

COPY

Draft Environmental Impact Statement and
Resource Management Plan Amendment
for the
Arizona Public Service Sun Valley to
Morgan 500/230kV Transmission Line Project
~~ Public Hearing ~~

December 11, 2012

Centennial High School
14388 North 79th Avenue
Peoria, Arizona 85381

6:00 p.m.

driver *and* **nix**

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1 MS. ELLIS: Ladies and gentlemen, my name is Grace
2 Ellis, and I will be facilitating this public hearing on the
3 Draft Environmental Impact Statement, or EIS, for the APS
4 proposed Sun Valley to Morgan Transmission Line Project and
5 proposed Resource Management Plan Amendment.

6 Just a little housekeeping before we start. We do
7 have three exits. Should there be an emergency, please proceed
8 quietly and courteously to the exits. There are also restrooms
9 outside these back doors and as you exit to the left.

10 This hearing is being held in accordance with the
11 provisions of the National Environmental Policy Act and the
12 regulations that are published by the Council on Environmental
13 Quality. The purpose of this hearing is for the Bureau of Land
14 Management, or BLM, to receive public comments on the Draft EIS
15 for the proposed project and Resource Management Plan
16 Amendment, commonly referred to as the Draft EIS/Draft RMPA.

17 I'd like to explain my role in this hearing. I am
18 a facilitator with Galileo Project, LLC, in Tempe, Arizona. I
19 was asked by the BLM to be this evening's facilitator, but I do
20 not represent the BLM, and nothing I say or do is intended to
21 represent the views of the BLM. My role as a facilitator is to
22 ensure that we have a fair, orderly, and impartial forum in
23 which all who wish to be heard have the opportunity to speak.
24 In summary, it's important that you understand that I will be
25 serving as an impartial moderator for this hearing.

1 Everything said in this hearing will be recorded by
2 the court reporter, and a transcript of this hearing will be
3 included as part of the administrative record.

4 The hearing will be conducted in two parts. First,
5 a representative from the BLM will outline the National
6 Environmental Policy Act, or NEPA, process and summarize the
7 analysis presented in the Draft EIS/Draft RMPA.

8 The second part of this hearing, you will have the
9 opportunity to provide the BLM with comments and make
10 statements for the record. The input you give will provide the
11 decision-makers for the project the benefits of your knowledge
12 of the local area and your concerns about the Draft EIS/Draft
13 RMPA analysis.

14 This hearing is about the adequacy of the analysis
15 presented by the BLM for the Draft EIS/Draft RMPA. When making
16 statements for the record, please focus on the EIS analysis,
17 rather than concerns about nonenvironmental issues that will
18 take time away from others' opportunities to comment on the
19 BLM's analysis.

20 Now, when you came in, you should have been asked
21 to register and filled out a speaker request form, indicating
22 whether you would like to make an oral comment this evening.
23 If you have not filled out a request card or did not indicate
24 that you wanted to speak and you now wish to speak, so that
25 your comments can be recorded by the court reporter, please

1 raise your hand at this time, and we will get a card to you.

2 Any takers?

3 Okay. At this time, I'd like to request that all
4 cell phones be turned off or in silent mode. Okay.

5 So you have three choices for submitting comments
6 to the BLM on the Draft EIS/Draft RMPA. You can choose any or
7 all of the following options.

8 You can present oral arguments -- sorry. You can
9 present oral comments to the court reporter tonight as part of
10 your presentation. As I mentioned earlier, all oral comments
11 made during the hearing tonight will be recorded by the court
12 reporter.

13 You may elect to provide written comments tonight
14 by placing them in the comment boxes available in the back of
15 the room. And we do have these comment forms. And there are
16 boxes, right back there.

17 Or you can provide comments by mail or e-mail. The
18 written comments will be accepted through mail or via e-mail
19 until February 8, 2013, at the address shown.

20 All comments made at the hearings or provided in
21 writing will be given equal consideration. We will have this
22 address up again at the end of the hearing. Also, for your
23 convenience, we have self-addressed comment forms available at
24 the back of the room.

25 Now, before we move forward with the BLM's

1 presentation, I would like to introduce the cooperating agency
2 representatives attending the hearing tonight. Cooperating
3 agencies are agencies that have been involved in the
4 development and review of the Draft EIS. So I'm going to call
5 off the names of the agencies. If you are here to represent
6 that agency, please raise your hand.

7 Environmental Protection Agency, Luke Air Force
8 Base, Arizona State Land Department, Maricopa Association of
9 Governments or MAG, City of Peoria -- there we go -- or City of
10 Surprise.

11 Okay. At this time, Mr. Joe Incardine, the BLM
12 National Project Manager, will begin his presentation.

13 MR. INCARDINE: Good evening, everybody. I'm Joe
14 Incardine, National Project Manager.

15 We have multiple levels of the BLM here tonight.
16 We have the Arizona State Office people. Will you raise your
17 hand? In the back. Come on, you're one of them. Phoenix
18 District. Hassayampa Field Office.

19 All right. Well, thank you, everyone, for being
20 here. We -- I think most of you know the general project area.
21 It's in Maricopa County. And it's within the cities of
22 Buckeye, Peoria, and Surprise. The route, as proposed, is
23 38 miles long, nine miles of which are on BLM land.

24 Arizona Public Service filed an application for a
25 right-of-way grant, on public lands managed by BLM, to

1 construct an above-ground electrical transmission system
2 consisting of a single series of towers holding two
3 high-voltage circuits: a single circuit of 500kV and a single
4 circuit of 230kV. As indicated, the span will be 38 miles
5 long, and what APS is asking to do is to connect the APS Sun
6 Valley substation with the Morgan substation. We're going to
7 have a map up there in a minute.

8 It would cross approximately nine miles of Federal
9 land in two separate locations. And you'll better see that on
10 the map in a minute.

11 Management decisions for these Federal public lands
12 are subject to the Bradshaw-Harquahala Resource Management
13 Plan, which is managed under the Hassayampa Field Office. So
14 the -- the area that is of great concern is in the top right.
15 And that is the area north of SR 74. That would require a plan
16 amendment to -- that the BLM would have to do, and that's why
17 we're here tonight.

18 The other part, in the southwest area, within the
19 Town of Buckeye, is already in a corridor, and no plan
20 amendment is needed for that.

21 We have a better -- You can see this board
22 somewhere.

23 MS. CARR: Right there.

24 MR. INCARDINE: There it is.

25 So we've got two decisions to make: One, whether

1 to amend the RMP; and the other, whether to issue a
2 right-of-way grant to APS. So that's why we have here two
3 processes, and one is the right-of-way application process, and
4 one is the RMP amendment process. So they are running
5 concurrently, but they do have, kind of, different lives.

6 We've been out here and spoke with you, April last
7 year, and also in June last year; one for taking scoping
8 comments, and the other for the economic workshop.

9 So, right now, we're right in the middle of a
10 90-day comment period, where we published the Draft EIS, and
11 that draft was published November 9th. And the 90-day comment
12 period ends February 8th, as Grace indicated.

13 The Final EIS is proposed for the Summer of 2013
14 and then the two Records of Decision for the Fall of 2013.

15 What we heard during scoping was that visual
16 resources are very important; health and safety; socioeconomic
17 issues, especially property values; recreational issues and
18 impacts to recreation; as well as maintaining public land
19 access both for commercial and public.

20 The -- You're not going to be able to see that from
21 where you're sitting, but we have analyzed, in the BLM,
22 multiple alternatives: We have the proposed action, we have
23 three alternatives to the proposed action, and we have the
24 no-action alternative. And we're required to also analyze the
25 no-action alternative, under NEPA.

1 And now we've got a little map up here. I'm going
2 to go through what the proposed action is and what the
3 alternatives are. And you might have heard a little bit more,
4 as you're speaking with people, around the boards, and you're
5 going to have some time, later, to talk with us a little
6 further.

7 But the proposed action is -- would be for a
8 200-foot-wide right-of-way and a single-use BLM corridor within
9 the Arizona Corporation Commission certificated route. And
10 that is the 38-mile route that we're talking about. The
11 majority of the project would be on State -- State Trust Lands.
12 And, as indicated, nine miles would be on BLM land, both
13 adjacent to SR 74 and then also in the southwest area near Sun
14 Valley.

15 A plan amendment would be needed for the proposal
16 that APS made to us.

17 Alternative One is the same, with the proposed
18 action, but it adds additional corridor. So, instead of having
19 just a 200-foot-wide, single-use corridor in the area to the
20 northeast, it would be a half-mile wide corridor.

21 Alternative Two would be a right-of-way south of
22 SR 74. And -- and it would not traverse State Route 74 as it
23 is being proposed. So it stays south, and then everything else
24 is pretty much the same.

25 Alternative Three is the Carefree Highway Route

1 Alignment. And that's that yellow line, over there. I know
2 it's hard to see from there. But that is -- That takes a dip,
3 further south, onto private land. No plan amendment would be
4 needed for that one.

5 And then we have a subalternative that State Lands
6 asked BLM to analyze, and it's a four-mile variation, south of
7 the proposed action. BLM will not be making any kind of
8 decision on that, but we did analyze it, because both the
9 proposed action and the detour of four miles are all on State
10 Lands.

11 And then, like I said, we have the no-action
12 alternative. And that's where BLM would not approve the
13 right-of-way grant and the RMP would not be amended.

14 So what is our BLM preferred alternative? The BLM
15 identified a modified proposed action within the Arizona
16 Corporation Commission designation for the preferred
17 alternative. It would include best management practices and
18 mitigation measures that are prescribed in the EIS. Mitigative
19 measures could consist of minor route deviations, the
20 micrositing of structures, to minimize impacts to visual and
21 other sensitive resources.

22 However, it's BLM's intent that the required
23 mitigation measures would still allow for the transmission line
24 to remain within the ACC-certified group.

25 Okay. So, under the agency-preferred alternative,

1 the BLM would amend the RMP, to designate a 200-foot-wide,
2 single-use utility corridor on public lands, managed by the
3 BLM, north of 74.

4 And, additional to the APS-proposed action, the BLM
5 would designate a multi-use utility corridor, on about a
6 thousand acres of public land managed by BLM, south of 74. And
7 we call that the key-shaped parcel. It's kind of isolated
8 by -- on the south side of 74. So we would make that a
9 multi-use corridor, so as to take into consideration future
10 community needs.

11 We would change the existing visual resource
12 management class designation, on more than 2,000 acres north of
13 74 and about a thousand acres south of 74, from a Class 3 to a
14 Class 4, to allow for the newly established utility corridor.
15 So what we're saying there would be that we would have a less
16 restrictive designation.

17 In addition, the amendment would allow for BLM to
18 approve a 200-foot-wide right-of-way between the existing
19 utility corridor in the southwest part of the project.

20 Okay. So why did BLM prefer this alternative? How
21 did we come upon this? One reason is it takes into
22 consideration comments that we heard during the scoping
23 process, from all parties. It's especially responsive to the
24 public input for avoiding environmental and socioeconomic
25 impacts for a majority of the private lands in the project

1 area.

2 It considers community needs for electrical
3 transmission expansion and solidifying the grid, staying within
4 the ACC-certified route. This route was already the result of
5 a lengthy public process, and remaining within this designated
6 area would allow the utility to build the needed power lines
7 more expediently. And this is in line with the Department of
8 the Interior's national policy to encourage electrical
9 transmission.

10 It takes into account existing local community
11 land-planning designations. And it alleviates potential
12 socioeconomic burden for a majority of the property owners.
13 Certain members of the Arizona Congressional Delegation have
14 expressed bipartisan support for the ACC designation.

15 It also includes best management practices, as well
16 as mitigative measures that are prescribed in the EIS, which
17 I'm going to talk about in a minute. The BLM's required
18 mitigative measures would still allow for the transmission line
19 route to remain within the ACC-certified route.

20 The BLM is proposing mitigation for the project and
21 includes minimization of visual impacts through micrositing and
22 selecting the most suitable structures and the colors of the
23 poles. On lands other than BLM lands, the final decision
24 regarding design and infrastructure type would be between the
25 landowner and APS. We also are looking to minimize

1 socioeconomic impacts to private landholders.

2 Regarding recreation, there will be no single-track
3 OHV routes to be used for construction access. That's all part
4 of the vehicle routes. All OHV access points will be gated and
5 fenced, to prevent OHV use of the APS access route. And the
6 access route would be monitored for unauthorized use.

7 Regarding the cultural resources, historic
8 properties would be marked and avoided, spanned where possible,
9 or the right-of-way would be slightly rerouted to avoid the
10 properties. The State Historic Preservation Office, SHPO, and
11 the Tribes would be consulted on any historic properties that
12 can't be avoided.

13 Species protected by the Arizona Native Plant Law
14 would be relocated and transplanted. There would be
15 preconstruction survey for wildlife. And there would be
16 monitoring and mandatory environmental-awareness training.

17 There would be no net loss of desert tortoise
18 habitat. And construction area would be surveyed for tortoise
19 prior to ground disturbance. Desert tortoise -- Desert
20 tortoise awareness training would be required of anybody that
21 would be in the construction area. Vehicle speeds would not
22 exceed 20 miles an hour on the access roads in desert tortoise
23 habitat.

24 That's all I've got.

25 MS. ELLIS: Thank you, Joe.

1 And that presentation will be on BLM's website for
2 folks that want to see that.

3 And now we have up to 75 minutes for the
4 public-comment portion of this hearing. And I'd like to
5 explain the ground rules of the public-comment period.

6 This period is your opportunity to provide the BLM
7 with information relative to the EIS analysis and to make
8 statements for the record. This input helps the
9 decision-makers to benefit from your knowledge of the local
10 area and your comments on the analysis.

11 Members of the public wishing to speak will be
12 called upon in the order that the request cards were received.
13 And I will call the name of each speaker, as well as the name
14 of the speaker who is to follow. Please step up to the
15 microphone, and the microphone is right here. And please don't
16 walk this way because there are a lot of cords here.

17 Please step up to the microphone when your name is
18 called to speak. The faster that folks get to the microphone,
19 the more time we'll have for comments. And please speak only
20 after I have recognized you, and please address your remarks to
21 me.

22 Please speak clearly, into the microphone, stating
23 your full name, place of residence, and the organization that
24 you represent. We need this to ensure the court reporter gets
25 an accurate record of what is said tonight.

1 Each person will be allowed five minutes to speak.
2 This time limit applies to everyone: public elected officials,
3 spokespersons, and individuals speaking for themselves.

4 You do not have to speak for the full five minutes.
5 However, if you choose to speak for the full five minutes, when
6 you have only 30 seconds remaining, a yellow light will be
7 shown, right down here. And when your time is expired, a red
8 light will be shown, and you will be asked to step away from
9 the microphone.

10 Out of respect for others who would like to make
11 comments, I ask that you please honor any request from me to
12 stop speaking. If you think you have more comments than you
13 can present in the time allotted, make the most important
14 comments first. If you do not get a chance to voice all of
15 your comments, you can and you should submit them in writing.

16 If you have a written statement, you may simply
17 hand it in, read it aloud within the time limit, or do both.
18 And, if you'd like to turn in the written comments, you may
19 place them in the comment boxes at the back of the room.

20 If you have questions, please make sure you write
21 them on your comment card and get those handed in. And check
22 the BLM website. They're going to be compiling questions. And
23 they'll have a Frequently Asked Questions document on there,
24 and they'll have answers to those questions.

25 This hearing is scheduled to end at 8:00 p.m. If

1 we have time, we may give you an opportunity to expand on your
2 remarks after everyone who has submitted a Speaker Request Card
3 has had a chance to comment.

4 You may have noticed that the court reporter is
5 recording everything that is said tonight. The transcript of
6 these proceedings will become a part of the record of the
7 hearing and will be included in the Final EIS/Final RMPA.

8 I'd like to remind you to limit your comments to
9 the analysis presented in the Draft EIS/Draft RMPA. This is
10 the purpose of this public-comment period.

11 Finally, try to avoid repeating what another
12 speaker has said. There's nothing inappropriate about agreeing
13 with other speakers. But to repeat the same thing limits time
14 for others to make comments. If you agree with the previous
15 speaker on a particular issue, you may just state that
16 agreement.

17 As I mentioned before, we will take oral comments
18 from those of you that have filled in cards, in the order in
19 which they have been received. Again, I wish to remind you of
20 the five-minute speaking limit.

21 And we'll start with the first speaker, who is
22 going to be Jeff Dixon. And Mr. Dixon will be followed by
23 Garrick Taylor.

24 So, Mr. Taylor, when you see the yellow light, go
25 ahead and start walking up, and you can be prepared to speak.

1 MR. DIXON: Good evening. It's Grace, correct?

2 MS. ELLIS: Yes, sir.

3 MR. DIXON: Grace, I'm going to direct my comments
4 to you. My name is Jeff Dixon. I represent Trilogy of
5 Vistancia Community Association, which is one of four villages
6 in the Vistancia area. Currently, we have -- excuse me -- 2154
7 lots closed, which represents a little over 4300 people. When
8 it's all said and done, we'll have over 7,000 people just in
9 that one community alone. I welcome the opportunity to speak
10 tonight.

11 This issue goes back, with me personally, to the
12 Spring of 2008. And there is many people here tonight, as you
13 notice, with red shirts. The folks that are in red shirts have
14 been a part of this.

15 And it is so wonderful to hear that the public
16 voice was heard. This was not an easy trip down this lane, to
17 come to where we are today. But Joe and his team and everybody
18 who has supported Joe and his team got it right. We as a
19 community support the proposed route. We think it's the right
20 thing to do.

21 One of the things that I heard during your comments
22 or Joe's comments was something that we don't hear as a
23 country, let alone a community: bipartisan Congressional
24 support.

25 Isn't that something? And you know what? That's

1 because of the people that are represented here tonight. They
2 said, "You know what? We don't want to see power lines in the
3 north end of our community. So there's got to be a better
4 way."

5 And, through a lot of work and a lot of people, we
6 are able to get here tonight.

7 Now, some of the things in the EIS that we really
8 like is it helps everyone. It helps the BLM.

9 Well, first of all, I'll even step back and say:
10 We all know that the power is needed. APS needs the power
11 lines; we know that. But now it's in the right location.

12 So it also supports BLM's position. They did their
13 job, to get us where we are today. And there is a lot of work,
14 and there is a lot of reasons why it took this long. And we
15 can understand and appreciate that.

16 The Draft EIS does recognize a decrease in property
17 values. That's very important. And it will have an impact on
18 all the areas and the planned programming for the City of
19 Peoria and others on private property. The proposed plan helps
20 everyone.

21 So, on behalf of Vistancia and the entire Trilogy
22 community and all of the villages, this is the right thing to
23 do. And we thank everybody, to include the City of Peoria;
24 Congressman Frank's office; the BLM; the ACC; Joe and his team;
25 and you, Grace.

1 Thanks a lot.

2 (Applause.)

3 MS. ELLIS: Thank you for your comments.

4 Next, we have Mr. Garrick Taylor, followed by a
5 Mr. Walter Zahlmann.

6 Mr. Zahlmann, if you could be prepared, when you
7 see the yellow light, to step up.

8 MR. TAYLOR: Good evening. For the record, my name
9 is Garrick Taylor, Vice-President of Government Affairs and
10 Communication for the Arizona Chamber of Commerce, an industry
11 whose offices are in Phoenix. On behalf of Arizona's business
12 community, I want to thank the Bureau of Land Management for
13 holding this important hearing.

14 The BLM manages 12.2 million acres of land in
15 Arizona. 48 percent of Arizona land is Federally owned. Given
16 the Department of the Interior's commitment to renewable energy
17 generation and the national commitment to expanding the backlog
18 of the transmission's right-of-way applications, the Arizona
19 Chamber believes that the Sun Valley to Morgan Draft EIS
20 preferred alternative, which includes a 200-foot electric
21 transmission line right-of-way through approximately nine miles
22 of BLM land, is consistent with the Department's priorities and
23 has minimal impacts, that can be mitigated, given its place
24 next to existing and planned freeways.

25 The Sun Valley to Morgan line is an essential

1 component of our region's electricity service, providing
2 powerful businesses and citizens alike. This line completes
3 the reliability and redundancies of electric infrastructure
4 around the Phoenix Metropolitan area, as well as provides the
5 transmission opportunity to move solar and renewable energy to
6 demand centers here in the Southwest.

7 The U.S. Department of Energy National Electric
8 Transmission Congestion Study of 2009 specifically listed the
9 Sun Valley to Morgan line, which had received the Arizona
10 Corporation Commission Line Siting Committee's recommendation
11 and the ACC's approval, in the proposed action, as being
12 important for reducing concerns over Phoenix transmission
13 congestion, which occurs when transmission in the path is not
14 sufficient to enable safe delivery to all scheduled or desired
15 wholesale entities transferred simultaneously.

16 Improving Arizona's ability to deliver, to its
17 businesses and its citizens, reliable power will help enhance
18 our city's business climate and increase our economic
19 competitiveness and ability to attract and grow jobs.

20 The Arizona Chamber supports the BLM's DEIS
21 recommendation for the preferred alternative.

22 Thank you.

23 (Applause.)

24 MS. ELLIS: Thank you, Mr. Taylor.

25 Next we have Mr. Walter Zahlmann, and followed by

1 Mr. Zahlmann is Vice-Mayor Cathy Carlat.

2 There you are. You won't have far to walk.

3 MR. ZAHLMANN: Good evening, and thank you for the
4 opportunity to speak tonight. I've listened to a number of
5 meetings, and I find a lot of what is being said is totally
6 disingenuous.

7 BLM land is land owned by the American people, not
8 by Peoria, not by Vistancia, not by Trilogy, certainly not by
9 any community. But, more importantly, it should never be used
10 for a corporation by the name of Diamond Ventures.

11 This proposal to move this line across 74, eight
12 miles out and then back across, is strictly to protect Diamond
13 Ventures, which I am under the impression is involved with
14 Sunbelt Holdings. Sunbelt Holdings certainly has provided
15 these great people here with a bus tonight. Okay? And so
16 they're basically being paid by Sunbelt Holdings. Okay?

17 AUDIENCE MEMBERS: No.

18 MR. ZAHLMANN: You got a free bus ride. But I'll
19 go on, okay?

20 At no time during these meetings has Vistancia
21 been going to be affected by these power lines. The original
22 plan that APS had was 14 miles to the west of existing
23 Vistancia today and between four and six miles north of
24 Blackstone. We were never going to see it. It doesn't affect
25 us.

1 But it does affect Diamond Ventures, a
2 multi-million-dollar land development project that is going
3 to -- I think it's about 25,000 homes that they've developed up
4 there. Okay?

5 Part of the argument that Sunbelt Holdings made,
6 and I went to a meeting with a person who was not paid but was
7 a volunteer that works for Sunbelt Holdings and Trilogy,
8 telling me about all the health hazards and that, you know, if
9 we keep going under these power lines, we're going to grow an
10 extra pair of legs.

11 The issue here that it comes down to is that we at
12 Vistancia have to go under the power lines to get into
13 Vistancia, we have to go under the power lines to get out of --
14 out of Vistancia, and we have power lines east and west of us.
15 We are totally surrounded.

16 These are the same people that have approved a cell
17 phone tower, elevated up. And now there is studies that say
18 cell phone towers emit these rays that can affect people. We
19 know that there's been a lot of studies on cell phones,
20 themselves. And they're elevated above the community center,
21 above the pool, and right next door to an elementary school.

22 So, if the health issues that you have all raised,
23 okay, are so important to you, now you're saying: Let's take
24 this power line and cross over 74, a major highway, and it's
25 going to get even bigger and bigger over the years; run it

1 along BLM land, which is, again, the property of the American
2 people. And now you're going to cross back down.

3 So you're forcing people on a major highway to go
4 under these power lines that you all or some of you say is
5 going to cause a second head or six fingers.

6 You can't have it both ways. Okay? You're all
7 standing here saying that, "Hey, we did a great job for
8 Vistancia."

9 But Vistancia is really not involved. It's Diamond
10 Ventures. And look it up. You will see, they are going up
11 over 74 and across, so Diamond Ventures is not crossed. We
12 would never see these power lines. That's -- that's the
13 criteria here. Okay? I -- I find it very disingenuous of the
14 people not to come down and say: Hey, where does this affect
15 Vistancia?

16 It doesn't. You're never going to see it.

17 I live on the northern part of Vistancia. Okay?
18 And I have three mountains in front of me. But you -- I guess,
19 the last question I have --

20 I saw the minute, but I have other things to say.

21 What is it costing? I would like APS to tell us
22 what it's going to cost us to go along on the north -- on the
23 southern part, cross over 74, go nine miles across, and then
24 cross back down. What is that cost going to be? Because every
25 rate-payer, every citizen that uses APS, is going to have to

1 pay for that cost. That's an increase.

2 To protect Diamond Ventures? You've got to be
3 kidding me. This is a multi-million-dollar company, and we're
4 going to pay more on our electric rates to protect them? I'm
5 sorry. I think that's a huge mistake.

6 And anybody, whether it's a public official or the
7 Congressional Committee and they're bipartisan, yeah, that's
8 the 1 percent you're protecting. That's exactly who you're
9 protecting, that 1 percent. That's the issue.

10 You've been lied to. If you -- If you're worried
11 about health reasons in Vistancia, let's start a petition to
12 get those power lines down as we enter and get the power lines
13 down as we leave and along the north -- east and west side of
14 us, because we're surrounded by power lines.

15 MS. ELLIS: MR. Zahlmann?

16 MR. ZAHLMANN: I know.

17 And now we're putting up a cell phone tower that
18 could irradiate for about two miles.

19 MS. ELLIS: Thank you for your comments tonight.

20 MR. ZAHLMANN: But thank you very much for your
21 time tonight.

22 MS. ELLIS: Thank you.

23 Okay. Next we have Vice-Mayor Cathy Carlat, and
24 then to be followed by Lynda Reithmann.

25 Ms. Reithmann, if you could be prepared to step up

1 when the -- when the light turns yellow?

2 Very good.

3 MS. CARLAT: I'm Cathy Carlat. I am the Peoria
4 City Council representative for the Mesquite District, which is
5 the farthest north area of the City of Peoria. And it's this
6 area, where the lines will be. I would just like to say, first
7 of all, that I am proud to be wearing red this evening.

8 Is it okay? Okay.

9 I'm proud to be wearing red this evening because I
10 am supportive of all of these people who are here tonight. I'd
11 like to thank them for being so diligent, to continue on with
12 this process. It has gone on for the better part of four and a
13 half years, I think we're at now, with all of the different
14 evaluations, with all of the different experts, with all of the
15 different line sitings and possible -- possible line sitings.

16 One of them, the first one, which was the APS
17 original preferred route, went right across the northern part
18 of Vistancia and the southern part of Saddleback Mountain.
19 Those are land uses that are not in the City of Peoria's plan.

20 I would like to thank the Bureau of Land Management
21 for their involvement and taking the time to do such a
22 conclusive evaluation; taking into consideration environment
23 and economic impacts, technical impacts; doing all of the
24 things that they needed to do to perform their mission;
25 producing a one-thousand-page booklet that comes back to the

1 preferred environment -- or the preferred alignment that were
2 originally -- well, was originally not only agreed to by the
3 citizens of the City of Peoria and all of our stakeholders, but
4 by the line siting commission and the Corporation Commission.

5 So we've come full circle now. And the
6 one-thousand-page environmental impact study proves that it's
7 the best route. We're very pleased to hear that. We're very
8 pleased the BLM did their job.

9 But I'm also very pleased, and I just have to
10 continue to say it, that all of these people remain such
11 diligent watchdogs for their community.

12 And, but now that we have the Environmental Impact
13 Statement and it's all in writing, we can move forward with
14 getting the redundancy, the redundancy in the APS lines that we
15 need, to ensure that we've got electricity when we need it, for
16 the future. And we can just move forward, from here on.

17 Thank you.

18 MS. ELLIS: Thank you for your comments.

19 (Applause.)

20 MS. ELLIS: Very good. Next we have Lynda
21 Reithmann. And that will be followed by a Mr. David Field.

22 Mr. Field, if you could be ready to comment when
23 the light turns yellow.

24 MS. REITHMANN: Thank you, Grace.

25 There's an old adage that says, "Time flies when

1 you're having fun."

2 And, if you look at all the red shirts behind me,
3 we all started this fight and we got involved with this,
4 actually, in 2007. Time does fly.

5 When we first learned about the potential placement
6 of these lines, we conducted extensive research. The issue is
7 not whether or not we will be able to see the power lines. The
8 issue is that there are serious health risks to these lines.

9 We read a report by the United States National
10 Council on Radiation Protection that listed health effects from
11 exposure to low levels of electromagnetic radiation. And these
12 effects include sudden death -- infant death syndrome,
13 childhood leukemia, and Alzheimer's.

14 We discovered that homes in close proximity to
15 power lines decrease in value. Because of the poor economy,
16 our property values have already seen a decrease, and we know
17 that there will be eventual recovery from that. But our
18 studies show that there will be no recovery when power lines
19 are placed within communities.

20 Our efforts have been to protect not only our
21 Trilogy and Vistancia community but features communities to our
22 north, all the while recognizing that APS has a duty and
23 obligation to ensure adequate power supplies.

24 And we join forces with the City of Peoria, Arizona
25 Corporation Commission, and other public and private entities

1 in supporting placement of the power lines along the north side
2 of State Route 74 -- excuse me -- 74. And we continue to
3 reject placement along the Alternative Two and Alternative
4 Three alignments.

5 We were happy to learn that the Draft Environmental
6 Impact Statement identified the north side of State Route 74 as
7 the preferred location and are encouraged that the Bureau of
8 Land Management is agreeing with that assessment. In the
9 support of the President's executive order to expedite
10 energy-related projects, it is now time to allow APS to
11 commence work on the Sun Valley to Morgan Transmission Line,
12 along the north side of State Route 74.

13 (Applause.)

14 MS. ELLIS: Thank you for your comments.

15 Mr. Field?

16 This is David Field. And please feel free to raise
17 up the mike a little bit. And everyone needs to get really
18 close to the microphone. The microphone is your friend.

19 MR. FIELD: Is that -- Is this close enough?

20 MS. ELLIS: To get all of our comments recorded.

21 Yes.

22 And Sandy Bahr will be speaking after Mr. Field.

23 MR. FIELD: I'd like to comment, first, on the
24 gentleman's question about how much it costs to jump the power
25 line over the -- over the road and then jump it back across the

1 road to the south side. According to the study, which was, by
2 the way, very well done, there's a \$3 million difference.
3 \$3 million more, to run that, that dangerous power line, across
4 the highway, down along the north side, and then back across.
5 I believe that's correct.

6 I can understand why the people of Vistancia do not
7 want that power line to run through the middle of Vistancia.
8 I'm very sympathetic to that.

9 I do not understand why we are protecting the
10 undeveloped private land, at the -- at the expense of the BLM
11 land, which, as the gentleman stated earlier, is public land.
12 I love that land up there. It's a beautiful view. It's --
13 We're never going to get new public undeveloped land. That's
14 disappearing. It's disappeared too much in Arizona.

15 We can run that power line, serve all the power it
16 needs, run it on the south side of the highway, right along the
17 highway. Protect that BLM land. Protect the scenery. That --
18 That change of route, according to the BLM study, is going to
19 affect over 2300 acres of land, visually, construction-wise,
20 and so forth. And that's just unnecessary.

21 Those people that bought that land up there is --
22 It's going to be developed. We're talking about that --
23 Saddlebrook, I believe, is the name of it.

24 What is it?

25 AUDIENCE MEMBER: Diamond Ventures.

1 MR. FIELD: Diamond Ventures?

2 Okay, whoever it is. That -- That land was
3 probably -- was built for development. It's going to see the
4 power line, in either case. There is no need that that land,
5 that land has to be used across the road, the BLM land, to be
6 protected.

7 I don't know how many of you have ever seen a
8 desert tortoise -- tortoise. That's a hard word to say:
9 Desert tortoise.

10 How many of you have seen one? Have you? Good. A
11 few. I have seen one there, too. That -- that's -- And I saw
12 it, right up north of -- of the land -- of the road.

13 And -- and we don't need to tear that land up for
14 the power line. The power line is going to serve public
15 interest, housing interest, commercial development, everything
16 else. It ought to stay on -- on private land, where it isn't
17 needed.

18 I could understand if it was necessary to go to BLM
19 land, to cross it, to get to it. It's not necessary. We're
20 just protecting a few wealthy developers and maybe some
21 politicians that are supporting that.

22 Thank you.

23 (Applause.)

24 MS. ELLIS: Thank you for your comments.

25 Sandy Bahr?

1 And, after Sandy Bahr, we will have Donald Begalke.
2 Mr. Begalke, if you would be prepared to step up
3 when the light turns yellow. Thank you.

4 MS. BAHR: I'm Sandy Bahr. I'm the chapter
5 director for the Sierra Club's Grand Canyon chapter. And we
6 have about 12,000 members here in Arizona. I live in Phoenix,
7 Arizona.

8 The Sierra Club is very much opposed to the BLM's
9 proposal -- well, really, APS's proposal or, if you take a step
10 back, Don Diamond's proposal -- to move the transmission line
11 north of State Route 74.

12 MS. ELLIS: I'm sorry. If you could get a little
13 closer to it.

14 MS. BAHR: It will open up sensitive habitat to
15 additional degradation, as well as destroy the Phoenix
16 corridor. We think that the BLM should reject the right-of-way
17 application and also not change the Resource Management Plan,
18 reject that, as well.

19 I'd love to see any bit of factual information that
20 this transmission line would facilitate renewable energy. That
21 is something that we look at very closely, and it's a way to
22 make things look better when -- when they're really not so
23 great.

24 We think it's inappropriate to change the RMP and
25 grant this right-of-way merely to advantage a developer who

1 perceives that this transmission line will affect the value of
2 his land or to further benefit remote urban sprawl. We have
3 plenty of that.

4 As this proposal would affect public land, it's
5 supposed to be in the best interest of the public, rather than
6 one individual private developer.

7 The Sierra Club and our members and hundreds of
8 other individuals and groups have worked very hard and over
9 many years to protect the BLM lands north of State Route 74.
10 It was once known as the Lake Pleasant Resource Conservation
11 Area, and the idea behind it was that the Resource Conservation
12 Area would retain and consolidate lands for ease of management
13 and protection.

14 If the RMP is amended and the line is allowed to be
15 built north of SR 74, we're concerned that it will result in a
16 significant degradation of the land and a diminished view,
17 especially in light of the fact that the proposal would not
18 only run along 74 but would actually cross it.

19 This would nudge development further into the BLM
20 lands and could result in a subsequent loss of interest by BLM
21 to manage these lands for conservation. And that's basically
22 what happened with the land exchange that has facilitated a lot
23 of development in this area already, the 1997 Saguaro National
24 Park Land Exchange, where the developer, Don Diamond, received
25 4,322 acres of land south of State Route 74, and the public got

1 a mere 711 acres near Saguaro National Park.

2 We think that this developer has gotten quite
3 enough of our public land, and we urge BLM to reject this
4 proposal.

5 Thank you.

6 (Applause.)

7 MS. ELLIS: Thank you for your comments.

8 Next we have Mr. Donald Begalke. And then,
9 finally, Harrienne Kopel? Is that right?

10 Very well. You'll be next.

11 MR. BEGALKE: Hello. My name is Donald Begalke.

12 MS. ELLIS: Please, speak close to the mike,
13 please.

14 MR. BEGALKE: Oh, all right. Hello. My name is
15 Donald Begalke. I'm from Phoenix, Arizona. I am an Arizona
16 customer and always concerned about electric bills. I'm also a
17 person who supports Lake Pleasant Regional Park, one of the ten
18 best in the United States.

19 We should not be here tonight, at all. Because of
20 the Arizona Corporation's line siting, the Arizona -- APS,
21 October 20th, 2010, they changed one of the routes, to go to
22 north of State Route 74. And they hadn't talked to APS about
23 that, at all.

24 It was sort of dirty politics. It wasn't based on
25 principles for having a power line and a good system of

1 electricity for the community.

2 I'm very disappointed with the BLM's Draft EIS
3 because it has omitted scoping committee -- scoping meeting,
4 the invitation one that occurred on June 8th. And you don't
5 print the scoping comments, at all. You just categorize it.
6 That's infuriating. That's not right because we don't have an
7 opportunity to assess those.

8 I think your primary and your alternate routes are
9 self-serving because you state, in the DEIS, that you want to
10 protect developers. Why? Why one group over another group?
11 Why a small minority over a large majority of APS customers?
12 Why, over all of the millions of people that use the Lake
13 Pleasant Regional Park -- They've had 1.5 million more last
14 year. Yet, in the Draft EIS, you only reported a 2006 total.
15 Quite a difference, over six years.

16 BLM should not be involved in deciding the increase
17 in the electric bills caused by a 500kV line and a 230 line.
18 You should not be involved in a decision that should have been
19 made in the community in October 20th, 2010.

20 The Corporation Commission decision has caused a
21 delay of APS construction of a Sun Valley to Morgan
22 transmission line. And that has gone to increase the return
23 that APS gets from when they come back to be reimbursed for the
24 construction.

25 One very, very important part of the construction

1 of the two lines north of State Route 74, that is omitted by
2 BLM in the Draft EIS, is the cost, the very expensive cost of
3 building high-powered transmission lines over a ten-lane-wide
4 freeway that the Maricopa County Association of Governments
5 plans for State Route 74.

6 There are three lines in the Draft EIS that are
7 satisfactory. Yet I prefer the no-action alternative because
8 the decision should lie with the Corporation Commission, on
9 deciding these important items will -- will fit customers, will
10 fit recreationists, will fit educational opportunities for
11 youth on the BLM lands adjacent to Lake Pleasant. And I hope
12 that the BLM comes back and supports the no -- the no-action
13 alternative because that's the right thing to do.

14 It's not BLM's duty to decide these. It's not
15 BLM's duty to ruin an opportunity that has existed for over 55
16 years between the BLM and the --

17 MS. ELLIS: Thank you very much, Mr. Begalke. It
18 is now time for --

19 MR. BEGALKE: Thank you.

20 MS. ELLIS: -- Ms. Harrienne Kopel.

21 Thank you for your comments.

22 (Applause.)

23 MS. KOPEL: Good evening. I've been told that this
24 is the opportunity for comments. And my -- What I am
25 representing is my home. I am unpaid to come here, yet

1 concerned. And, even though we did the environmentally correct
2 thing and took a bus, we're still assuming to get some problems
3 with that, too.

4 I would like to address the desert tortoise part of
5 the program, seeing as the only time I've seen a desert
6 tortoise was on the road, and it was not alive. I don't know
7 how you delineate where you're going to prevent them from going
8 across the road, but apparently they do.

9 I'm very proud to live in a community that gets
10 together to do something positive. And it really hurts me that
11 it's misconstrued as anything other than all these people in
12 the red shirts coming here, as a community, to speak our minds
13 and to thank the process. And for that, I thank all of you.

14 (Applause.)

15 MS. ELLIS: I don't believe we have any more cards,
16 correct?

17 All right. Ladies and gentlemen, this concludes
18 this public hearing. Thank you for your participation. Please
19 remember, the public-comment period will extend through
20 February 8th, 2013. All right.

21 And comments can be sent to the address or e-mail
22 address shown on the slide. Or you may place them in the
23 comment boxes provided, which are located in the back of the
24 room.

25 And, except, the Final EIS/RMPA is targeted for

1 release in the Summer of 2013, and the Records of Decision will
2 follow that, and that is expected in the Fall of 2013.

3 The public hearing is now adjourned. There is
4 still time to revisit any of the posters around the room and
5 talk with BLM staff.

6 Thank you so much. Have a good night. Happy
7 holidays.

8 (The public hearing is adjourned at 6:56 p.m.)
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CERTIFICATE

I, Karen Saari, Certified Reporter for the State of Arizona, certify:

That the foregoing public hearing was taken by me; that the proceedings were taken down by me in shorthand and thereafter reduced to print by computer-aided transcription under my direction; that the foregoing pages are a full, true, and accurate transcript of all proceedings had upon the taking of said public hearing, all to the best of my skill and ability.

I FURTHER CERTIFY that I am in no way related to nor employed by any parties hereto nor am I in any way interested in the outcome hereof.

DATED this 18th day of December, 2012.



Karen Saari
Certified Reporter No. 50842
For the State of Arizona