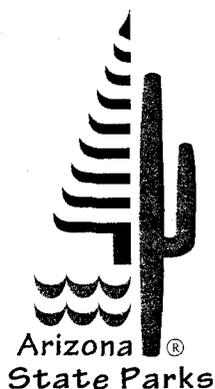




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SHPO-2004-2278 (22372)  
State Historic Preservation Act  
no historic properties affected

47



ORIGINAL RECEIVED

January 6, 2005 2005 JAN 14 P 3: 38

Laurie A. Woodall, Chairperson  
Power Plant and Transmission Line Siting Committee  
Assistant Attorney General, Environmental Enforcement Section,  
Office of the Attorney General  
1275 West Washington  
Phoenix, Arizona 85007

Arizona Corporation Commission

DOCKETED

JAN 14 2005

L-00000D-04-0127

DOCKETED BY *AR*

Janet Napolitano  
Governor

RE: Arizona Public Service (APS) West Valley-North Transmission Line and  
Substation Project, Maricopa County, Arizona; Case No. 127

State Parks  
Board Members

Dear Ms. Woodall:

Chair  
John U. Hays  
Yarnell

Thank you for consulting with this office regarding the above-mentioned state plan and associated certificate of environmental compatibility. The proposed plan entails the construction of ca. 25.1 miles of overhead utility lines, access roads as needed and two substations. The plan involves mainly private land, although some Maricopa County Flood Control District, Arizona State Land Department, U.S Bureau of Reclamation, lands are present. We received both the Application and a cultural resources survey report. Historian Bill Collins and I reviewed the documents submitted and offer the following comments pursuant to the State Historic Preservation Act (i.e., A.R.S. § 41-861 to 41-864) and the committee's factors to be considered (i.e., A.R.S. § 40-360.06.A.5).

Elizabeth Stewart  
Tempe

William C. Porter  
Kingman

William Cordasco  
Flagstaff

Gabriel Beechum  
Florence

Janice Chilton  
Payson

Mark Winkleman  
State Land  
Commissioner

Our advice to a state agency under state law should not be used or construed in any way to substitute for or limit our advice to a federal agency under federal law much less foreclose or limit a federal agency's decision-making ability. If a federal agency is associated with this state plan, they may have undertaking and need to consult with our office directly under Section 106 of the National Historic Preservation Act if they haven't done so already.

Kenneth E. Travous  
Executive Director

The cultural resource survey of the proposed right-of-way corridor identified four historic-period structures, seven historic or prehistoric archaeological sites and 34 isolated artifact and/or feature occurrences (IOs). The report was professionally prepared and well written.

Arizona State Parks  
1300 W. Washington  
Phoenix, AZ 85007

We agree that the Beardsley Canal (AZ T:6:5 ASM) is eligible for inclusion in the State Register of Historic Places. We agree that the Atchison Topeka & Santa Fe Railroad Spur, McMicken Dam, an unnamed earthwork structure (AZ T:7:344 ASM), Site AZ T:6:3 (ASU), and Sites AZ T:6: 13, 14, 96, 97, 98, and 99 (ASM), as

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602.542.4188

well as the 34 IOs are ineligible for inclusion in the State Register of Historic Places at this time. We note that McMicken Dam is not yet 50 years old and its Register-eligibility status may need to be reassessed in the future. Please consider any comments the committee receives from the land-managing agency.

Based on the above, a finding of no impacts (cf. no historic properties affected) is warranted for this plan and no further preservation treatment is needed provided that the transmission line avoids impacting the Beardsley Canal by spanning over it as planned.

We offer the following condition for the committee's consideration:

1) Should an archaeological, paleontological, or historical site or object be discovered during plan-related activities on state, city, or county land, the person in charge is required to notify promptly the Director of the Arizona State Museum and take reasonable steps to secure and maintain the resource's preservation pursuant to state law (i.e., A.R.S. § 41-844). If a discovery involves human remains or funerary objects and occurs on private land, procedures implementing A.R.S. § 41-865 must be followed.

We appreciate the committee's cooperation with this office in considering the effects of state plans on cultural resources situated in Arizona. If you have any questions, please contact me at (602) 542-7137 or via [mbilsbarrow@pr.state.az.us](mailto:mbilsbarrow@pr.state.az.us).

Sincerely,



Matthew H. Bilsbarrow, RPA  
Planner / Archaeologist  
Arizona State Historic Preservation Office

cc.  
Bill Collins, SHPO  
Gene Rogge, URS