Q. Has the exhibit that has been marked as SEC-6,
11 is that a true and correct copy of the response that was
12 provided to the Staff report?

13 A. (Ms. Johnson) Yes.

14 Q. Did Salt River Project prepare a system impact
15 study that includes the Selma interconnection project?

16 A. (Ms. Johnson) Yes.

17 Q. Did Selma provide a copy of that system impact
18 study to Utilities Division Staff?

19 A. (Ms. Johnson) Yes, it was provided in response
20 to the data request.

21 Q. Okay. And you're aware that Chairman Stafford
22 sent a letter to Staff inviting them to review the
23 application and comment on the application and
24 specifically their views on how this project might affect
25 system safety and reliability?

1 A. (Ms. Johnson) Yes, it was dated -- the letter
2 was dated September 10, 2024, and filed in the docket.

3 Q. And after reviewing the response to the data
4 request and the system impact study, did Staff file a
5 letter in the docket on October 16, 2024?

6 A. (Ms. Johnson) Yes.

7 Q. Ms. Johnson, is Exhibit SEC-9 a true and correct
8 copy of Staff's October 16, 2024, letter?

9 A. (Ms. Johnson) Yes.

10 Q. And have you reviewed that letter?

11 A. (Ms. Johnson) Yes.

12 Q. And if you would, did Staff come to a conclusion
13 and recommendation regarding this project specifically?

14 A. (Ms. Johnson) Yes. The Staff --

15 Q. I was just going to ask you if -- and that
16 recommendation's found on page 2?

17 A. (Ms. Johnson) Yes.

18 Q. Would you please read the relevant portion for
19 the record?

20 A. (Ms. Johnson) Certainly. The Staff stated the
21 following: "Based on Staff's review of the application,
22 the applicant's responses to a Staff-issued data request,
23 as well as the TSIS performed by SRP, Staff believes the
24 proposed project could improve the reliability and safety
25 of the grid in the delivery of power in Arizona."

1 Q. And Ms. Johnson, has Selma Energy Center
2 submitted a proposed form of certificate of environmental
3 compatibility?

4 A. (Ms. Johnson) Yes. It was filed in the docket
5 on October 15, 2024.

6 Q. Is Exhibit SEC-5 a true and correct copy of that
7 proposed CEC?

8 A. (Ms. Johnson) Yes.

9 Q. Does the proposed CEC follow the format of
10 certificates issued by the line siting committee in
11 recent cases?

12 A. (Ms. Johnson) Yes.

13 Q. Ms. Johnson, is Exhibit SEC-2 a true and correct
14 copy of the PowerPoint presentation that we've looked at
15 yesterday and today?

16 A. (Ms. Johnson) Yes.

17 Q. Ms. Johnson, do you have any concluding remarks
18 or anything else we need to add to your testimony?

19 A. (Ms. Johnson) I would just like to thank the
20 line siting committee very much for your time the past
21 two days and for a great first CEC hearing on my behalf.

22 MR. CROCKETT: Okay. Chairman Stafford, at
23 this time I would move the admission of Exhibits SEC-1
24 through SEC-11.

25 CHMN STAFFORD: SEC-1 through 11 are

1 admitted.

2 (Exhibits SEC-1 through SEC-11 were
3 admitted.)

4 MR. CROCKETT: Thank you, Chairman
5 Stafford.

6 And I would just --

7 CHMN STAFFORD: Oh, I had one quick
8 follow-up question.

9 I noticed that it was called a transitional
10 system impact study and they referred to a transitional
11 system impact -- no, facilities study.

12 Is that -- that's due to the FERC rule
13 change, isn't it, and this is the transition period
14 between the old way and the new way?

15 MR. CROCKETT: Chairman Stafford, that's my
16 understanding. But let me ask Ms. Johnson to confirm
17 that.

18 MS. JOHNSON: Yes, that's correct. The
19 transitional queue, interconnection queue, the way in
20 which they are performing these studies is actually
21 slightly different than their interconnection queues
22 moving forward. But it's called a transitional because
23 it was transitioning from their former way of performing
24 these interconnection requests to their new way.

25 CHMN STAFFORD: Thank you. That was my

1 understanding. I wanted to make sure it was confirmed on
2 the record in case -- to avoid later confusion if someone
3 didn't know what the word transitional was doing in
4 there.

5 MR. CROCKETT: Yeah. So, Chairman
6 Stafford, let me just say in conclusion -- oh, you know
7 what.

8 CHMN STAFFORD: Would you like to give your
9 closing statement.

10 MR. CROCKETT: Yes, I almost forgot. I got
11 so excited that we were getting here to the end. I'm not
12 sure I can find my closing statement. This came up so
13 quickly here.

14 You know what, let me just say that over
15 the last two days as we presented this evidence, I think
16 as that evidence was supported by the tour that we took
17 this morning of the gen-tie route, I think we've
18 demonstrated that we have met the requirements in the
19 rule, in the statute, demonstrating that this project
20 will be a benefit to the state of Arizona. It serves a
21 need and a purpose that needs to be met. That being
22 providing renewable energy to help the Salt River Project
23 meet their goals going forward.

24 I think we've demonstrated that the
25 environmental impacts of this project will be minimal and

1 that we will work to minimize those impacts to the extent
2 reasonably possible.

3 I thank you for your attention today. I
4 know what a big assignment this is for all of you to
5 attend these hearings. There are a lot of them. And I
6 appreciate all the questions that have come forward and
7 the comments. We've heard those.

8 And so with that I would urge you to
9 approve the proposed certificate of environmental
10 compatibility for the Selma Energy Center Interconnection
11 Project.

12 CHMN STAFFORD: Thank you. Now, have you
13 received Chairman's 1 and 2?

14 MR. CROCKETT: I am not aware that I have.
15 Were they supposed to come to me?

16 CHMN STAFFORD: Yes, I believe Tod sent
17 them out. The court reporter should have them. I'm sure
18 it's at -- Glennie has them.

19 MR. CROCKETT: Chairman, I'm not finding
20 those on my phone here quickly. Let me just look again.
21 I don't see an e-mail from Tod. Perhaps we could take a
22 five-minute or a 10-minute break while we get set up to
23 start going through the CEC.

24 CHMN STAFFORD: Right. We're going to have
25 to get them queued up and put on the tablet, so it's

1 going to take a minute. As much as I'd like it to be 10
2 minutes, it might take longer than that.

3 MR. CROCKETT: 15 perhaps.

4 CHMN STAFFORD: Right. So let's -- we'll
5 go offline, we'll go off the record and then we'll get --
6 make sure you have Chairman's 1 and 2 and the AV team has
7 them, they can get them -- I think the -- Chairman's 1,
8 the PDF is probably better to read off of for the members
9 on the tablet, because that one shows the changes as
10 opposed to I think the Word one ends up -- I mean, the
11 last hearing I remember all the things were accepted in
12 there and it was hard to tell what was going on.

13 So I think we'll have to put Chairman's 2,
14 which is the Word document we'll be working off of to
15 amend, on one screen, but then if we get them both,
16 especially the PDF onto the tablet so it's much more easy
17 for the members to read them off the tablet in front of
18 them as opposed to the screen.

19 MR. CROCKETT: Okay.

20 CHMN STAFFORD: All right. Let's -- we're
21 shooting for a 15-minute recess. We stand in recess.

22 (Recess from 3:52 p.m. to 4:52 p.m.)

23 CHMN STAFFORD: All right. Let's go back
24 on the record.

25 Up on the screens we have on the left

1 Chairman's 2, which is the Word document of the CEC that
2 we'll be working off of. And then the PDF, Chairman's 1
3 is on the right-hand screen. It's been loaded on the
4 tablets for the members. It's easier to read and you can
5 read at your own pace when it's on the tablet as opposed
6 to having to wait for someone to scroll the screen up in
7 front of us.

8 Before we get to the CEC I just wanted to
9 make sure the record was clear that the applicant made
10 several amendments to the CEC. I think they showed good
11 cause to make the changes and I don't they constitute
12 substantial deviation from what was noticed to the public
13 that would require additional hearings. My determination
14 is subject to being overruled by the majority of the
15 committee.

16 MEMBER GOLD: I move that we accept your
17 recommendation.

18 MEMBER MERCER: Second.

19 CHMN STAFFORD: All in favor say "aye."

20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?

22 (No response.)

23 CHMN STAFFORD: Hearing none, the
24 amendments are accepted.

25 And those amendments were as described

1 earlier, increase to the structure height from 110 feet
2 to 146 feet. The span length, I think that was noticed
3 up to a thousand and now it's up to 1400.

4 MR. CROCKETT: It is. I believe it was
5 1100, if I'm not mistaken, and we've increased that to
6 1400 as a maximum span.

7 CHMN STAFFORD: Right. And the maximum
8 span length, that's set by -- is that WECC and NERC
9 standards.

10 MR. CROCKETT: I'll ask Mr. Givens to
11 respond to that question because I don't know the answer.

12 MR. GIVENS: We set it as a reasonable
13 limit for this structure type in order to give us more
14 flexibility.

15 CHMN STAFFORD: But even with the increased
16 span length you'll be able to maintain the required
17 distance of the conductor from the surface.

18 MR. GIVENS: Yes.

19 CHMN STAFFORD: All right. And then you
20 added additional riser and dead-end structure. That was
21 referenced on Slide 45 of Exhibit SEC-2; correct?

22 MR. CROCKETT: That's right, Chairman.

23 CHMN STAFFORD: And that was because of the
24 under -- the potential for undergrounding.

25 MR. CROCKETT: I believe that was the

1 potential for doing an overhead project -- overhead line
2 within the Saint Solar facility.

3 CHMN STAFFORD: Okay.

4 MR. CROCKETT: Again, Mr. Givens, is
5 that -- can you confirm that?

6 MR. GIVENS: That's correct.

7 CHMN STAFFORD: Okay. That was for an
8 overhead inside --

9 MR. CROCKETT: That's correct.

10 CHMN STAFFORD: -- your affiliate's solar
11 facility.

12 MR. CROCKETT: Yes.

13 CHMN STAFFORD: Okay. Yes. Those are all
14 not substantial deviations.

15 All right, Members, you have the CEC, the
16 draft proposed CEC before us. If you would review the
17 introduction. I've already removed Members Hill, Drago
18 and Fontes from the list. Member Somers was already
19 taken off from the draft provided by the applicant.

20 MEMBER LITTLE: Mr. Chairman, I move the
21 introduction.

22 MEMBER GOLD: Second.

23 CHMN STAFFORD: Further discussion?

24 MEMBER FRENCH: Mr. Chairman.

25 CHMN STAFFORD: Yes, Member French.

1 MEMBER FRENCH: Recommended striking the
2 word "granted" on line 17, page 2.

3 CHMN STAFFORD: Yes. Do I hear a second?

4 MEMBER MERCER: Second.

5 CHMN STAFFORD: Further discussion?

6 (No response.)

7 CHMN STAFFORD: All in favor say "aye."

8 (A chorus of "ayes.")

9 CHMN STAFFORD: Opposed?

10 (No response.)

11 MEMBER LITTLE: Mr. Chairman, I move the
12 amended introduction.

13 MEMBER FRENCH: Second.

14 CHMN STAFFORD: Further discussion?

15 (No response.)

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 MR. CROCKETT: Chairman Stafford, just to
19 clarify, would you like us to go ahead and accept these
20 changes as we go through the document?

21 CHMN STAFFORD: No, you can leave it as is
22 for now. When we -- when I finalize it and correct any
23 potential scrivener's errors, we'll accept the changes
24 then. I think it's just -- for ease now for the members
25 to see what we're looking at, what we've changed I think

1 that's -- we can leave it as it is.

2 The introduction was moved as amended.

3 Further discussion.

4 (No response.)

5 CHMN STAFFORD: All in favor say "aye."

6 (A chorus of "ayes.")

7 CHMN STAFFORD: Opposed?

8 (No response.)

9 CHMN STAFFORD: Hearing none, the
10 introduction as amended is adopted.

11 Moving on to the project description.

12 MEMBER KRYDER: Mr. Chairman.

13 CHMN STAFFORD: Yes, Member Kryder.

14 MEMBER KRYDER: I move approval of project
15 description as shown.

16 MEMBER GOLD: Second.

17 CHMN STAFFORD: Further discussion?

18 (No response.)

19 CHMN STAFFORD: All in favor say "aye."

20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?

22 (No response.)

23 CHMN STAFFORD: Hearing none, the project
24 description is adopted.

25 Oh, wait a second. We've got --

1 MEMBER LITTLE: That's long. It goes --

2 CHMN STAFFORD: I think -- hang on, I think
3 we want to reference -- I recall testimony about what
4 section of the line would possibly be undergrounded. I
5 think we might want to add that to the product
6 description and then my thought is that if you could
7 have -- highlight the area of the route in yellow on the
8 black and white Exhibit A to show where that could
9 potentially happen.

10 MR. CROCKETT: And, Chairman, we thought
11 about that, but we didn't want to create any confusion.
12 We wanted the ability to construct the entire gen-tie end
13 to end as an aerial gen-tie. We're not 100 percent sure
14 where any segment of the undergrounding will go.

15 And so I'm a little reluctant to put
16 language in here that shows it because I don't want
17 someone later to say well, you said it was going to be
18 undergrounded here and now it's aerial.

19 CHMN STAFFORD: All right. Well, the CEC
20 would approve aerial construction of the entire project.

21 MR. CROCKETT: Right. And I think it
22 indicates that portions may be constructed underground.
23 And I mean if we try to highlight a location for the
24 undergrounding, we're not exactly sure of the length of
25 any segment where it would be undergrounded or if it will

1 be. So I just don't want to create confusion here for
2 the public.

3 CHMN STAFFORD: Okay. Fair enough. So the
4 sentence in the description that says, "A portion of the
5 project may be undergrounded depending upon final
6 engineering design and require right-of-way crosses," I
7 think pretty much you could put all or none of it
8 underground based on that. Almost all as long as one
9 segment would be aboveground, but it would still be a
10 portion.

11 MR. CROCKETT: Yeah, I think that language
12 suggests that -- a portion suggests to me that it would
13 be less than half of the line. I mean, a portion seems
14 like a smaller part of the whole.

15 CHMN STAFFORD: Okay. Well, that's
16 certainly the testimony on the undergrounding aspect of
17 it. All right.

18 MEMBER RICHINS: Chairman.

19 CHMN STAFFORD: Yes, Member Richins.

20 MEMBER RICHINS: I mean, if they testified
21 in the hearing about putting underground there's a great
22 discussion about that, there's -- absolutely should leave
23 the language in the CEC.

24 They talked about it in their presentation
25 that it's possibility that they might do it. So if

1 they're going to add that to our hearing they should
2 actually obligate themselves to have that language in
3 here, I agree with you it's all or nothing, it's very --
4 you could drive a truck through it if you want, but it
5 should still contain that language.

6 CHMN STAFFORD: I'm not suggesting that we
7 take out any language. I was thinking we would have
8 language to show the portions that were discussed and
9 then highlighting those portion on the --

10 MEMBER RICHINS: I was more responding to
11 what Mr. Crockett was saying. He seemed to be suing for
12 relief from having any language like that in there. Is
13 that not true?

14 CHMN STAFFORD: No, he was thinking he was
15 not in support of adding language that would say which
16 portions of the line could be undergrounded.

17 MEMBER RICHINS: Yeah. Okay.

18 MR. CROCKETT: Chairman, just to follow up
19 on that, we don't know for 100 percent certain whether,
20 you know, any part that we discussed about as
21 undergrounding will, in fact, be undergrounded.

22 And I just believe it would create some
23 confusion if we try to highlight where we might
24 underground because I don't want the public to seize on
25 to that and say, wait a minute, the line siting committee

1 said this part would be undergrounded.

2 CHMN STAFFORD: Right. And we're saying
3 the whole thing can be built aboveground.

4 MR. CROCKETT: Correct.

5 CHMN STAFFORD: But the thing is that
6 practical realities of crossings and right-of-ways may
7 necessitate undergrounding in certain portions.

8 MR. CROCKETT: Correct.

9 CHMN STAFFORD: I think the language that
10 we have is adequate.

11 MEMBER LITTLE: I think it's fine. So I
12 think we can move on to conditions now.

13 MEMBER LITTLE: Mr Chairman, I move
14 Condition 1.

15 MEMBER FRENCH: Second.

16 CHMN STAFFORD: Further discussion?

17 (No response.)

18 CHMN STAFFORD: All in favor say "aye."

19 (A chorus of "ayes.")

20 CHMN STAFFORD: Opposed?

21 (No response.)

22 CHMN STAFFORD: Hearing none, Condition 1
23 is adopted.

24 Number 2.

25 MEMBER GOLD: Mr. Chairman, I move

1 Condition 2 be adopted.

2 MEMBER MERCER: Second.

3 CHMN STAFFORD: Further discussion?

4 MEMBER LITTLE: Mr. Chairman, do we need to
5 spell out SCIDD and HIDD or are they --

6 CHMN STAFFORD: I believe they are
7 discussed in the --

8 MEMBER LITTLE: In the project description?

9 CHMN STAFFORD: In the description I
10 believe they are abbreviated there.

11 MR. CROCKETT: Yes, Chairman Stafford,
12 Member Little, they're -- those names, the acronyms are
13 provided at page 3, line 23.

14 MEMBER LITTLE: Oh, I see it. Yep, I got
15 it.

16 CHMN STAFFORD: Condition 2 has been moved
17 and seconded.

18 Further discussion?

19 (No response.)

20 CHMN STAFFORD: All in favor say "aye."

21 (A chorus of "ayes.")

22 CHMN STAFFORD: Opposed?

23 (No response.)

24 CHMN STAFFORD: Hearing none, Condition 2
25 is adopted.

1 Number 3.

2 MEMBER KRYDER: Mr. Chairman.

3 CHMN STAFFORD: Yes, Member Kryder.

4 MEMBER KRYDER: I move approval of
5 Condition 3.

6 MEMBER MERCER: Second.

7 CHMN STAFFORD: Further discussion?

8 I took out the prefatory language -- I'm
9 not saying that right -- at the beginning of the
10 paragraph that was from the TEP case where we had some
11 discussion about whether compliance with certain city
12 ordinances would be required or not. And it's not
13 applicable to this case at all so that's the reason why
14 that language was struck.

15 Further discussion?

16 (No response.)

17 CHMN STAFFORD: All in favor say "aye."

18 (A chorus of "ayes.")

19 CHMN STAFFORD: Opposed?

20 (No response.)

21 CHMN STAFFORD: Hearing none, Condition 3
22 is adopted.

23 Number 4.

24 MEMBER LITTLE: Mr. Chairman, I move
25 Condition 4.

1 MEMBER GOLD: Second.

2 CHMN STAFFORD: Further discussion?

3 Oh, yes, can we -- for some reason the
4 CEC-232 at the end of this one didn't get struck.

5 MEMBER KRYDER: Mr. Chairman.

6 CHMN STAFFORD: Yes, Member Kryder.

7 MEMBER KRYDER: I move we strike CEC-232,
8 in parentheses, on line 2 of page 7.

9 MEMBER MERCER: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 4
17 is amended.

18 MEMBER FRENCH: Move Condition 4 as
19 amended.

20 MEMBER MERCER: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say "aye."

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Condition 4
3 is as amended is adopted.

4 Number 5.

5 MEMBER GOLD: Mr. Chairman, I move
6 Condition 5 be adopted.

7 MEMBER KRYDER: Second.

8 CHMN STAFFORD: Further discussion?

9 MEMBER LITTLE: Mr. Chairman.

10 CHMN STAFFORD: Yes, Member Little.

11 MEMBER LITTLE: I would like to add some
12 language about the recommendations that were included in
13 the letter that came from Game & Fish. And also some
14 language about the mitigation measures that were
15 recommended in Exhibit C and D of the application.

16 I propose that we add, "and
17 recommendations" after the word "guidelines" on line 4.
18 So that that sentence would read, "The Applicant shall
19 comply with the Arizona Game & Fish department guidelines
20 and recommendations for handling protected animal species
21 should any be encountered during construction and
22 operation of the project and shall consult with AFGD or
23 Arizona Fish & Wildlife Service," blah, blah, blah.

24 CHMN STAFFORD: Mr. Crockett.

25 MR. CROCKETT: I don't believe we would

1 have any objection to adding that language. Ms. Johnson,
2 Ms. Browne?

3 MS. BROWNE: No, we don't.

4 MEMBER GOLD: In that case, I second Member
5 Little's motion.

6 MEMBER LITTLE: And also --

7 MEMBER KRYDER: Oops. One at a time.

8 MEMBER GOLD: One motion at a time.

9 CHMN STAFFORD: Oh, yes.

10 MEMBER LITTLE: Okay.

11 CHMN STAFFORD: Let's make this amendment
12 and if you have further --

13 MEMBER LITTLE: Okay.

14 CHMN STAFFORD: All right. The motion to
15 amend to add "and recommendations" to line 4, page 7,
16 after "guidelines" has been moved and seconded.

17 Further discussion?

18 (No response.)

19 CHMN STAFFORD: All in favor say "aye."

20 (A chorus of "ayes.")

21 CHMN STAFFORD: Opposed?

22 (No response.)

23 CHMN STAFFORD: Hearing none, the amendment
24 to Condition 5 is adopted.

25 Can I get a motion to adopt 5 as amended?

1 MEMBER MERCER: So moved.

2 MEMBER LITTLE: Wait. Can I make one more
3 minute or --

4 CHMN STAFFORD: We have to move this one.
5 I need a second.

6 MEMBER GOLD: Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: Now is the time to make
10 another amendment.

11 MEMBER LITTLE: Okay. The applicant made a
12 statement that they would follow some of the mitigation
13 measures that are outlined in Exhibit C and D, but there
14 are others that are in there and -- and I would like to
15 see them make a commitment to follow all the mitigation
16 measures that are outlined by the --

17 CHMN STAFFORD: Game & Fish.

18 MEMBER LITTLE: -- in their report. Yes.
19 And so perhaps language something along the lines of the
20 application -- or the applicant shall follow the
21 mitigation measures recommended in Exhibit C and D of the
22 CEC application.

23 They're on pages, so you find them quickly,
24 pages C-24, 25, and pages D-10 and 11.

25 MR. CROCKETT: Chairman, give us just a

1 moment to look at that and we can respond.

2 CHMN STAFFORD: All right. And just for
3 clarification, Member Little, you would -- you're talking
4 about additional clarifying language after the word
5 "recommendations" that we just added; correct?

6 MEMBER LITTLE: Well, I don't know if
7 that's the way to do it or if we need -- just need
8 another sentence.

9 CHMN STAFFORD: Okay.

10 MEMBER LITTLE: Because we're talking about
11 Fish & Game guidelines and recommendations, and then
12 we're talking about mitigation measures.

13 MEMBER KRYDER: Another sentence would seem
14 more appropriate to me.

15 MEMBER LITTLE: Mr. Crockett, what do you
16 think?

17 MR. CROCKETT: Member Little, I'm just
18 waiting for my team to review the language to see if they
19 have any concern about including that --

20 MEMBER LITTLE: All right.

21 MR. CROCKETT: -- in the CEC.

22 MEMBER LITTLE: All right. Thank you.

23 MR. AGNER: Member Little, we caught the
24 C-23 and C-24 mitigation measures. Can you please help
25 us identify the pages of other mitigation measures that

1 you referenced?

2 MEMBER LITTLE: D-10 and D-11.

3 MR. AGNER: Thank you, Member Little.

4 Can we have NextEra counsel come over,
5 please?

6 CHMN STAFFORD: Let's go off the record
7 while they're making their conversation. We'll take a
8 brief recess while the applicant works on suggested
9 language.

10 (Recess from 5:15 p.m. to 5:25 p.m.)

11 CHMN STAFFORD: Let's go back on the
12 record. Mr. Crockett, did you and your team come up with
13 some language that you find acceptable?

14 MR. CROCKETT: Well, Chairman, we didn't
15 come up with language. We did have a discussion. Let me
16 try to articulate the concern on Member Little's
17 recommendation here.

18 So SWCA, our consultant on this case, they
19 make some recommendations and they come up with a list of
20 things that they say you should do this, and we think
21 what Member Little's recommendation would do would be to
22 take those -- these are things you should do and move
23 them into the column of these are things that thou must
24 do or shalt do. And the concern is, for example, on
25 evasive [sic] species.

1 You know, we -- if there's an evasive
2 species that comes on the scene, you know, this is an
3 area of agricultural there's going to be evasive --
4 invasive species around, so if there's an invasive
5 species that crops up a year or two from now, do we have
6 to monitor for invasive species? How do we -- you know,
7 how do we address that going forward?

8 Another concern, for example, is on fencing
9 on the project. Fish & Game may want us to use a
10 particular type of fence that would allow wildlife to,
11 you know, access the property, but from a security
12 standpoint that might not work for us.

13 And so there's the shoulds that are in the
14 SWCA recommendations are things that we would consider.
15 There are things that if they are applicable we would
16 follow. But to commit that we will absolutely do those
17 things is concerning to us. And that's why the
18 reluctance on that particular condition.

19 For example, the avian requirement is one
20 that's been widely accepted and that's turned up in, it's
21 a standard condition in CECs now.

22 But we don't have a standard condition, for
23 example, on invasive species and how that will be dealt
24 with.

25 So the recommendations are just that in the

1 report, and we're reluctant to agree to implement those
2 without qualification.

3 CHMN STAFFORD: Now, did those
4 recommendations from SWCA, were they for the gen-tie or
5 for the entire solar project and the gen-tie?

6 MR. CROCKETT: You know, I'll maybe let
7 Mr. Agner respond to that. And I -- well, go ahead,
8 Mr. Agner.

9 MR. AGNER: Okay. I was just going to say
10 the recommendations are focused on the interconnection
11 project itself. Our exhibits as we have testified to
12 previously focus on the interconnection project, the CEC
13 corridor, and then we to some extent analyze the study
14 area but we do not focus on the energy facility aspect as
15 that is nonjurisdictional for this hearing.

16 CHMN STAFFORD: Right. But I still -- you
17 still have to deal with Game & Fish regarding --

18 MR. CROCKETT: We do have to deal with
19 Game & Fish. I would note that, for example, some of
20 those things that are in the recommendations would not be
21 required by the local permitting authorities, by the
22 city, the county, you know, perhaps even Game & Fish. So
23 they're recommendations. We look at them. We consider
24 whether they need to be implemented. But, again, we're
25 reluctant to commit to implement all of the

1 recommendations that are in the report.

2 MEMBER LITTLE: Mr. Chairman.

3 CHMN STAFFORD: Yes, Member Little.

4 MEMBER LITTLE: I guess I feel like most of
5 these are things like washing trucks. Looking, checking
6 to make sure you don't have any nesting areas for avian,
7 for certain avian species.

8 The one about fencing, the words as
9 applicable and feasible are in that recommendation, which
10 I believe would cover most of the situations that I could
11 think of where you might need to fence differently than
12 the -- whatever that fencing guidelines thing suggests.

13 The one about invasive species says use
14 standard best management practices during construction.
15 That doesn't mean that -- it does not say that you are
16 responsible for any invasive species that ends up under
17 your transmission lines forevermore. It says that during
18 construction, you will use whatever the current best
19 management practices are.

20 I don't see that any of those mitigation
21 measures that are suggested are unreasonable, and I
22 believe that the reason that we ask the applicant to do
23 these studies that are required by the law is to get a
24 third party with expertise in these areas to give their
25 opinion on how things are, what they should -- what's

1 going on. And we rely on that. I am not an expert in
2 this area.

3 I rely on what you guys tell me and what
4 your experts tell me to make the decisions. And that's
5 why I believe that the mitigation measures that are
6 recommended should be -- should be followed.

7 And that's my opinion.

8 CHMN STAFFORD: Do you want to make a
9 motion to amend Condition 5 as -- as amended? It's
10 already been amended once. Do you wish to amend it
11 further?

12 MEMBER LITTLE: Yes.

13 CHMN STAFFORD: All right.

14 MEMBER LITTLE: Perhaps we could put a few
15 weasel words in there. We could say the applicant
16 commits as applicable and feasible to follow the
17 mitigation measures recommended in Exhibit C and D of the
18 CEC application. I would be willing to do that.

19 CHMN STAFFORD: Just a friendly suggestion
20 that maybe take the "as applicable and feasible" and add
21 it to the end of the sentence.

22 MEMBER LITTLE: Okay. I agree.

23 MR. AGNER: Mr. Chairman?

24 CHMN STAFFORD: Okay. One second. The
25 "as" after "commits" should be moved to before

1 "Applicable."

2 So Member Little, so your amendment is to
3 add a sentence to the end of Condition 5 that would read:
4 "The Committee commits to follow the mitigation measures
5 recommended in Exhibits C and D of the application as
6 applicable and feasible."

7 MEMBER LITTLE: Yes. Thank you.

8 CHMN STAFFORD: Mr. Crockett, does that
9 address your concerns?

10 MR. CROCKETT: It helps. The qualifier "as
11 applicable" and "as feasible" helps.

12 I -- Ms. Johnson, Ms. Browne, is that
13 language that you think you can work with?

14 MR. AGNER: We have -- and I know you
15 addressed it to Ms. Johnson and Ms. Browne, but I'll
16 speak.

17 We've reviewed it and we feel it's okay,
18 but because this is a legal document, we just want
19 NextEra counsel to generally agree that this is okay
20 because it is a legal document.

21 MR. CROCKETT: I think we can live with
22 this language.

23 I guess I would -- is this -- Chairman
24 Stafford, Member Little, is this language that we would
25 expect to see in CECs going forward?

1 MEMBER LITTLE: I would hope so, yes.
2 There's actually language that is similar to this in both
3 of the most recent two CECs that we approved for the
4 Commission's consideration last week.

5 MR. CROCKETT: And I guess I would, maybe
6 I'll get in trouble asking this question, but it's for
7 Member Little, but do you see a chilling effect
8 potentially in terms of consultants' work in making
9 recommendations if we implement this language? Meaning
10 that they wouldn't be as perhaps open and honest about
11 recommending if they believe those will wind up in a CEC?

12 MEMBER LITTLE: That's a good question.
13 Perhaps we could ask your consultant that question.

14 CHMN STAFFORD: They're looking at you,
15 Mr. Agner.

16 MR. AGNER: I know. You've all put me in a
17 pretty difficult position because I don't want to speak
18 for all consultants, nor do I want to speak for our
19 biologists.

20 Consultants are hired by our clients to
21 prepare these documents and we perform them in a capacity
22 in which we present the information in an accurate and
23 reliable manner using, you know, qualified individuals to
24 prepare that information.

25 You know, if we feel, you know, that we

1 need to make recommendations, then, you know, we will if
2 we feel that they are necessary.

3 But we -- it's hard to say how this could
4 or could not affect future projects. But I would say
5 that we prepare our documents under our own supervision
6 with our own qualified individuals and they are of
7 course, you know, able to speak to recommendations or
8 not.

9 But it's hard for me to say how this would
10 affect future projects. That's, you know, I don't
11 unfortunately have a crystal ball.

12 CHMN STAFFORD: I guess the follow-up
13 question to that would be the recommendations that your
14 firm made in Exhibits C and D, do you stand by those as
15 being reasonable mitigation measures to be suggested?

16 MR. AGNER: Our biologists make those
17 recommendations based on their analysis and findings
18 within the study area. So whatever the findings and
19 analysis concludes and we feel that maybe there is
20 something to speak to in terms of potential mitigation
21 measures based on our findings, then that's where those
22 come into play. We just include those based on our
23 analysis and findings and the potential for biological
24 resources in the study area. So --

25 CHMN STAFFORD: So sounds to me that the

1 consultant, environmental consultants are going to make
2 the recommendation they feel appropriate for the
3 circumstances and the facts of the case that they're
4 analyzing.

5 MR. AGNER: Correct, Chairman Stafford. It
6 is taken on a case-by-case basis and we consider the
7 biological setting, the impacts to wildlife. We consider
8 the specific circumstances for each interconnection
9 project. That is correct.

10 CHMN STAFFORD: And you wouldn't make --
11 you wouldn't recommend mitigation measures that you
12 thought were inherently unreasonable given the
13 circumstances?

14 MR. AGNER: We wouldn't make mitigation
15 measures if we feel that it was not addressing anything.
16 In other words, we would not include a recommendation for
17 a species if it had no potential to be within the study
18 area. Then that mitigation measure would not be helpful.

19 CHMN STAFFORD: And you wouldn't include it
20 in your recommendations then; correct?

21 MR. AGNER: Correct, because it wouldn't do
22 anything.

23 CHMN STAFFORD: Exactly, okay.

24 MEMBER LITTLE: Mr. Chairman.

25 CHMN STAFFORD: Yes, Member Little.

1 MEMBER LITTLE: I worked for a consulting
2 firm for many years, and it was very clear to me from day
3 one when I joined the firm, it was a national --
4 nationally recognized engineering firm, that we were
5 independent and we made -- our reports included
6 information that we could stand by and that we believed
7 in regardless of who we worked for and what they wanted
8 to see.

9 And there were times when we provided
10 reports that did not necessarily go along with what the
11 people that hired us wished to see.

12 My concern -- my concern is not that a
13 consultant would hesitate to put information in a report.
14 My concern is that a consultant might not get hired by
15 somebody who doesn't want to see that stuff in a report.
16 That I can't speak to.

17 MEMBER KRYDER: Mr. Chairman.

18 CHMN STAFFORD: Yes, Member Kryder.

19 MEMBER KRYDER: A question for Member
20 Little. Who determines as applicable and feasible? That
21 seems to me it opens a door to kind of a Pandora's box of
22 he said/she said/they said/we said stuff. Help me
23 understand. What do you mean when you say applicable and
24 feasible?

25 MEMBER LITTLE: Well, that's why I call

1 them weasel words.

2 MEMBER KRYDER: I'm sorry. I can't hear
3 you.

4 MEMBER LITTLE: That's why I call them
5 weasel words.

6 I don't know the answer to the question. I
7 would hope that the applicable and feasible would be
8 determined by the applicant based on circumstances that
9 they might find in the field when they actually go to
10 design, build the project. And that they would be
11 defensible.

12 MR. CROCKETT: And Chairman Stafford and
13 Member Little, if I could just add to that. I agree. I
14 mean, those -- those words are important qualifiers
15 because, for example, if there's no -- just take, for
16 example, if there's no invasive species in an area we
17 would hate to have an obligation to implement BMPs that
18 cost money to address something that's not -- that's not
19 a valid concern. And this type of language is important
20 in the condition as applicable and feasible.

21 You asked the question, Member Kryder, who
22 would interpret that. It would of course be the
23 applicant that would apply that language. It would have
24 to be applied in good faith.

25 You know, you're relying on the applicant

1 to act in good faith, and if the committee determined
2 that an applicant was basically ignoring a requirement of
3 a CEC and claiming that it's not applicable or not
4 feasible, I guess there would be a process to come back
5 and pursue that.

6 But I think the interpreter of that
7 language has to be the applicant because once these CECs
8 are issued you're not the police force that really
9 enforces these things.

10 CHMN STAFFORD: That would be the
11 Commission.

12 MR. CROCKETT: That would be the
13 Commission. That's right.

14 CHMN STAFFORD: Right. So the initial
15 interpretation would fall to the applicant and I imagine
16 that would take place in consultation with Game & Fish or
17 U.S. Fish & Wildlife.

18 I think one of the points you mentioned was
19 the fencing. If they want to have gaps at the bottom so
20 small animals can move through, but that's going to be
21 applicable to the solar array, that's not going to be
22 applicable to the gen-tie.

23 The gen-tie typically are not fenced off.
24 I mean, none of the power lines we saw today, and there
25 were a lot of them, none of them are behind a fence.

1 It's only the switchyard, the substation, and the
2 generating facility which are fenced off.

3 So any kind of fencing recommendation
4 wouldn't be applicable at all to the gen-tie.

5 MEMBER LITTLE: That's right.

6 MR. CROCKETT: Well, Chairman, I agree with
7 that. Thank you for that clarification. And, again, I
8 think we've accepted this language that Member Little has
9 proposed as we see it on the screen now. I think we
10 could live with that and work with that.

11 But I guess I would be concerned if you
12 removed the words "as applicable and feasible."

13 CHMN STAFFORD: Right. I understand the
14 concern. You could be locked into doing mitigation that
15 doesn't -- doing mitigation measures that cost money and
16 don't mitigate anything.

17 MR. CROCKETT: Correct.

18 MR. AGNER: And if I could add to that and
19 I'm sorry if I'm -- the mitigation measures to that point
20 are based on information that's available at that time.
21 And so circumstances can change where those mitigation
22 measures may no longer be warranted based on the new
23 on-the-ground conditions.

24 CHMN STAFFORD: Or even additional
25 mitigations may be necessary or advisable given

1 circumstances found after the fact that were not
2 contemplated in these recommendations. I'm seeing nods
3 but --

4 MR. AGNER: Yes, Chairman Stafford.

5 CHMN STAFFORD: Thank you.

6 All right. Well, Member Little, you've
7 made your motion. Is there a second?

8 MEMBER KRYDER: I second it.

9 CHMN STAFFORD: Further discussion?

10 (No response.)

11 CHMN STAFFORD: All in favor say "aye."

12 (A chorus of "ayes.")

13 CHMN STAFFORD: Opposed?

14 (No response.)

15 MEMBER KRYDER: Nay.

16 CHMN STAFFORD: Hearing one nay, the
17 amendment is adopted.

18 MEMBER LITTLE: Mr. Chairman, I move
19 Condition 5 as amended.

20 MEMBER MERCER: Second.

21 CHMN STAFFORD: Further discussion?

22 (No response.)

23 CHMN STAFFORD: All in favor say "aye."

24 (A chorus of "ayes.")

25 CHMN STAFFORD: Opposed?

1 (No response.)

2 CHMN STAFFORD: Hearing none, Condition 5
3 as amended is adopted.

4 Number 6. This one is pretty standard.

5 MEMBER MERCER: Mr. Chairman, I move
6 Condition 6.

7 MEMBER LITTLE: Second.

8 CHMN STAFFORD: Further discussion?

9 (No response.)

10 CHMN STAFFORD: All in favor say "aye."

11 (A chorus of "ayes.")

12 CHMN STAFFORD: Opposed?

13 (No response.)

14 CHMN STAFFORD: Hearing none, Condition 6
15 is adopted.

16 Number 7.

17 MEMBER GOLD: Mr. Chairman, I move
18 condition -- Mr. Chairperson, I move Condition 7 be
19 adopted.

20 MEMBER KRYDER: Second.

21 CHMN STAFFORD: Further discussion?

22 Mr. Crockett, this is -- you added this in
23 response to the correspondence with SHPO that was
24 introduced earlier.

25 MR. CROCKETT: Chairman Stafford, that's

1 correct.

2 CHMN STAFFORD: All right. Excellent.

3 All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none, Condition 7

8 is adopted.

9 Number 8.

10 MEMBER LITTLE: Mr. Chairman, I move

11 Condition 8.

12 MEMBER GOLD: Second.

13 CHMN STAFFORD: Further discussion?

14 (No response.)

15 CHMN STAFFORD: All in favor say "aye."

16 (A chorus of "ayes.")

17 CHMN STAFFORD: Opposed?

18 (No response.)

19 CHMN STAFFORD: Hearing none, Condition 8

20 is adopted.

21 Number 9.

22 MEMBER GOLD: Mr. Chairman, I move

23 Condition 9 be adopted.

24 MEMBER MERCER: Second.

25 CHMN STAFFORD: Further discussion?

1 (No response.)

2 CHMN STAFFORD: All in favor say "aye."

3 (A chorus of "ayes.")

4 CHMN STAFFORD: Opposed?

5 (No response.)

6 CHMN STAFFORD: Hearing none, Condition 9

7 is adopted.

8 Number 10.

9 MEMBER LITTLE: Mr. Chairman, I move
10 Condition 10.

11 MEMBER GOLD: Second.

12 CHMN STAFFORD: Further discussion?

13 (No response.)

14 CHMN STAFFORD: All in favor say "aye."

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, Condition 10

19 is adopted.

20 Number 11.

21 MEMBER MERCER: Mr. Chairman, I move
22 Condition 11.

23 MEMBER LITTLE: Second.

24 CHMN STAFFORD: Further discussion?

25 (No response.)

1 CHMN STAFFORD: All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN STAFFORD: Opposed?

4 (No response.)

5 CHMN STAFFORD: Hearing none, Condition 11
6 is adopted.

7 Number 12.

8 MEMBER LITTLE: Mr. Chairman, I move
9 Condition 12.

10 MEMBER GOLD: Second.

11 CHMN STAFFORD: Further discussion?

12 MEMBER FRENCH: Mr. Chairman.

13 CHMN STAFFORD: Yes, Member French.

14 MEMBER FRENCH: Why the change from 180 to
15 120 days?

16 CHMN STAFFORD: Well, the standard language
17 is within 120 days of the Commission's decision. In the
18 TEP case because of the issues going on with between the
19 City and the utility --

20 MEMBER FRENCH: Got it.

21 CHMN STAFFORD: -- they opted to do,
22 because they had to go their variance or special
23 exception process, it made more sense to do it 180 days
24 prior to construction as opposed to within 120 days of
25 the Commission decision, which is a standard. So that's

1 why that change was made.

2 MEMBER FRENCH: Got it. Thank you.

3 CHMN STAFFORD: All right. It's been moved
4 and seconded. All in favor say "aye."

5 (A chorus of "ayes.")

6 CHMN STAFFORD: Opposed?

7 (No response.)

8 CHMN STAFFORD: Hearing none, Condition 12
9 is adopted.

10 Number 13.

11 MEMBER GOLD: Mr. Chairman, I move
12 Condition 13 be adopted.

13 MEMBER MERCER: Second.

14 CHMN STAFFORD: Further discussion?
15 (No response.)

16 CHMN STAFFORD: All in favor say "aye."
17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?
19 (No response.)

20 CHMN STAFFORD: Hearing none, Condition 13
21 is adopted.

22 Number 14.

23 MEMBER MERCER: Mr. Chairman, I move
24 Condition 14.

25 MEMBER GOLD: Second.

1 CHMN STAFFORD: Further discussion?
2 (No response.)
3 CHMN STAFFORD: All in favor say "aye."
4 (A chorus of "ayes.")
5 CHMN STAFFORD: Opposed?
6 (No response.)
7 CHMN STAFFORD: Hearing none, Condition 14
8 is adopted.
9 Number 15.
10 MEMBER LITTLE: Mr. Chairman, I move
11 Condition 15.
12 MEMBER GOLD: Mr. Chairman, I move
13 Condition 15.
14 CHMN STAFFORD: Wow, you both said that
15 perfectly in unison.
16 MEMBER GOLD: I would rather second Toby.
17 CHMN STAFFORD: All right. Further
18 discussion?
19 (No response.)
20 CHMN STAFFORD: All in favor say "aye."
21 (A chorus of "ayes.")
22 CHMN STAFFORD: Condition 15 is adopted.
23 Number 16.
24 MEMBER GOLD: I move Condition 16 be
25 adopted.

1 MEMBER MERCER: Second.

2 CHMN STAFFORD: Further discussion?

3 (No response.)

4 CHMN STAFFORD: All in favor say "aye."

5 (A chorus of "ayes.")

6 CHMN STAFFORD: Opposed?

7 (No response.)

8 CHMN STAFFORD: Hearing none, Condition 16

9 is adopted.

10 Number 17.

11 MEMBER MERCER: Mr. Chairman, I move

12 Condition 17.

13 MEMBER LITTLE: Second.

14 CHMN STAFFORD: Further discussion?

15 (No response.)

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

20 CHMN STAFFORD: Hearing none, Condition 17

21 is adopted.

22 Condition 18. And the applicant, their

23 proposed CEC had the Condition 18 about providing

24 Commission Staff with a copy of the system impact study.

25 That has already occurred, so it didn't seem necessary, I

1 think the facilities study is next up, but the
2 transitional facility study, but that will be --
3 that's -- I think that condition's not applicable for
4 this case, so that's why it was removed.

5 MR. CROCKETT: I would be happy to see that
6 commission come out -- or that condition come out.

7 CHMN STAFFORD: It's already out. So we're
8 looking at 18 which is the one for facilities located
9 parallel within 100 feet of a natural gas or hazardous
10 pipeline.

11 MEMBER LITTLE: Mr. Chairman, I move
12 Condition 18.

13 MEMBER GOLD: Second.

14 CHMN STAFFORD: Further discussion?

15 (No response.)

16 CHMN STAFFORD: All in favor say "aye."

17 (A chorus of "ayes.")

18 CHMN STAFFORD: Opposed?

19 (No response.)

20 CHMN STAFFORD: Hearing none, Condition 18
21 is adopted.

22 Number 19.

23 MEMBER MERCER: Mr. Chairman, I move
24 Condition 19.

25 MEMBER GOLD: Second.

1 CHMN STAFFORD: Further discussion?

2 I want to confirm with the applicant if

3 150-foot right-of-way is the correct distance, size?

4 MR. CROCKETT: Yes, it is.

5 And I'm still back on the system impact

6 study. I apologize. Did that -- did that condition come

7 out?

8 CHMN STAFFORD: I already struck it.

9 MR. CROCKETT: You struck it. Was there a

10 vote on striking it or did we need a vote?

11 CHMN STAFFORD: It was the starting point.

12 I struck it because you had a proposed CEC. I took it, I

13 made modifications to it and that's the starting point

14 for the committee. So I'd already taken it out.

15 If during -- that's why I mentioned it.

16 MR. CROCKETT: Okay.

17 CHMN STAFFORD: That's why I left it in

18 there as a strike so we can see it came out, and I

19 explained why it came out because it's not applicable, so

20 we didn't need -- the committee didn't need to remove it,

21 and then that, because when you do it that way, it

22 monkeys with the number.

23 And so from that point on it's -- the

24 numbers change.

25 MR. CROCKETT: Got it.

1 CHMN STAFFORD: I did it ahead of time.
2 Okay. If there was a motion to reinsert it, we would
3 consider that and do that but I don't think that's going
4 to happen. I don't think it's necessary.

5 MR. CROCKETT: Understood. So then with
6 regard to the right-of-way, 150 feet is the correct width
7 for the right-of-way.

8 CHMN STAFFORD: All right. Correct. So
9 we've had -- Condition 19 has been moved and seconded.
10 Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Condition 19 is approved.
15 Number 20.

16 MEMBER GOLD: Mr. Chairman, I move
17 condition 20 be approved -- be adopted.

18 MEMBER MERCER: Second.

19 CHMN STAFFORD: Further discussion?

20 MEMBER LITTLE: That date, January 15,
21 2026, is acceptable to the applicant?

22 MR. CROCKETT: Yeah, that's the date that
23 we had proposed. Correct.

24 CHMN STAFFORD: Yes. Yes. I just wanted
25 to confirm because sometimes -- sometimes those dates

1 have been lost into cracks. I just want to make sure,
2 you know, that's the date that you're committing to file
3 on and so you won't be surprised later if it's not what
4 you expected.

5 MR. CROCKETT: Yes, and we just tried to
6 estimate when the CEC will be approved and then figure a
7 year from that point. So that's acceptable to the
8 applicant.

9 CHMN STAFFORD: Sometimes they want to --
10 if they have multiple projects filings annually, they
11 want to line up the date so they're on the same time. So
12 if that's not -- if this is the date that works for you
13 and that's a date to be approximately a year after
14 Commission approval of the CEC.

15 MR. CROCKETT: Chairman, this date works
16 for us. Excellent.

17 CHMN STAFFORD: All right. Condition 20
18 has been moved and seconded. Further discussion?

19 (No response.)

20 CHMN STAFFORD: All in favor say "aye."

21 (A chorus of "ayes.")

22 CHMN STAFFORD: Opposed?

23 (No response.)

24 CHMN STAFFORD: Hearing none, Condition 20
25 is adopted.

1 Number 21.

2 MEMBER MERCER: Mr. Chairman, I move

3 Condition 21.

4 MEMBER GOLD: Second.

5 CHMN STAFFORD: Further discussion?

6 MEMBER GOLD: I think it needs an "and"

7 somewhere -- oh, there it is. And -- okay.

8 CHMN STAFFORD: It's between SCIDD and

9 HIDD.

10 MEMBER GOLD: What is SCIDD and HIDD again?

11 CHMN STAFFORD: It's the San Carlos

12 Irrigation --

13 MEMBER FRENCH: And Drainage District.

14 CHMN STAFFORD: And then the something else

15 irrigation --

16 MR. CROCKETT: Hohokam.

17 CHMN STAFFORD: Hohokam. Yeah. Those are,

18 the abbreviations are spelled out in the --

19 MEMBER GOLD: Yes.

20 CHMN STAFFORD: I think project

21 description.

22 All right. Condition 21 has been moved and

23 seconded. Further discussion?

24 (No response.)

25 CHMN STAFFORD: All in favor say "aye."

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, Condition 21
5 is adopted.

6 Number 22.

7 MEMBER GOLD: Mr. Chairman, I move
8 Condition 22 be adopted.

9 MEMBER LITTLE: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Condition 22
17 is adopted.

18 Number 23.

19 MEMBER KRYDER: Mr. Chairman, I move
20 approval of Condition 23.

21 MEMBER GOLD: Second.

22 CHMN STAFFORD: Further discussion?

23 (No response.)

24 CHMN STAFFORD: All in favor say "aye."

25 (A chorus of "ayes.")

1 CHMN STAFFORD: Opposed?

2 (No response.)

3 CHMN STAFFORD: Hearing none, Condition 23

4 is adopted.

5 Number 24.

6 MEMBER GOLD: Mr. Chairman, I move

7 Condition 24 be adopted.

8 MEMBER KRYDER: Second.

9 CHMN STAFFORD: Further discussion?

10 (No response.)

11 CHMN STAFFORD: All in favor say "aye."

12 (A chorus of "ayes.")

13 CHMN STAFFORD: Opposed?

14 (No response.)

15 CHMN STAFFORD: Hearing none, Condition 24

16 is adopted.

17 Moving on to the Findings of Fact and

18 Conclusions of Law.

19 MEMBER KRYDER: Mr. Chairman.

20 CHMN STAFFORD: Member Kryder.

21 MEMBER KRYDER: I move approval of Findings

22 of Fact and Conclusions of Law number 1 be approved.

23 MEMBER LITTLE: Second.

24 CHMN STAFFORD: Further discussion?

25 (No response.)

1 CHMN STAFFORD: All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN STAFFORD: Opposed?

4 (No response.)

5 CHMN STAFFORD: Hearing none, Findings of

6 Fact and Conclusions of Law number 1 is adopted.

7 Number 2.

8 MEMBER GOLD: Mr. Chairman, I move Findings

9 of Fact and Conclusions of Law number 2 be adopted.

10 MEMBER MERCER: Second.

11 MEMBER KRYDER: Second.

12 CHMN STAFFORD: Further discussion?

13 (No response.)

14 CHMN STAFFORD: All in favor say "aye."

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, Findings of

19 Fact and Conclusions of Law number 2 is adopted.

20 Number 3.

21 MEMBER LITTLE: Mr. Chairman, I move

22 Findings of Fact and Conclusions of Law number 3 be

23 adopted.

24 MEMBER MERCER: Second.

25 CHMN STAFFORD: Further discussion?

1 (No response.)

2 CHMN STAFFORD: All in favor say "aye."

3 (A chorus of "ayes.")

4 CHMN STAFFORD: Opposed?

5 (No response.)

6 CHMN STAFFORD: Hearing none, Findings of

7 Fact and Conclusions of Law number 3 is adopted.

8 Number 4.

9 MEMBER GOLD: Mr. Chairman, I move Findings
10 of Fact and Conclusions of Law number 4 be adopted.

11 MEMBER KRYDER: Second.

12 CHMN STAFFORD: Further discussion?

13 (No response.)

14 CHMN STAFFORD: All in favor say "aye."

15 (A chorus of "ayes.")

16 CHMN STAFFORD: Opposed?

17 (No response.)

18 CHMN STAFFORD: Hearing none, Findings of

19 Fact and Conclusions of Law number 4 is adopted.

20 Number 5.

21 MEMBER MERCER: Mr. Chairman, I move
22 Findings of Fact and Conclusions of Law number 5.

23 MEMBER KRYDER: Second.

24 CHMN STAFFORD: Further discussion?

25 (No response.)

1 CHMN STAFFORD: All in favor say "aye."

2 (A chorus of "ayes.")

3 CHMN STAFFORD: Opposed?

4 (No response.)

5 CHMN STAFFORD: Hearing none, Findings of

6 Fact and Conclusions of Law number 5 is adopted.

7 Number 6.

8 MEMBER GOLD: Mr. Chairman, I move Findings

9 of Fact and Conclusions of Law number 6 be adopted.

10 MEMBER MERCER: Second.

11 CHMN STAFFORD: Further discussion?

12 (No response.)

13 CHMN STAFFORD: All in favor say "aye."

14 (A chorus of "ayes.")

15 CHMN STAFFORD: Opposed?

16 (No response.)

17 CHMN STAFFORD: Hearing none, Finding of

18 Fact and Conclusion of Law number 6 is adopted.

19 Number 7.

20 MEMBER KRYDER: Mr. Chairman.

21 CHMN STAFFORD: Member Kryder.

22 MEMBER KRYDER: I move approval of Finding

23 of Fact and Condition of Law number 7 be approved.

24 MEMBER GOLD: Second.

25 CHMN STAFFORD: Further discussion?

1 Mr. Crockett, I think we started adding
2 this because the Commission had the policy statement that
3 reiterated what the statute already said. But before the
4 committee there would become a tradition of including the
5 project substations in the CEC, even though they're not
6 required to be certificated.

7 Do you feel that this language is still
8 necessary? I think other applicants have deigned to
9 leave it in because it provides certainty to investors or
10 other regulatory entities that say, okay, you don't need
11 to have -- the project substation is not jurisdictional.

12 MR. CROCKETT: Yeah, I like number 7 in the
13 CEC.

14 CHMN STAFFORD: All right.

15 MR. CROCKETT: I would be happy to see that
16 remain in just because it does provide that clarity.

17 MR. AGNER: And if I could add, Chairman
18 Stafford, the substation is currently not enveloped in
19 the CEC corridor, so we would need that certainty.

20 CHMN STAFFORD: All right. Well, I'm fine
21 leaving it in. I just wanted to get your perspective on
22 it.

23 MR. CROCKETT: Yeah.

24 CHMN STAFFORD: All right. Finding of Fact
25 and Conclusion of Law number 7 has been moved and

1 seconded. Further discussion?

2 (No response.)

3 CHMN STAFFORD: All in favor say "aye."

4 (A chorus of "ayes.")

5 CHMN STAFFORD: Opposed?

6 (No response.)

7 CHMN STAFFORD: Hearing none, Finding of
8 Fact and Conclusion of Law number 7 is adopted.

9 Now, I struck out the proposed number 8. I
10 don't think that's necessary. We're issuing a
11 certificate for the entire line aboveground. Once we
12 issue the certificate and it's approved by the
13 Commission, you build the entire project aboveground
14 unless some other entity requires you to do differently.

15 I don't feel like this -- and I struck the
16 reference to it in the earlier section, this maintains
17 continuity, our business is approving overhead lines and
18 that's what we've done. I don't think we need to parse
19 out potential undergrounding which may or may not even
20 happen. So I felt this was unnecessary and that's why I
21 struck it from before.

22 MR. CROCKETT: And Chairman Stafford, I
23 don't disagree with you. You know, one of the things
24 that we thought through on this was because we thought
25 part of it would be underground and we didn't know

1 exactly where, we worried the committee might feel like
2 you needed to specifically define what part was
3 aboveground versus underground.

4 But I hear what you're saying, and I
5 appreciate the fact that it's clear that the entire line
6 end to end could be constructed aboveground, and if we
7 underground any part of that, that would simply not be
8 jurisdictional to the line siting committee.

9 CHMN STAFFORD: Right. Because we're not
10 making that determination. And as we discussed earlier
11 we're not making that change to Exhibit A showing where,
12 you know, potential underground could happen. It could
13 be all -- well, it wouldn't be all but it would be, it
14 could be a small portion, a bigger portion or no portion
15 at all, which is basically what we're approving to do the
16 entire structure -- the entire project aboveground.

17 MR. CROCKETT: I think that's very clear
18 and I think this language can be deleted as you've done.

19 CHMN STAFFORD: Okay. All right. Moving
20 on to Exhibit A.

21 MEMBER GOLD: Mr. Chairman, I move
22 Exhibit A be adopted.

23 MEMBER MERCER: Second, Mr. Chairman.

24 CHMN STAFFORD: Further discussion? Member
25 French.

1 MEMBER FRENCH: This exhibit doesn't show
2 any of the other transmission infrastructure located in
3 and around the corridor. Can we have that included,
4 Mr. Crockett, to include the SunZia transmission line,
5 the TEP transmission line, and any other transmission
6 lines, show them named and the kilovolt rating for each
7 of those? Is that possible?

8 MR. CROCKETT: We can certainly add that to
9 the diagram if that's the wish of the committee.

10 CHMN STAFFORD: Is there perhaps a
11 different map that you already have that exists that
12 would be -- that has that information on it? I think you
13 had one that showed the locations of the other power
14 lines and I think the legend showed the voltage but not
15 the ownership.

16 MR. CROCKETT: Chairman Stafford, I think
17 we would prefer to work with this exhibit if we can
18 because Mr. Agner worked on preparing this. It's done in
19 black and white. I feel like it's pretty clear what
20 we're doing here. And I think we can add the
21 transmission lines, the location of the existing
22 transmission lines, maybe just a bit of clarification.

23 I'm assuming we're talking about the TEP
24 line, the SunZia line. And Member French, is it the SRP
25 230kV line that you would like shown on here?

1 MEMBER LITTLE: And SRP 500kV line. Those
2 four lines.

3 CHMN STAFFORD: Yeah, SRP's, they have a
4 230 and a 500, but they share the same corridor.

5 MEMBER LITTLE: Most of the way.

6 CHMN STAFFORD: Are they in the same
7 right-of-way or they have adjoining right-of-ways?
8 Anyway, they're right next to each other.

9 And I believe as they -- wait. I think
10 they're on one pole I think for a good span of it, but
11 then they break into two, the 230 and the 500kV are
12 separated before entering into the substation, it seems
13 what I recall from looking at it.

14 MR. CROCKETT: I'll ask Ms. Johnson and
15 Mr. Agner if that's acceptable or if you view that as
16 creating any ambiguity or confusion.

17 MR. AGNER: Of adding the transmission
18 lines onto this exhibit? Is that what you're asking?

19 MR. CROCKETT: The four transmission lines,
20 the two SRPs, the TEP, and the SunZia.

21 MR. AGNER: We certainly could add the
22 transmission lines if that is preferable to the
23 committee.

24 I would say, you know, depending on timing
25 of when this exhibit is needed, it is later in the day.

1 So I don't know how quickly we could turn around an
2 exhibit that shows those transmission lines for your
3 approval. But if it's something that the committee
4 wants, I can certainly work quickly to try to identify
5 someone to be able to update this exhibit.

6 MEMBER FRENCH: I don't think we need to
7 have it updated tonight, Mr. Chairman.

8 CHMN STAFFORD: No. What we would do is we
9 would make the motion to add those to the Exhibit A
10 assuming that it's approved -- that it's approved by the
11 committee. Then what would happen is when, over the next
12 few days if you can get it to me by -- by Friday, we'd be
13 able to get it incorporated and get the CEC filed --
14 well, probably wouldn't get filed till that Tuesday.
15 Wait. No. Wait. We could probably file electronically
16 now, so yeah, we could probably do it Friday.

17 MR. CROCKETT: Mr. Agner, does that give
18 you enough time?

19 MR. AGNER: More than reasonable,
20 Mr. Chairman. We'll do everything in our ability to get
21 it done faster.

22 CHMN STAFFORD: Okay.

23 MR. CROCKETT: And Member French, you had
24 wanted those lines identified in the legend or can we
25 identify them kind of where the line is? The legend

1 might extend down to where it might make it hard to show
2 those lines. I don't know.

3 Mr. Agner, do you have any questions about
4 how to fit that on here?

5 MR. AGNER: I would say given the location
6 of one of those transmission lines, the SRP 500 and 230kV
7 line, it's kind of near where the options are shown right
8 now.

9 And as you can see in the legend we're
10 getting kind of close to that area. So if we include
11 them in the legend we're going to have to extend it
12 probably down south, and that may start to interfere with
13 showing the SRP 500kV, 230kV line in its fullest extent
14 in this map.

15 We could try to find maybe some creative
16 solutions to maybe have it come near the top and extend
17 kind of on the other side. I mean, we can try to find
18 some ways to make it work and fit in the legend, if
19 that's what's preferable. We can also do it as a call
20 out in the map itself. Whatever the committee feels is
21 the best way to call out these lines. We can try to make
22 it work.

23 MEMBER GOLD: Mr. Chairman.

24 CHMN STAFFORD: Yes, Member Gold.

25 MEMBER GOLD: Why not just use Figure 2?

1 It has everything in it.

2 CHMN STAFFORD: That was my initial
3 suggestion that they just pick a different map that
4 already exists that has the information on it. So all
5 they have to add would be the -- along the line, they
6 could add the ownership. Because the legend already
7 shows the kV of the lines. I think the only thing that's
8 missing from this -- from Figure 2 is SunZia.

9 MR. CROCKETT: So -- well, Chairman, I
10 don't know if it's possible to with the motion to provide
11 the flexibility to have Mr. Agner work with me and with
12 your office to get a map that does what Member French has
13 proposed that it do. It may be that we change maps.

14 I know there was a fair amount of thought
15 that went into Exhibit A that we attached here. So I --

16 MR. AGNER: If we are going to add the
17 transmission lines into this exhibit and we need it to
18 remain black and white as it has now it's actually going
19 to be easier to add in the transmission lines on to this
20 exhibit than it would be to take Figure 2 and create that
21 as black and white and then try to make all of that work.

22 So it's going to be easier for us at least,
23 you know, from my limited GIS perspective to include the
24 transmission lines onto this exhibit if it needs to
25 remain black and white.

1 Now, if it doesn't need to remain black and
2 white, and you like Figure 2 better, I can work with our
3 GIS department to make sure it includes everything and it
4 can be full color. But if it's black and white we would
5 probably start with this exhibit.

6 MEMBER GOLD: Mr. Chairman, is there a
7 requirement for black and white?

8 CHMN STAFFORD: No, that's entirely up to
9 the applicant or -- and the committee which map is best
10 suited for purposes of demonstrating the corridor that
11 was approved by the committee.

12 MEMBER GOLD: In that case, Mr. Chairman, I
13 would recommend we go with whatever Mr. Agner likes.

14 MR. AGNER: So I might actually, as I
15 started thinking through it, I guess, add some additional
16 context, which is that the callouts above that this
17 committee has approved match the colors on this exhibit
18 as it's displaying now. So we probably -- it would be
19 easier to keep the map as black and white because the
20 callouts above that was previously approved by the
21 committee match this exhibit.

22 So I don't know the implications of going
23 to color and then having to change the callout colors to
24 match color. I think it would be easier to keep this as
25 black and white.

1 CHMN STAFFORD: Right. Maybe I'm just
2 shooting from the hip here.

3 Maybe the only color of the map would be
4 for existing transmission lines that you're adding.

5 MR. AGNER: So the interconnection project,
6 the sub route and options A and B right now are in black
7 and white. And as they're called out in the CEC above,
8 the way they're displayed in this exhibit is how they're
9 called out above in the CEC itself.

10 And so I think it would be easier to keep
11 the interconnection project as it is now. And then what
12 we can do is we can add in the transmission lines sort of
13 how they're shown in Figure 2 we can have these dots and
14 dashes to call out the transmission lines. And we can
15 make those black and gray to make them distinct.

16 And I still think it'll depict what it
17 needs to and satisfy Member French's request to show
18 those existing transmission lines.

19 I think we can work with black and white.

20 CHMN STAFFORD: Yeah, let's make sure that
21 the -- we can tell them apart.

22 So I think, Member French, just to clarify
23 so you're -- you'd like to make a motion to add the four
24 existing transmission lines that cross this map, one by
25 TEP, one by SunZia, and two by SRP to the map and show it

1 would indicate the ownership and the kV of those lines.

2 MEMBER FRENCH: Correct.

3 MEMBER LITTLE: Mr. Chairman, a friendly
4 suggestion.

5 I think the location of the substation
6 would be good also.

7 CHMN STAFFORD: The project substation or
8 the --

9 MEMBER FRENCH: It's not on here.

10 MEMBER LITTLE: No. The Vah Ki, whatever
11 it is, Vah Ki Substation.

12 MR. CROCKETT: That we should be able to
13 add to the map; correct, Mr. Agner?

14 MR. AGNER: That is an easy addition if the
15 committee wants that added on there, yes.

16 MEMBER LITTLE: I move all that stuff.

17 CHMN STAFFORD: Okay. So the motion is to
18 add the existing transmission lines, the four lines, one
19 by TEP, the one SunZia line, the two SRP lines to the map
20 showing the ownership and the kV of those lines and
21 adding the Vah Ki Substation to the map.

22 MEMBER GOLD: Second.

23 CHMN STAFFORD: Further discussion?

24 (No response.)

25 CHMN STAFFORD: All in favor say "aye."

1 (A chorus of "ayes.")

2 CHMN STAFFORD: Opposed?

3 (No response.)

4 CHMN STAFFORD: Hearing none, Exhibit A
5 as -- the amendment to Exhibit A is adopted.

6 Now we can move Exhibit A.

7 MEMBER LITTLE: I move Exhibit A as
8 amended.

9 MEMBER FRENCH: Second.

10 CHMN STAFFORD: Further discussion?

11 (No response.)

12 CHMN STAFFORD: All in favor say "aye."

13 (A chorus of "ayes.")

14 CHMN STAFFORD: Opposed?

15 (No response.)

16 CHMN STAFFORD: Hearing none, Exhibit A as
17 amended is adopted.

18 And so when you send over the Word document
19 of the CEC, whenever you get the map done you can send
20 them both to Tod and then we'll review, and no news is
21 good news. Otherwise, Tod will be contacting you to
22 address any perceived deficiencies.

23 MR. CROCKETT: Understood, Chairman.

24 CHMN STAFFORD: I think we're ready to vote
25 the CEC as amended. If we get a motion to consider the

1 CEC.

2 MEMBER GOLD: I so move we adopt the CEC as
3 amended.

4 MEMBER MERCER: Second.

5 CHMN STAFFORD: Further discussion?

6 (No response.)

7 CHMN STAFFORD: We'll do a roll call vote.

8 Member Kryder.

9 MEMBER KRYDER: Yes.

10 CHMN STAFFORD: Member Mercer.

11 MEMBER MERCER: Aye.

12 CHMN STAFFORD: Member Gold.

13 MEMBER GOLD: Yes.

14 CHMN STAFFORD: Member French.

15 MEMBER FRENCH: Aye.

16 CHMN STAFFORD: Member Little.

17 MEMBER LITTLE: With gratitude to the
18 application, for your understanding and cooperation and
19 also to Peaks. Yay for them. I vote aye.

20 CHMN STAFFORD: Member Richins.

21 MEMBER RICHINS: I'll vote aye.

22 CHMN STAFFORD: And I vote aye.

23 By a vote of 7 ayes, zero nays, the CEC as
24 amended is approved.

25 If I could get a motion to allow the chair

1 to correct any scrivener's error --

2 MEMBER GOLD: So moved.

3 CHMN STAFFORD: -- final order to be filed
4 with the Commission.

5 MEMBER GOLD: So moved.

6 MEMBER MERCER: So moved. Second.

7 CHMN STAFFORD: Further discussion?

8 (No response.)

9 CHMN STAFFORD: All in favor say "aye."

10 (A chorus of "ayes.")

11 CHMN STAFFORD: Opposed?

12 (No response.)

13 CHMN STAFFORD: Hearing none, the motion
14 carries. With that, we have approved the CEC.

15 We thank the applicant and the witnesses
16 and the Peaks Audio team. And we were able to overcome a
17 slight e-mail mishap to manage to get this wrapped up
18 today.

19 I could speak for us all that I'm glad we
20 won't be here tomorrow.

21 MR. CROCKETT: Yeah, Chairman, thank you
22 for staying late and working on this. I would note that
23 the rooms are booked through Friday, so you're certainly
24 welcome to stay the night for those of you that don't
25 want to travel. And we appreciate the time and attention

1 you've spent on this case.

2 CHMN STAFFORD: Thank you. Thank you,
3 Members. Anything further for the good of the order?

4 MEMBER GOLD: Dinner.

5 CHMN STAFFORD: After the meeting.

6 With that, we are adjourned.

7 (Proceedings concluded at 6:14 p.m.)

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1 STATE OF ARIZONA)
2)
3 COUNTY OF MARICOPA)

4 BE IT KNOWN that the foregoing proceedings were
5 taken before me; that the foregoing pages are a full,
6 true, and accurate record of the proceedings, all done to
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9 to print under my direction.

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11 parties hereto nor am I in any way interested in the
12 outcome hereof.

13 I CERTIFY that I have complied with the ethical
14 obligations set forth in ACJA 7-206(F)(3) and
15 ACJA 7-206(J)(1)(g)(1) and (2).

16 Dated at Phoenix, Arizona, October 25, 2024.

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JENNIFER HONN, RPR
Arizona Certified Reporter
No. 50885

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19 complied with the ethical obligations set forth in
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