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MEMORANDUM

AZ CORP COMMISSION
DOCUMENT CONTROL

TO: Colleen Ryan
Docketing Supervisor
Docket Control
Arizona Corporation Commission

FROM: Laurie A. Woodall *LAW (tmp)*
Chairman
AZ Power Plant and Transmission Line Siting Committee

Arizona Corporation Commission
DOCKETED
NOV 13 2002

DOCKETED BY	<i>CAH</i>
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DATE: November 13, 2002

RE: CEC: APS - North Valley, Case No. L-00000D-02-0120, Docket No. 120

Attached is a letter recently received from the Arizona Game and Fish Department in the above-referenced docket. Please file in correspondence.

Thank you.

LAW:tmp
Attachment
227675.1



THE STATE OF ARIZONA

GAME AND FISH DEPARTMENT

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November 5, 2002

Ms. Laurie A. Woodall, Chairman
Power Plant & Transmission Line Siting Committee
Office of the Attorney General
1275 West Washington
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

NOV 13 2002

DOCKETED BY *car*

RE: North Valley 230kV Facility Siting Project – Case No. 120
Application for a Certificate of Environmental Compatibility

Dear Ms. Woodall:

The Arizona Game and Fish Department (Department) has reviewed the Application for a Certificate of Environmental Compatibility (CEC) for the North Valley 230kV Facility Siting Project in north-central Maricopa County. We understand the proposed 230kV transmission lines and two substations will be constructed parallel to existing and approved utility corridors and transmission lines for approximately 27 miles of the 31-mile project route.

The Department notes that much of the project area has been previously disturbed by urban development, existing transmission lines, the Skunk Creek Landfill and I-17. These developments have reduced the value of the area to wildlife. To minimize potential impacts to wildlife resources, we recommend incorporating raptor protection practices on power line structures and keeping vegetation disturbance to a minimum, particularly in drainage channels and along streambanks. In addition, if Sonoran desert tortoises are encountered during construction, the Department recommends following the enclosed Guidelines For Handling Sonoran Desert Tortoises.

Thank you for the opportunity to review and comment on this CEC. Please contact me at (602) 789-3602 if you have any questions regarding this letter.

Sincerely,

John Kennedy
Habitat Branch Chief

JK:am

cc: Bob Broscheid, Project Evaluation Program Supervisor
Paul Trenter, Environmental Planning Group

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES
ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department

Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees Fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees Fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. *Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.
- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

RAC:NLO:rc