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TO: Colleen Ryan
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Arizona Corporation Commission
DOCKETED

OCT 15 2002

DOCKETED BY *CA*

FROM: Laurie A. Woodall
Chairman
AZ Power Plant and Transmission Line Siting Committee

LAW (TMP)

DATE: October 15, 2002

RE: CEC: Gila Bend Power Plant - Hassayampa to Jojoba, Docket 119

Attached is a letter recently received from the Arizona State Parks in the above-referenced docket. Please file in correspondence.

Thank you.

LAW:tmp
Attachment
226920.1

In reply, please refer to
SHPO-2002-1210 (12578)
more information requested

October 11, 2002

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

FAXED
10/11/02
TE: MHE/ETC

RE: Proposed Hassayampa-Jojoba 500kV Transmission Line, Maricopa County,
Arizona

Dear Ms. Woodall:

Thank you for having the committee's applicant (i.e., Gila Bend Power Partners, L.L.C.) initiate consultation with this office regarding the above-mentioned state plan and associated certificate of environmental compatibility. The proposed plan entails the construction of 20 miles of overhead utility lines and access roads as needed. The proposed route originates from the Hassayampa Switchyard south of Wintersburg, and terminates at the Jojoba substation, which is under construction, in the Little Rainbow Valley, and crosses private, Arizona State Land Department (ASLD), Arizona Department of Transportation (ADOT), and U.S. Bureau of Land Management (BLM) lands. 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).

This plan also represents a federal undertaking, and BLM will consult directly with this office in regards to the National Historic Preservation Act. Our advice to the committee should not be interpreted or construed to infringe upon role of the lead federal agency regarding the scope and adequacy of identification efforts, eligibility determinations, effect findings, and treatment options.

The committee's applicants should be aware that our office has 30 working days in which to review state plans as stated in A.R.S. § 41-864, and our staffing level reflects this timeline. Due to a heavy volume of consultations, we were unable to review the documents that we received on September 11, 2002 prior to the committee's October 1, 2002 meeting as requested by the applicant's consultant.

The cultural resource survey of the proposed right-of-way corridor identified five historic-period structures, six archaeological sites, and 16 isolated artifact and/or feature occurrences (IOs). The report was professionally prepared and thorough. My technical comments on the reports are provided on the attached page. Please consider any comments the committee receives from the other land-managing agencies as well.



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This document is available
in alternative formats
by contacting the
ADA Coordinator.
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We agree that the Southern Pacific Railroad (AZ T:10:84 ASM), Gila Bend Canal (AZ Z:2:66 ASM), and Enterprise Canal are eligible for inclusion in the State and/or National Registers of Historic Places (SNRHP) under Criterion A (Event) and other criterion may apply as well. We agree that the historic abandoned road segment identified as AZ T:9:63 (ASM) is ineligible for inclusion in the SNRHP under any criterion. We cannot agree with the consultant's eligibility assessment for old U.S. 80 at this time. The significance of the state highway system, of which old U.S. 80 is a part, has not yet been formally evaluated. We suggest treating the highway as if it were eligible for purposes of this plan.

We also agree that archaeological sites AZ T:9:5 (ASM), the Gillespie Dam Site (AZ T:13:18 ASM), AZ T:13:21 (ASM), and AZ T:13:121 (ASM) are eligible for inclusion in the SNRHP under Criterion D (Information Potential). We agree that Sites AZ T:9:60(ASM) is ineligible for inclusion in the SNRHP under any criterion. The Register-eligibility of Site AZ T:13:125 (ASM) is unclear at this time and may require archaeological testing; since this site occurs on BLM we look forward receiving to their eligibility determinations. We agree that the IOs are not eligible under any criterion.

We agree in principle that avoidance and preservation-in-place are appropriate treatment for Register-eligible properties. In fact, the transmission line may help protect historic properties by inhibiting other kinds of development within the proposed corridor.

However, the locations of the poles and access roads are unknown at this time, although it is likely that the Gillespie Dam site cannot be spanned or avoided. In addition, the spanning and temporarily fencing Site AZ T:13:121(ASM) during construction may not constitute avoidance, because the proximity of the petroglyph panels to the proposed centerline may impede important lines-of-sight. Consultation with knowledgeable members of Indian tribes would be an appropriate method to identify such characteristics and evaluate any impacts.

Based on the above, this office cannot assess the plan's effects at this time, and thus cannot concur with determination of impact at this time. Unless all historic properties can be avoided, a determination of negative impacts is likely.

If archaeological sites cannot be avoided by ground-disturbing activities, testing for eligibility and/or data recovery treatment within the portions of the properties directly impacted (and a buffer zone if necessary) is appropriate. We agree that a data recovery program (i.e., archaeological excavation) would be an acceptable treatment for the portions of Gillespie Dam site (AZ T:13:18 ASM).

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

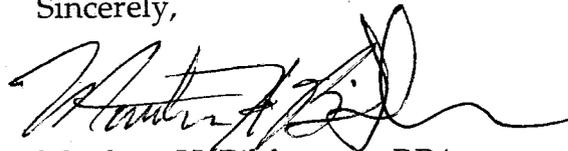
- 1) The applicant will continue to consult, on the committee's behalf, with the State Historic Preservation Office (SHPO) to reach a determination of impact. If the

result is a determination of negative impact, the applicant will continue to consult with SHPO to resolve the negative impacts.

- 2) The applicant will avoid and/or minimize impacts to properties considered eligible for inclusion in the State and National Register of Historic Places to the extent possible.
- 3) If the applicant decides that archaeological Sites AZ T:9:5 (ASM), the Gillespie Dam Site (AZ T:13:18 ASM), AZ T:13:21 (ASM), AZ T:13:121 (ASM), and AZ T:13:125 (ASM) cannot be avoided, then the applicant will plan and implement an archaeological testing and/or data recovery program in consultation with SHPO.
- 4) After construction, the applicant, in conjunction with the land-managing agency, if any, will allow Arizona Site Stewards, a volunteer-staffed SHPO program, to periodically inspect the sites present within the corridor for vandalism or other damage.
- 5) In consultation with SHPO and the land-managing agency, the applicant will consider and assess potential direct and indirect impacts to eligible properties related to new access roads or any existing access roads that require blading.
- 6) The applicant will follow any instructions from the Arizona State Land Department and the U.S. Bureau of Land Management regarding the treatment of eligible properties situated on their land in consultation with SHPO.

We look forward to receiving a treatment plan for sites that cannot be avoided. 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.

Sincerely,



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

attachment

cc. w/attachment: Bill Collins, SHPO
Matthew Hill; Environmental Planning Group; 1430 E Fort Lowell Ave; Tucson, AZ 85719

General and Technical Comments on "A Cultural Resources Survey of the Proposed Hassayampa-Jojoba Transmission Line, Maricopa County, Arizona"
Environmental Planning Group Cultural Resources Services Technical Paper No. 10. Tucson.

General Comments

- 1) Overall the report is professionally prepared and well-written. The photographs and maps were helpful.
- 2) Based on Figure 1, the survey included portions of Arizona Department of Transportation (ADOT) land for State Route 85. Please state the amount of ADOT land in the abstract and report text. ADOT should be offered the opportunity to comment on the portions of the plan that cross their land.

Technical Comment

- 1) The statement on Page 86 that "all the prior recorders of the site recommended the site was ineligible for inclusion on the National Register" is overly broad. At least one previous study, on file at ADOT but not cited in the report, reached the opposite conclusion. The citation is: Bilsbarrow, Matthew 1998 An Evaluation of the National Register of Historic Places-Eligibility of Three Road Segments of Old U.S. 80, West of Gila Bend, Southwestern Maricopa County, Arizona in A Cultural Resources Survey of Interstate-8 Highway Corridor in the vicinity of Painted Rock and Theba Traffic Interchanges, West of Gila Bend, Southwestern Maricopa County, Arizona by Matthew H. Bilsbarrow, Jennifer K. Tweedy, and Andrew R. Dutt. Archaeological Research Services Report No. 97-42. Tempe.