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8 **BEFORE THE ARIZONA POWER PLANT AND**
9 **TRANSMISSION LINE SITING COMMITTEE**

COPIES BY [Signature]

BARBARA LAWALL
PIMA COUNTY ATTORNEY
CIVIL DIVISION

11 IN THE MATTER OF THE APPLICATION
12 OF SUNZIA TRANSMISSION L.L.C., IN
13 CONFORMANCE WITH THE
14 REQUIREMENTS OF ARIZONA REVISED
15 STATUTES 40-360, ET SEQ., FOR A
16 CERTIFICATE OF ENVIRONMENTAL
17 COMPATIBILITY AUTHORIZING THE
18 SUNZIA SOUTHWEST TRANSMISSION
19 PROJECT, WHICH INCLUDES THE
20 CONSTRUCTION OF TWO NEW 500 KV
21 TRANSMISSION LINES AND
22 ASSOCIATED FACILITIES ORIGINATING
23 AT A NEW SUBSTATION (SUNZIA EAST)
IN LINCOLN COUNTY, NEW MEXICO,
AND TERMINATING AT THE PINAL
CENTRAL SUBSTATION IN PINAL
COUNTY, ARIZONA. THE ARIZONA
PORTION OF THE PROJECT IS LOCATED
WITHIN GRAHAM, GREENLEE,
COCHISE, PINAL, AND PIMA COUNTIES.

Docket No. L-00000YY-15-0318-00171

Case No. 171

STATEMENT OF PIMA COUNTY

24 Under the authority of A.R.S. § 40-360.05(B) and A.A.C. R14-3-204, Pima
25 County makes a limited appearance in this proceeding before the Arizona Power Plant
26 and Transmission Line Siting Committee by filing the County's statement for the record,

BARBARA LAWALL
PIMA COUNTY ATTORNEY
CIVIL DIVISION

1 attached as exhibit A, and which was previously mailed to the SunZia Project Manager
2 on August 28, 2015.

3 In addition, should the Committee decide to issue a Certificate of Environmental
4 Compatibility, Pima County requests that the Committee, as required by A.R.S. § 40-
5 360.06(D), condition the issuance of the Certificate on compliance with Pima Prospers,
6 Pima County's 2015 Comprehensive Plan Update¹. Pima County also requests the
7 Committee to impose the following specific conditions:

- 8 1. Re-route the planned transmission corridors to avoid Pima County's land holdings
9 in the San Pedro River Valley.
- 10 2. Impose the following conditions to mitigate the impacts of the SunZia Project:
 - 11 ● No new access or maintenance roads.
 - 12 ● Employ aerial techniques to construct towers, tower sites, and powerline
13 stringing and tensioning.
 - 14 ● Establish the Project's crossing at the San Pedro River at a location where
15 the stream flow is ephemeral.
 - 16 ● Increase tower height at Buehman Canyon and San Pedro River crossings
17 to span trees such that vegetation maintenance and clearing is not
18 necessary.
 - 19 ● Re-align the Project to avoid the right-of-way from paralleling Paige
20 Canyon.
- 21 3. If the planned transmission corridor is not re-routed to avoid Pima County's land
22 holdings in the San Pedro River Valley, then compensate Pima County for its loss
23

24
25
26 ¹ Pima Prospers is available online at:
<http://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=35831>

1 of publicly funded Section 10 Mitigation Bank lands and for the Project's impact
2 to the County's Conservation Lands Systems².

3 4. Include Pima County in the development and execution of the Plan of
4 Development for the Project.

5
6 Respectfully submitted October 12, 2015.

7
8 By: 

9 Michael LeBlanc
10 Deputy Pima County Attorney
11 32 N. Stone Avenue, Ste. 2100
12 Tucson, Arizona 85701
13 (520) 740-5750

14 Original and 25 copies submitted on
15 October 12, 2015 with

16 Docket Control
17 1200 West Washington Street, Room 108
18 Phoenix, Arizona 85007

19 In accordance with A.C.C. R14-3-204(B) and
20 the Notice of Hearing filed on on September 4, 2015,
21 1 original and 3 copies were submitted on
22 October 12, 2015 with

23 Thomas Broderick
24 Director of Utilities

25 _____
26 ² The Project's impacts on the County's Section 10 Mitigation Bank and Conservation
Lands Systems is fully discussed in exhibit A.

1 Arizona Corporation Commission
2 1200 West Washington Street
3 Phoenix, AZ 85007

4 In accordance with A.R.S. § 40-360.05(B),
5 a copy was emailed on October 12, 2015, to:

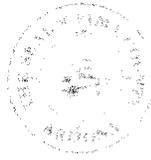
6 Thomas K. Chenal, Chairman
7 Arizona Power Plant and
8 Transmission Line Siting Committee
9 Assistant Attorney General
10 thomas.chenal@azag.gov

11 In accordance with A.C.C. R14-3-205(B),
12 copies were mailed on October 12, 2015 to:

13 Case No. 171 Master Service List
14
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17
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26

BARBARA LAWALL
PIMA COUNTY ATTORNEY
CIVIL DIVISION

Exhibit A



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY
County Administrator

August 28, 2015

Mr. Mickey Siegel, Project Manager
Environmental Planning Group
4141 N. 32nd Street, Suite102
Phoenix, Arizona 85018

Re: Your letter of August 12, 2015 Regarding the SunZia Southwest Transmission Project

Dear Mr. Siegel:

Thank you for your letter notifying Pima County that SunZia LLC (SunZia) plans to file an application for a Certificate of Environmental Compatibility (CEC) for the SunZia Southwest Transmission Project with the Arizona Power Plant and Transmission Line Siting Committee by mid-September 2015. The SunZia project application will be brought before the Siting Committee to request approval of a CEC for the approved route in Arizona. We understand the Bureau of Land Management (BLM) approved SunZia's application for right of way across federal property in January 2015. The 'Preferred Alternative' identified by the BLM in its Record of Decision approves 515 miles of two, single-circuit 500 kV transmission lines and is comprised of 185 miles of federal land, 220 miles of State Trust land and 110 miles of private land in Arizona and New Mexico. This selected route will impact the San Pedro River Valley, including some 20 miles in Pima County, from just north of Benson in Cochise County and running north along the west side of the San Pedro River in Pima County to the San Manuel area in Pinal County.

Construction requirements include right of way corridors for both lines up to 1,000 feet in width, depending on terrain conditions, and towers will be approximately 135 feet in height. The distance between towers will be approximately 1,400 feet, suggesting that approximately 75 towers would be constructed in Pima County. Because of the remoteness of the valley and lack of existing roads, access for construction of the line and tower locations could require up to 75 new access roads that will greatly impact and fragment the landscape and habitat and invite unwanted traffic and uses into this virtually pristine river valley. We have opposed selection of this route and have continuing concerns regarding the ability to mitigate impacts of the selected route on County lands.

Mr. Mickey Siegel, Project Manager

Re: Your August 12, 2015 Letter Regarding the SunZia Southwest Transmission Project

August 28, 2015

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In this area, Pima County purchased three ranches in the San Pedro Valley area, investing just over \$14 million in voter-approved bond funds for this purpose; we own 12,800 acres in fee and hold 54,100 acres in associated State lease lands; essentially creating a 66,000-acre management unit. The SunZia Transmission line would cross through the County-held State lease lands.

In light of the Bureau of Land Management's decision, we request the following:

- Pima County will have equitable status with landowners/land management agencies in the development and execution of the Plan of Development.
- When the alignment crosses lands where Pima County is not the landowner, but is the active, on-the-ground land manager, Pima County requirements for and recommendations on suitable locations for application of Standard and Selective Mitigation Measures will be accommodated.
- The project proponent and Pima County will seek mutual agreement on additional accommodations necessary to preserve the County's ability to rely on lands the County manages for purposes of accomplishing our Sonoran Desert Conservation Plan objective and providing mitigation for our Section 10 Incidental Take Permit from the United States Fish and Wildlife Service where those lands are crossed by the SunZia Transmission Line. Any agreements reached must be codified and enforceable.

We request that you, as the Project Proponent, support this request and recommend same to the Arizona Corporation Commission.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/mjk
Attachment

- c: The Honorable Chair and Members, Pima County Board of Supervisors
John Bernal, Deputy County Administrator for Public Works
Suzanne Shields, Director, Regional Flood Control District
Chris Cawein, Director, Natural Resources, Parks and Recreation
Linda Mayro, Director, Sustainability and Conservation
Diana Durazo, Special Staff Assistant to the County Administrator

**PIMA COUNTY COMMENTS PER
ARIZONA ADMINISTRATIVE CODE RULE R14-3-219**

You have requested in your letter of August 12, 2015 that Pima County provide information under Arizona Administrative Code Rule R14-3-219 related to Exhibit H of the application: *To the extent applicant is able to determine, state the existing plans of the state, local government and private entities for other developments at or in the vicinity of the proposed site or route.* And you have requested that we identify any existing plans or future plans that may have changed. We offer the following information regarding our land use and conservation plans for inclusion in Exhibit H as well as other Exhibits required by the ACC Siting Committee under this Rule.

Pima Prospers Comprehensive Plan: Pima County, Development Services Department

The proposed SunZia Southwest electrical transmission corridor, Sub-route 4C2c, is west of and roughly parallels the San Pedro River in far northeastern Pima County, about halfway between the river and Coronado National Forest (Santa Catalina Mountains) to the west. A major update to the Pima County Comprehensive Plan, Pima Prospers, was adopted by the Pima County Board of Supervisors in May, 2015. Minor changes to the land use map legend and technical corrections to mapped plan designations on developed or entitled property did not change the intent of planned uses over the previous (2001) Comprehensive Plan in this area (Table1).

**Table 1. Selected Land Use and Zoning Designations
San Pedro Valley, Proposed SunZia Corridor Area August 2015**

Pima County Comprehensive Plan – Pima Prospers

Low Intensity Rural (LIR)

- a. Objective: To designate areas for residential uses at densities consistent with rural and resource-based characteristics.
- b. Residential Gross Density: Residential gross density shall conform to the following:
 - 1) Minimum – none
 - 2) Maximum – 0.3 R-C.
- c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
 - 1) Minimum – none
 - 2) Maximum – 0.3 R-C.

Resource Conservation (RC)

- a. Objective: To designate publically-owned lands that are public resource lands and preserves that protect sensitive and high-value biological, resource value, cultural, recreational, and other sensitive resources lands. These do not include private or State Trust lands, whether or not they are leased by the County for open space purposes. If these lands become privately held during the lifespan of this plan, they will be treated as Resource Sensitive unless otherwise designated through a plan amendment process.
- b. Residential Gross Density: None, other than allowances for life estates, ranch caretakers and similar uses.

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Pima County Comments Per Arizona Administrative Code Rule R14-3-219

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The existing zoning east of the Coronado National forest boundary is all PH-Rural Homestead, which is the dominant rural zoning on private and Arizona State Trust lands in Pima County. The PH zone allows rural residential and other related uses including agriculture on at parcels least 4.13 acres and larger (Table 2).

Table 2. Pima County Zoning Code

Chapter 18.13 - PH RURAL HOMESTEAD ZONE (Excerpt)

Sections:

18.13.010 - Purpose.

1. Purpose: This zone is intended to preserve the character and encourage the orderly growth of rural areas in the county. It is intended to encourage rural development in areas lacking facilities for urban development and to provide for commercial and industrial development only where appropriate and necessary to serve the needs of the rural area. (Ord. 1985-18 § 1 (part), 1985)

18.13.020 - Permitted uses.

1. Uses permitted:

1. Single detached dwelling;
2. Manufactured or mobile home or trailer;
3. Guest dwelling: In accordance with Section 18.09.020(G) (General Residential and Rural Zoning Provisions) [proposed];
4. Accessory structures;
5. Crop production, used only for the purpose of propagation and cultivation and not for retail sales, including field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries and aeries;
6. Reseved;
7. The raising and grazing of livestock;
8. The raising of hogs: In accordance with Section 18.12.020(-)(9) (IP Institutional Reseved Zone);
9. Hog raising projects, which exceed the permitted number of hogs, sponsored by the 4-H Club, Future Farmers of America or other similar nonprofit organization: In accordance with Section 18.12.020(-)(11) (IP Institutional Reseved Zone);
10. The raising of poultry and other small animals;
11. Private stable;
12. Commercial stable or riding school, provided:
 - a. There is a minimum site of ten acres, and
 - b. That all buildings be set back a minimum of one hundred feet from any property line;
13. Community stable, provided:
 - a. The site is a minimum of ten acres,
 - b. The stable shall be located within and not closer than two hundred feet from the boundary of the site or subdivision to be served,

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- c. All roads and parking areas shall be surfaced with a dust-proof material to minimize the creation of dust, and
- d. There shall be no outside audio amplification on the site;
- 14. Farm products stand, provided:
 - a. The stand does not exceed seven hundred fifty feet, and
 - b. All other requirements of Section 18.12.020(D)(15) (IP Institutional Preserve Zone) are met;
- 15. Animal hospital, provided no structure, shelter, animal run or fenced area be within one hundred feet of any abutting property in a rural or residential zone, and animal runs enclosed within the buildings;
- 16. Governmental uses;
- 17. Public park;
- 18. Public school;
- 19. Child care center;
- 20. Group foster home: In accordance with Section 18.09.020(E) (General Residential and Rural Zoning Provisions);
- 21. Church, provided there is a minimum eight-foot setback from any property line;
- 22. Health clinic, provided:
 - a. There is a minimum one hundred-foot setback from any property line, and
 - b. The clinic has access onto a paved public road with "collector" classification or higher;
- 23. Home occupation;
- 24. Temporary real estate office: In accordance with Section 18.17.020(D)(8) (SP Suburban Ranch Zone);
- 25. Pairing of ratites, subject to the following requirements:
 - a. Animals shall be confined within minimum six-foot-high, stock-tight corrals;
 - b. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front property line and property lines which abut public maintained roads and ten feet from side and rear property lines;
- 26. Mature preserve.

The pattern of adopted planned land uses on the Pima Prospers planned land use maps (San Pedro Planning Area) for all of the area east of the Coronado National Forest is based on and follows the distribution of Pima County preserve lands generally as depicted on the attached map *SunZia Transmission Route in the San Pedro Valley and Conservation Lands*. Properties identified as preserve lands and owned in fee by Pima County are designated Resource Conservation (RC) on the land use plan, while the remainder, which are predominantly owned by the State of Arizona, are designated Low Intensity Rural (LIR). The RC designation furthers the conservation goals of the County-owned preserve system, while the LIR designation allows for low-intensity rural uses generally consistent with the PH zone.

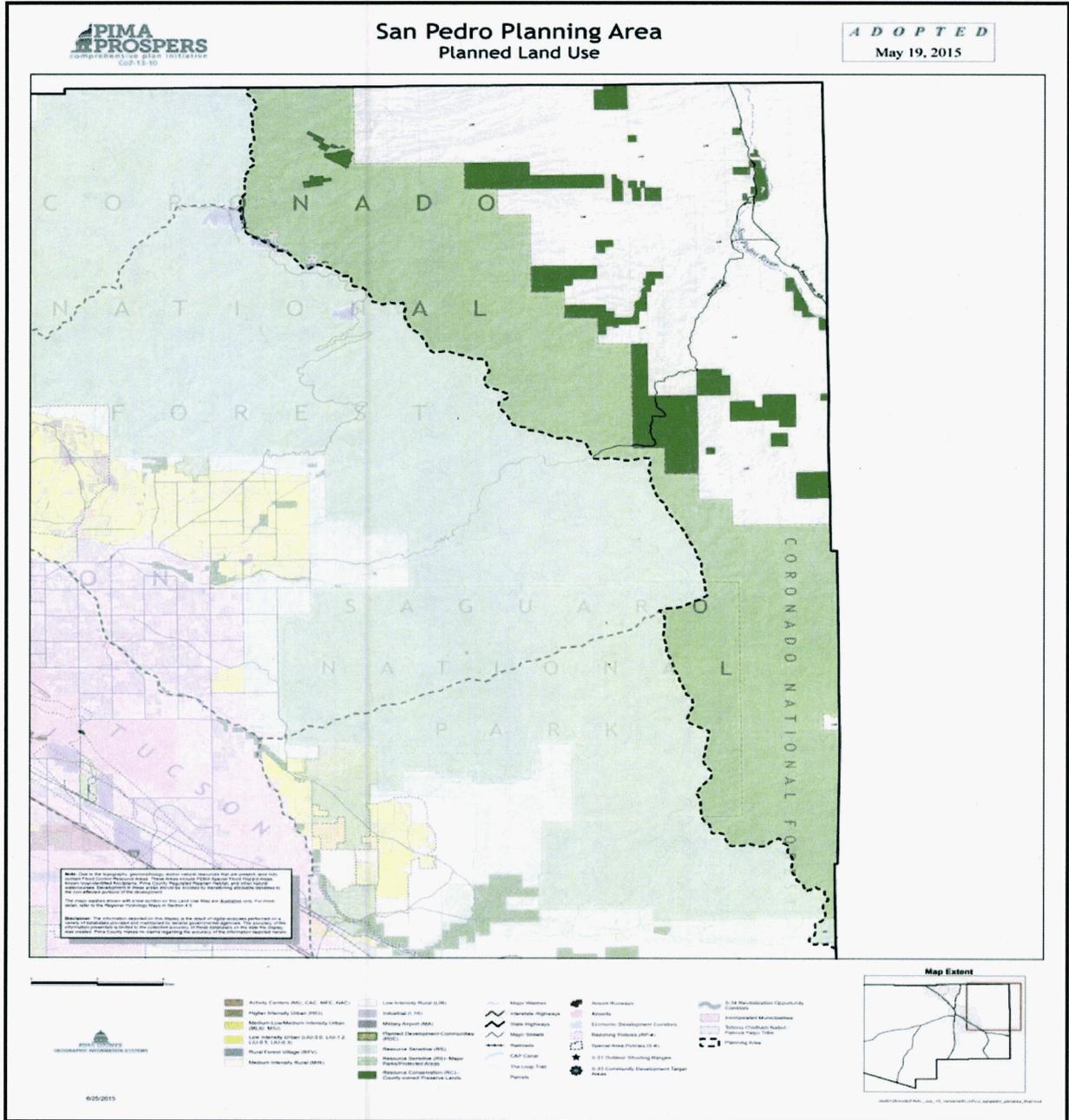


Figure 1. Pima Prospers – San Pedro Planning Area.

Pima County controls ownership or grazing rights essentially over the entire proposed Sunñia route in this segment of the San Pedro Pipeline. East of the Sunñia corridor

there is mixed ownership, with State of Arizona and privately-owned property following the San Pedro River, much of its floodplain with partly developed agricultural uses.

The Pima County portion of the San Pedro River Valley has remained among the most purely rural areas in eastern Pima County, with ranching being the dominant land use. Over time there has been an increasing role by Pima County in preservation-related land stewardship as envisioned in the Comprehensive Plan and the Sonoran Desert Conservation Plan (SDCP). Given the ownership, zoning, planned land use patterns and County conservation goals, current patterns are likely to remain the trend for many years to come. See www.pimaprospers.com for the complete Comprehensive Plan.

Sonoran Desert Conservation Plan: Wildlife Habitat Conservation and Ranch Conservation

The SDCP identified the San Pedro Valley as highly valuable for habitat and riparian area conservation, preservation of wildlife corridors, cultural resource protection, and ranch conservation, and we have expressed previously our serious concerns regarding impacts from the SunZia Project to County owned and managed lands as shown below.

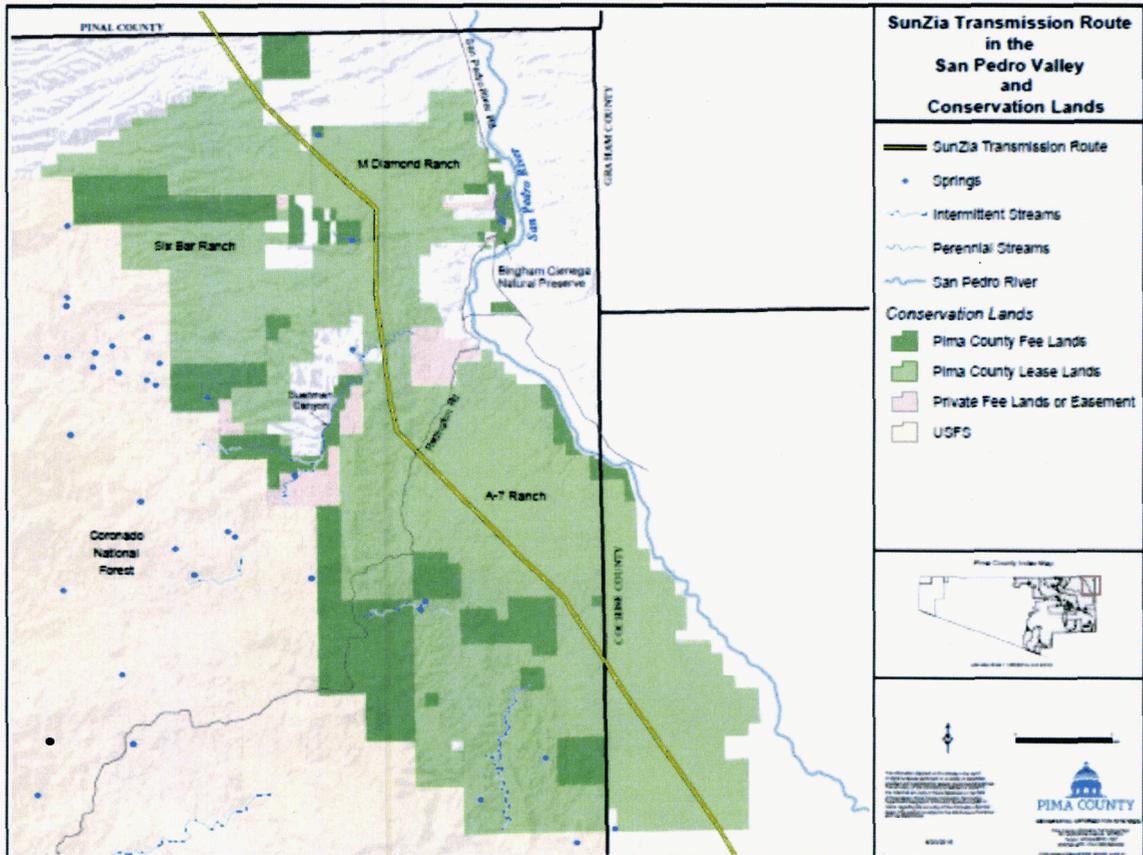


Figure 2. Pima County Conservation Lands in the San Pedro River Valley.

Sunñia South West Transmission Project

Pima County Comments Per Arizona Administrative Code Rule R14-3-219

August 28, 2015

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These lands were acquired with voter-approved bond funds with the expressed intent to protect and preserve the natural and cultural values of the San Pedro River Valley for present and future benefit to the citizens of Pima County. To date, Pima County has acquired the Silver Bar Ranch, the Scott Ranch, and the El Diamond Ranch fee lands and grazing leases. Since the date of our 2012 comments, Pima County has become aware of an area of unique biological wealth that lies near the transmission line. Springs and intermittent and perennial streams in the area are shown on the map.

As noted above, the Sunñia transmission line passes through an area covered by the Sonoran Desert Conservation Plan. Guidelines that impose conservation standards for development in biologically important areas including the San Pedro Valley have been in place since 2001 when they were adopted into the County's Comprehensive Plan. These standards continue to be implemented and the most current iteration of these conservation standards – the Marie Ben Marie Behan Conservation Lands System (CLS) Conservation Guidelines – can be found in the Environmental Element of Pima Prospers – Pima County's Comprehensive Plan 2015 Update.

Since the adoption of the CLS in 2001, Pima County has been acquiring land in the San Pedro River Valley. Since the date of our 2012 EIS comments, Pima County has acquired an additional 620 acres in fee and the associated 8,500-acre State grazing lease at El Diamond Ranch, essentially creating a 140,000-acre County management unit that consists of El Diamond, Scott and Silver Bar Ranches. These lands are complemented by other existing protected lands along the San Pedro and Buehman Canyon as shown on the Conservation Lands map above.

The County manages fee lands and grazing leases as part of its efforts to conserve and protect biological and ecological values of the lands. The stewardship given to the fee-owned land as well as the state grazing leases associated with each ranch will comprise the mitigation area proposed under Pima County's Multi-Species Conservation Plan as required under Section 10 of the Endangered Species Act. This Permit will cover incidental take by activities authorized by Pima County or carried out by Pima County Regional Flood Control District.

Since the date of our 2012 comments, U. S. Fish and Wildlife Service has commenced a programmatic consultation with U. S. Army Corps of Engineers for issuance of a permit under Section 10 of the Endangered Species Act to streamline certain 404 permits for activities covered under Pima County's Multi-Species Conservation Plan. Neither the County's Section 10 nor the programmatic consultation will cover Sunñia's activities.

The Marie Ben Marie Behan CLS classifications given to the route of the transmission are depicted in the map below. The Sunñia Project passes through areas of Biological Core, Multiple Use and Important Riparian Areas located largely on State Trust Land. If the County regulated development in these areas, the mitigation required to offset impacted

land would range from four acres per acre for impacts in the Biological Core and Important Riparian Areas, to two acres per acre impacted in the Multiple Use area.

With their adoption of Pima Prospects on July 19, 2015, the Pima County Board of Supervisors established a County policy to seek compensatory mitigation for all activities that impact the CLS, including transmission lines, such as the SunZia Project. See Pima Prospects Environmental Element – Goal 1; Policy 1.a.

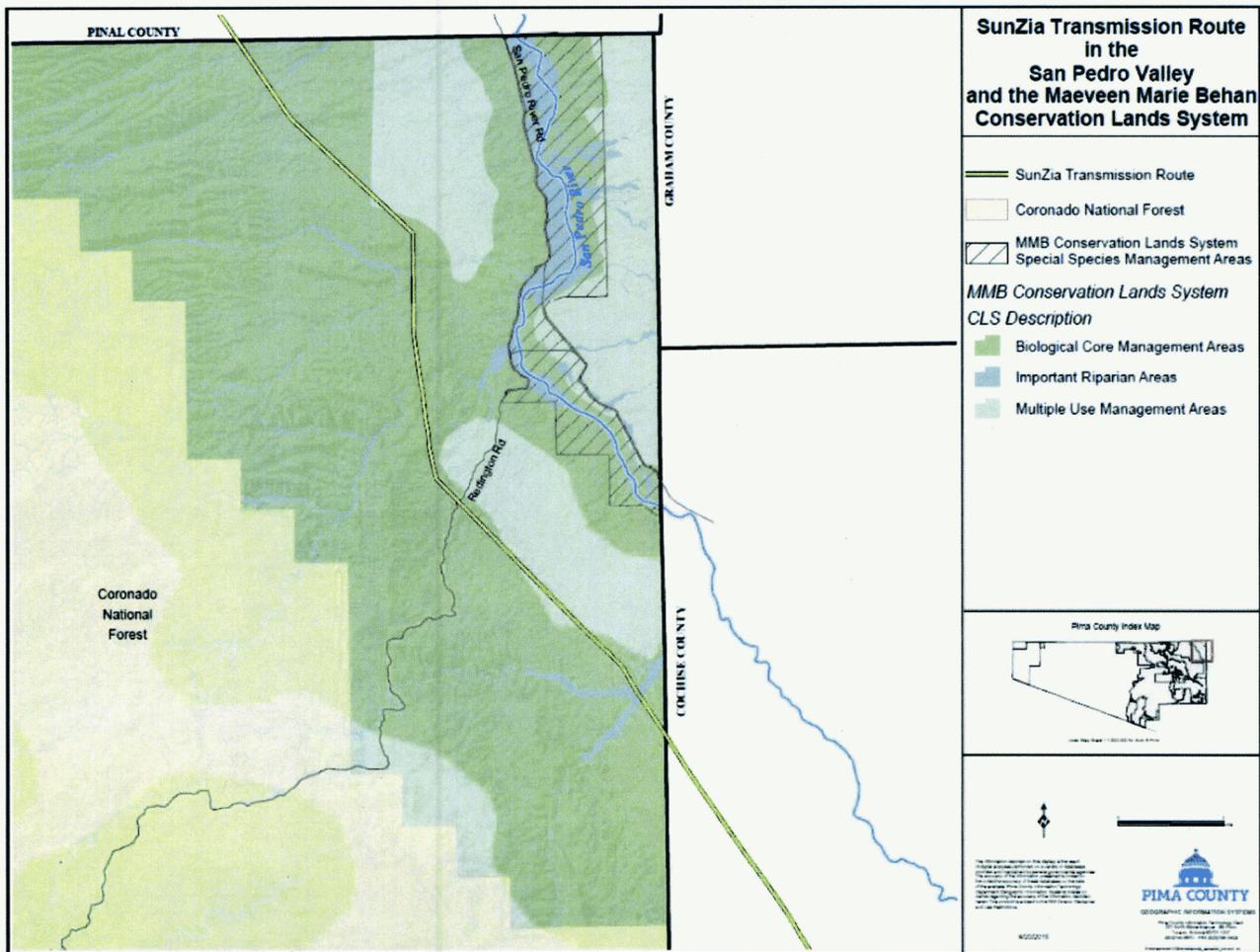


Figure 3. Pima County, Conservation Lands System Impacted by the SunZia Project

Since the date of our 2012 comments, the Wildlife Linkages study, sponsored by Arizona Game and Fish Department and the Pima County Regional Transportation Authority, has been completed. This study was referenced in our letter, and was a basis for our request that direct and indirect impacts to wildlife linkages be considered not only for construction but also vegetation management along the transmission line.

SunZia South West Transmission Project

Pima County Comments Per Arizona Administrative Code Rule R14-3-219

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Expected Impacts to County Conservation Planning: A great diversity of significant impacts to County conservation planning efforts are anticipated. Impacts to surface water and riparian areas are likely to result from placement of 75 or more tower structures, construction of access roads, cable pulling and tensioning stations and temporary work areas. Direct impacts to perennial, intermittent and ephemeral surface waters include sedimentation from fugitive dust, access road construction and subsequent erosion, removal of riparian vegetation during construction, or later from "vegetation management" under the constructed line, bank alteration, and contamination due to accidental spills, damage to wetlands, and introduction of invasive species either from vehicular traffic or through re-seeding efforts.

Impacts to uplands would be similar, and would include direct impacts to species covered in Pima County's Multi-species Conservation Plan such as Needle-spined Cactus, Lesser Long-nosed Bat and Desert Tortoise, as well as indirect impacts such as those resulting from vandalism and intrusion into habitat areas by off-road vehicles. Placement of a new transmission line inevitably results in increased public access across a landscape. No matter the steps taken, the lands become much more accessible and remain open because of the need to manage and repair the transmission lines. Other impacts can include poaching of wildlife and plants, and theft of archeological resources, as well as damage to water sources that are important for wildlife and livestock.

It has been our experience that disturbances during construction that are never fully mitigated. A prime example has been the Pinder-Florgan pipeline project's ongoing impacts to the County's Cienega Creek Natural Preserve and Barlow Ranch management and protection and in the Altar Valley. Despite mitigation efforts by the company, impacts such as erosion of soil continue for the County to address with no long-term support or ability to reconfigure the impacts due to the constraints now placed by the location of the utility infrastructure corridor.

Another well-known factor that may affect our lands and waters is the need for construction water. Leo Smith, P.E. for many of our County construction projects, estimates that there is a rule of thumb that 50 gallons of water are needed per cubic yard of material to compact soil and conduct dust suppression activities during construction. It is likely that construction water needs for this project will be drawn from local sources along the route of the pipeline with certain impacts to groundwater-dependent ecosystems.

The Energy Policy Act of 2005 designated an electric reliability organization to develop and enforce compliance with reliability standards. North American Electric Reliability Corporation (NERC) is an industry organization, whose authority was conferred by the Federal Energy Regulatory Commission. NERC does not require vegetation clearing *per se*; it requires power companies to prepare, and implement, a formal transmission vegetation management program to prevent outages.

A reportable outage is caused by "grow-ins" and "fall-ins" or "flashover" which is the movement of electricity across air (see www.nerc.com). Grow-ins are outages caused by vegetation growing into lines from vegetation inside and or outside of the right-of-way; fall-ins are defined as outages caused by vegetation falling into lines from inside or outside the rights-of-way.

Rather than selective removal, TEP and other utilities are removing broad vegetation that would never grow or fall into the lines, in order to reduce risks of fire and electrical arcs affecting the performance of transmission lines. There is no written policy requiring fuel loads to be reduced, nor are fuel loading calculations or standards used to determine the amount of clearing.

In short, more vegetation is being cleared as each utility begins implementing its plan. In practice, utilities remove far more vegetation than the minimum needed to meet NERC rules, to minimize the need for repeated mobilization of field crews. Inadequate field supervision of contractors has, at times, contributed to the expansion of the footprint of maintenance activities on the landscape.

All trees, broad shrubs and saguaros may eventually be removed along power transmission lines rated at 200kV or higher, whether situated along public or private lands, along with impacts to plants and animals associated with repeated use of mechanical or herbicide treatments. Mechanical clearings may result in significant degradation of archeological resources. The cleared areas will alter fire behavior. In montane areas, the new clearings may serve as fire breaks. In some lower elevation areas, invasion of non-native plants in the disturbed areas may actually increase the fire risk. In all locations, vegetation management will more or less permanently alter the characteristics of wildlife and vegetation habitat under power lines.

Using 2004 voter-approved bond monies, the County acquired Silver Bar Ranch, El Diamond and the Silver Ranch in the San Pedro River Valley. The BLM Preferred Alternative passes right through the County-held State grazing lease for Silver and El Diamond Ranch and cuts through a number of important conservation areas, wildlife travel corridors and cultural resources sites on the property that are large enough that minor adjustments to the line footprint will not adequately mitigate potential impacts. This alignment would cut across nearly all of the major ranch roads, pastures and heavy use zones, which can hamper our operation and conservation ranching approach.

SunZia Southwest Transmission Project

Pima County Comments Per Arizona Administrative Code Rule R14-3-219

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Riparian Area and Floodplain Protection Planning: Regional Flood Control District

The Pima County Regional Flood Control District (PFCD) is a regional agency whose mission is to protect the health, safety, and welfare of Pima County residents by providing comprehensive flood protection programs and floodplain management services.

These services emphasize fiscal responsibility, protection of natural resources and riparian areas, and a balanced multi-objective approach to managing regional watercourses, floodplains, and stormwater resources.

Moreover, as a co-applicant with Pima County for issuance of a Section 10 Permit under the Endangered Species Act, PFCD has been fully engaged in the development of the Multi Species Conservation Plan and is actively involved in the preservation of riparian areas and habitat as defined by the Sonoran Desert Conservation Plan (see Marie Behan Conservation Lands System described above).

The depicted floodplains in Figure 4 are the regulatory floodplains as identified by the Federal Emergency Management Agency (FEMA) and are subject to regulation under the National Flood Insurance Program including administrative policies and guidance issued by FEMA. It should be noted that critical facilities which include electrical substations are required to be protected from the 500-year flood.

The riparian habitat map in Figure 5 depicts major watercourses and local tributaries and the associated riparian habitat. Disturbance in these areas should be limited and biological surveys should be conducted prior to any disturbance to avoid any impacts to threatened and endangered species. The District discourages construction of a permanent access road along the entire route. In addition to direct disturbance of riparian areas and floodplains, where access roads cross watercourses there is a potential for head-cutting and other erosion problems off of the ROW. There is evidence of this on other linear projects that have been constructed in Pima County. Furthermore, construction activities should be suspended during rainy periods.

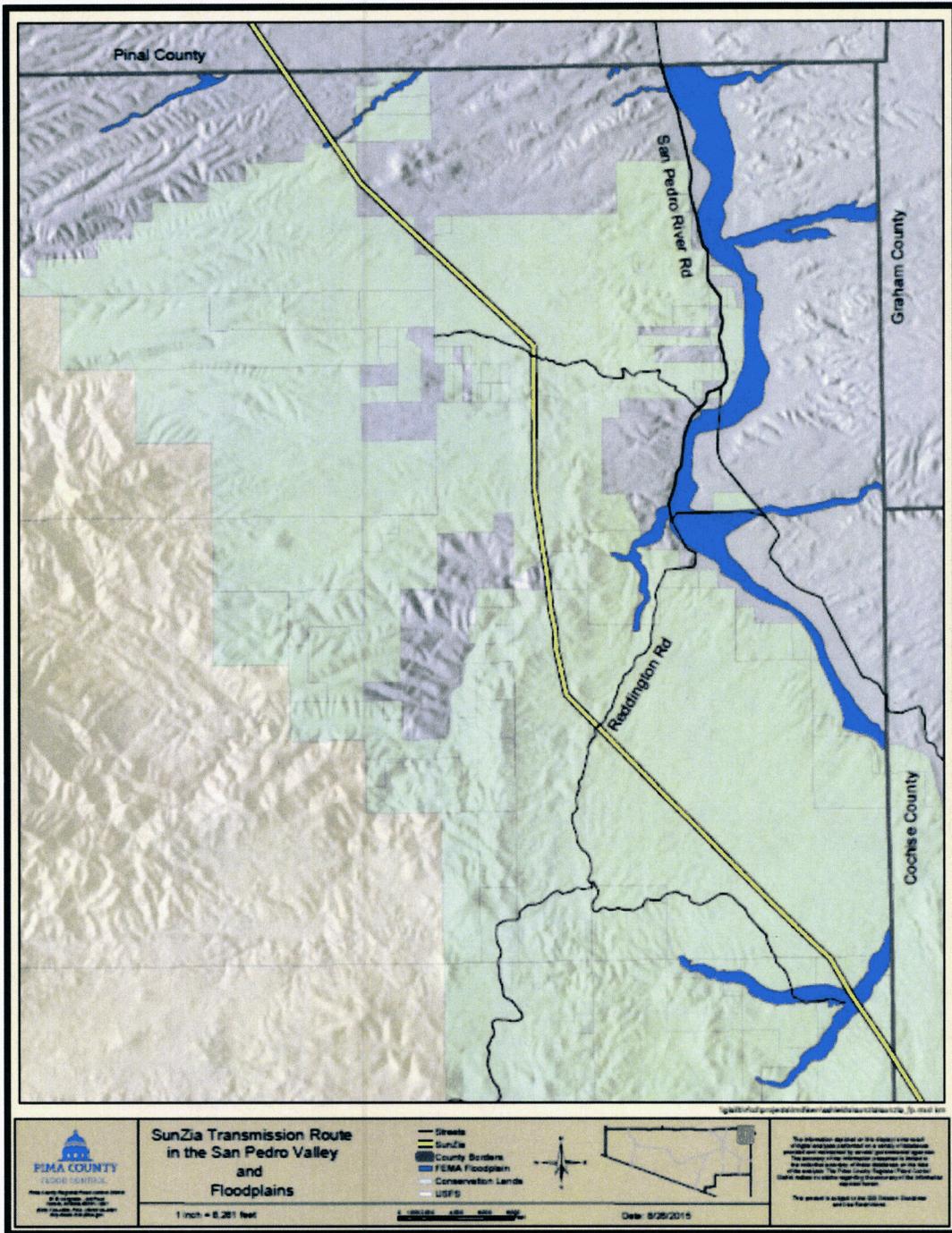


Figure 4. Regulated Floodplains in the San Pedro Valley,

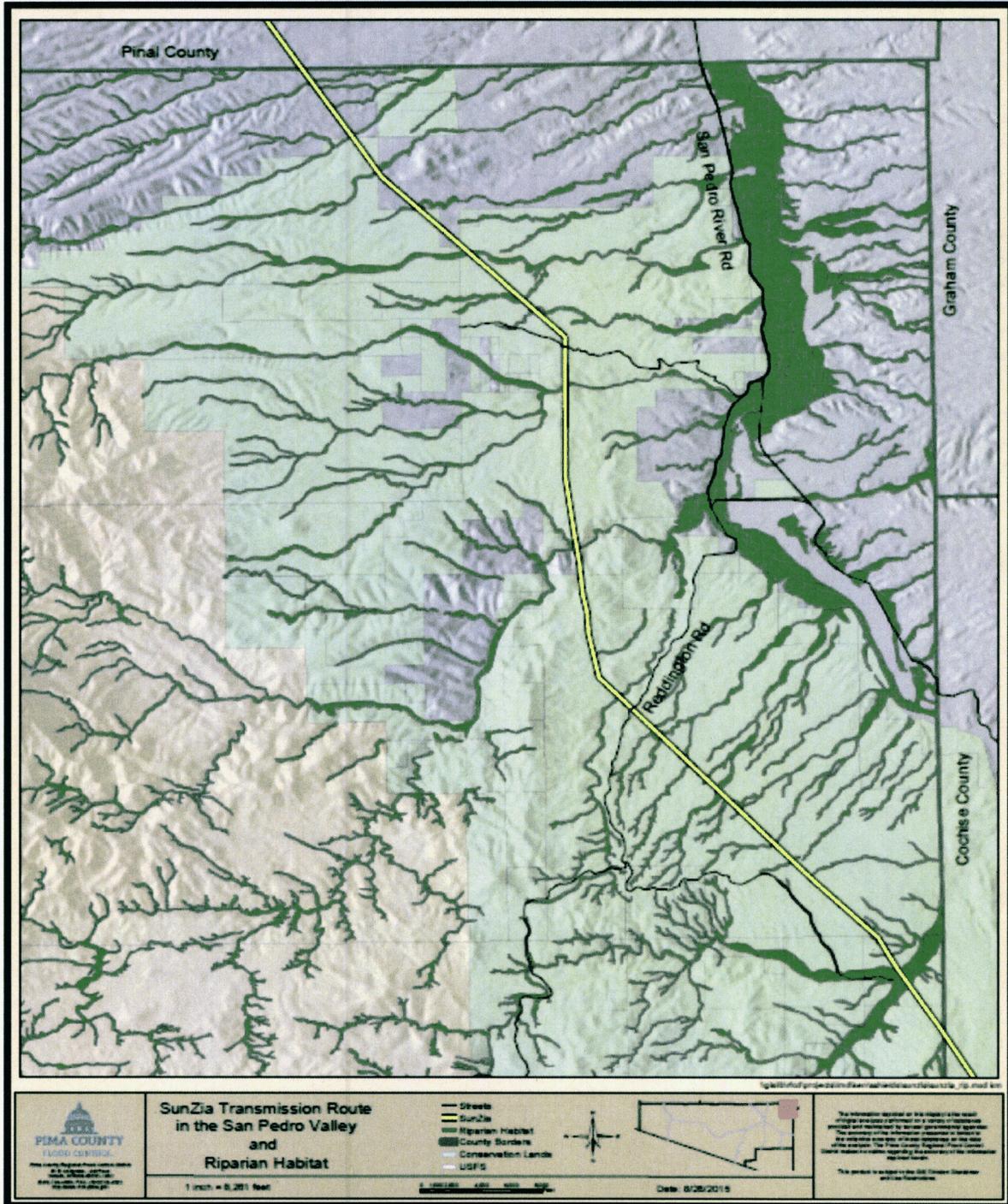


Figure 5. Riparian Habitat in the San Pedro Valley

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While electrical transmission lines are not required under Arizona statutes to receive written authorization from county flood control districts, Arizona Revised Statute 48-3616.C, requires that construction plans must be submitted for review and comment. The review should focus on avoiding the placement of transmission towers in FEMA- floodplains and erosion hazard areas and minimizing the disturbance of riparian habitat. The exception to this regulatory exemption is that permits will be required for both temporary and permanent access roads to construct and maintain the Sunñia Project.

Sonoran Desert Conservation Plan: Cultural Resources & Historic Preservation

Perennial rivers, such as the San Pedro, are major loci of prehistoric and historic human occupations in Pima County, where the site numbers are highest and the distribution of sites is most dense. The San Pedro Valley has been long recognized for its many significant prehistoric and historic sites, many of which are in excellent condition given their remoteness from large modern population centers.

The San Pedro Valley in Pima County is essentially undeveloped. It retains the character of landscapes in the prehistoric and historic past. As such the Valley is a place where a sense of history is present today. Tohono O'odham, Apache, Hopi, and Puni cultural advisors who have visited ancestral villages and gathering areas in the San Pedro Valley have remarked on the sense of history that is embedded in the natural and cultural landscapes. Dalton Taylor of Hopi has stated of the San Pedro Valley and ancestral archaeological sites that, "the only thing I ask for is protection, because this place is like our history books". Other cultural advisors have made similar pleas to protect and preserve the San Pedro Valley and its unique history.

Because of these high cultural values in addition to its diverse and valuable habitat for many species, the San Pedro River Valley was defined in the Sonoran Desert Conservation Plan (SDCP) as having high value for conservation. This high density of cultural resources has been identified in the SDCP as the "Pedington Cultural Resource Complex" shown on the map below and is identified as such in Pima Prospects. Unfortunately, the proposed Sunñia route along the west side of the San Pedro Valley in Pima County has great potential to impact significant archaeological and or historic resources resulting from construction of the Sunñia Project and from indirect impacts such as looting of sites that will result from much greater access to these heritage resources from the many new access roads that will be required for the construction of the Project.

Sunñia Southwest Transmission Project

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The high archaeological sensitivity of the San Pedro Valley is well documented and reflects important prehistoric occupations as well as historic homesteading and ranching. There are dozens of recorded sites in the valley near this corridor, with excellent potential for additional, as yet undiscovered resources. Well-known sites in this area include the prehistoric Peele Ruin, Pedington Ruin, and Bales Ranch Ruin, as well as an historic cemetery near the river. Many sites are located on County-owned lands that were acquired and are managed specifically to protect and preserve the natural and cultural resources for present and future benefits to the citizens of Pima County.

The proposed Sunñia alignment will irreversibly scar the San Pedro Valley, cutting a swath of destruction through many archaeological sites, diminishing cultural and traditional values held by Native American tribes, and scarring the pristine visual character of the valley, predominantly through lands that Pima County is committed to protect in accordance with the Pima County Sonoran Desert Conservation Plan and Pima Prospers.

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In summary, Pima County has made significant investment in conservation planning and land acquisition on behalf of its citizens since 2001 to ensure that the San Pedro River Valley and its abundant natural, riparian, and cultural resource values are protected for the benefit of present and future generations. The County's holdings in the area total approximately 140,000-acres under County management that supports ongoing ranching operations, while conserving and protecting biological and ecological values of the lands.

In acknowledgement of the public's mandate, Pima County has adopted an ongoing and long-term commitment to conservation planning espoused in the Sonoran Desert Conservation Plan and Multi-Species Conservation Plan. Moreover, these lands under the County's Sonoran Desert Conservation Plan and Multi-Species Conservation Plan are intended as mitigation lands under that will serve to meet the requirements of the Section 10 Permit of the Endangered Species Act that will be issued to Pima County by the US Fish & Wildlife Service. This Permit will cover incidental take of listed species by activities authorized by Pima County or carried out by Pima County Regional Flood Control District.

These conservation goals have also been recently reaffirmed and adopted by the Board of Supervisors in its 2015 Comprehensive Plan "Pima Prospers."