



MEMORANDUM

Date: October 4, 2013

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Western Area Power Administration (WAPA) Tucson-Apache Powerline: Structure Replacement Project affecting Tumamoc Hill and Other Historic Properties**

The attached correspondence concerns a proposed action by the Western Area Power Administration (WAPA) that will impact Tumamoc Hill and other properties. WAPA plans to replace 149 wood H-frame paired poles and improve their access roads along the Tucson-Apache (TUC-APE) 115 kv transmission line in Pima and Cochise Counties.

The transmission line is about 80 miles long, stretching from Tucson to Highway 191 east of Benson, and it is likely to have an adverse effect on certain County-owned conservation properties: Tumamoc Hill, the Valencia Site, and the West Branch Site (a portion of which is located on private land); and it will require removal of approximately three acres of riparian trees along the San Pedro River in Cochise County. We disagree with WAPA's assessment that their undertaking will not have an adverse environmental impact to natural and cultural resources along the length of the line and more directly to County owned properties.

In order to justify a "categorical exclusion" under the National Environmental Policy Act (NEPA), the U.S. Department of Energy identified their action as "routine maintenance" and filed a categorical exclusion for this action on February 28, 2013. To be determined a categorical exclusion, the proposed action "must be one that would not: ...have the potential to impact environmentally sensitive resources, including but not limited to...sites ... of historic, archaeological, or architectural significance designated by a Federal, state, or local government or properties determined to be eligible for listing in the National Register of Historic Places... or areas having special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, or national natural areas..."

The entirety of Tumamoc Hill has several federal and state designations that WAPA did not adequately consider in its NEPA assessment. It was designated a National Historic Landmark (NHL) in 1965; listed in the National Register (NR) of Historic Places in 1966; a National Environmental Study Area in 1976; a State Scientific and Educational Natural Area in 1981; and the Tumamoc Hill Archaeological District was listed separately in 2010. The Valencia Site is also listed in the National Register.

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While WAPA has an easement dating to the 1950s, more than one mile of access road on County-owned conservation lands at Tumamoc will be cleared of vegetation that has grown over the years, and 12 sets of double poles will be removed with heavy equipment in an area approximately 100 feet in diameter of each pole location. Similar impacts will occur on portions of Tumamoc Hill managed by The University of Arizona, which also disagrees with WAPA's assessment.

To ensure that any adverse effects to County-owned conservation lands are appropriately mitigated in advance of construction and impact areas are restored after construction, meetings are being planned in the near future with WAPA, their consultant, The University of Arizona, the State Historic Preservation Office, and County staff to resolve the following issues and to ensure that impacts will be minimized and that appropriate mitigation and restoration will be conducted following construction.

- There is disagreement that there will be "no adverse effect" to historic properties from the WAPA project.
- Tumamoc Hill is both an NHL and a National Register Archaeological District; the Valencia Site is listed in the National Register; and the West Branch Site and other affected sites are eligible for listing.
- The WAPA line is not located "in the vicinity" of the Tumamoc Hill NHL and National Register Site; the WAPA line crosses through the NHL/NR site.
- Tumamoc Hill is considered a traditional cultural place and sacred site by the Tohono O'odham Nation. Pima County finds that a determination of "adverse effect" is appropriate.
- A determination of "no adverse effect" is inconsistent with other recent determinations of effect for actions on Tumamoc Hill.
- The EPG monitoring plan which involves test excavations and possible data recovery in advance of pole replacement is inappropriate.
- Arizona State Parks (ASP) holds a conservation easement on Tumamoc Hill and on the Valencia Site, which were purchased by Pima County with Growing Smarter funds, and consultation with ASP is also necessary.
- An appropriate treatment plan to mitigate these impacts must be prepared in consultation with the County, University, SHPO, tribes, the National Park Service, and other interested parties, and the plan should be implemented in advance of construction.

CHH/mjk

c: Linda Mayro, Director, Sustainability and Conservation
Nicole Fyffe, Executive Assistant to the County Administrator
Diana Durazo, Special Staff Assistant to the County Administrator



Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
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Linda Mayro, Director
Office of Sustainability and Conservation
Cultural Resources and Historic Preservation Division
201 North Stone Avenue, 6th Floor
Tucson, Arizona
85701

Re: Tucson-Apache 115-kV Transmission Line Pole Replacement and Maintenance Project (all areas west of the eastern boundary of the San Xavier Indian Reservation)

Dear Ms. Mayro:

Previously Western Area Power Administration (Western) sent consultation letters in reference to proposed pole replacements and access road improvements along portions of the Tucson to Apache (TUC-APE) 115-kV transmission line in Pima and Cochise counties, Arizona (Figure 1). The transmission line is approximately 80 miles long and runs from the Tucson Substation near the intersection of Grant and Flowing Wells roads in Tucson, Pima County, to the Apache Substation on the west side of US 191 south of Cochise, Cochise County, Arizona. The transmission line corridor crosses lands owned or managed by the Arizona State Land Department (ASLD), Tohono O'odham Nation (TON), Bureau of Land Management (BLM), U.S. Forest Service (USFS), Pima County, Cochise County, and private lands. Poles selected for this replacement project are located on lands managed by ASLD, TON, Pima County, or that are privately owned. No project activities will occur on lands managed by either the BLM or the USFS.

Pole replacement work will be accomplished using rubber tire and track-type heavy equipment; F-550, F-350, F-250 line crew trucks; and equipment trailers. Work will be done within a maximum 50-foot radius of each of the structures identified for replacement (except where noted in proposed testing and monitoring plan); however, wherever possible vehicles will be restricted to the existing road. All project-related access will be along existing access roads; no new road construction will occur as part of the proposed project. Roads may be improved by measures such as grading to remove existing vegetation and permit all-weather access; surfacing; and installation of erosion-control features, low water crossings, and water diversions (such as rolling drain dips and water bars). A tractor dozer and pick-up trucks would be used for these improvements. Access roads typically measure between 12 feet and 16 feet wide; all improvements will be limited to within 10 feet of the existing road prism (except where noted in proposed testing and monitoring plan).

Western also proposes to conduct vegetation management work between poles 55-5 and 55-7 (about 1,650 linear feet), over and adjacent to the San Pedro River. Work along this segment of the project area would be accomplished by walking crews into the work areas and avoiding the wetted portion of the channel to hand cut trees and lop and scatter debris. About three acres of vegetation, primarily consisting of trees, would be cut to the ground between poles 55-5 and 55-7. Vegetation management work is anticipated to begin no earlier than March 2013 and will be completed in phases over a two-year period.

This request for consultation focuses on those areas of the TUC-APE transmission line between the northern boundary of the San Xavier Indian Reservation and the Tucson substation in Pima County, Arizona. A total of 44 transmission line poles will be replaced in this area, with replacements being in-kind (wood poles for wood poles) and in the original locations (i.e. poles will not be offset). On occasion the existing poles cannot be neatly removed (e.g. wood rot) and so less ground disturbance is achieved by offsetting the new poles in a new location (generally within ten feet of existing holes); should this happen within site boundaries, test excavations will take place in the exact new pole location to ensure there is **no adverse effect to cultural resources**. No new road construction will occur; however, road improvements will occur throughout the project area. With the exception of the Tumamoc Hill Archaeological District and the Desert Laboratory National Historic Landmark (AZ AA:16:6 and AZ AA:15:51[ASM]), no road improvements will take place within the boundaries of historic properties. Pole replacement in the vicinity of the Tumamoc Hill Archaeological District and the Desert Laboratory National Historic Landmark does require road maintenance, but these maintenance activities will remain constrained to the existing road prism (in accordance with our consultations with Kerry Baldwin, Natural Resources Division Manger for Pima County).

Cultural resources within the proposed APE:

Within the proposed APE there are multiple historic properties and archaeological sites eligible for inclusion on the National Register of Historic Places. Western feels that the proposed testing and monitoring plan (enclosed) will ensure that proposed undertaking will result in **no adverse effect to these sites**. A summary of this proposal is provided here:

NRHP listed properties

AZ AA:16:6 & AZ AA:15:51 are the **Tumamoc Hill** Archaeological District and Desert National Laboratory NHL (respectively). The Tumamoc Hill Archaeological District includes important prehistoric resources reflecting centuries of indigenous use of the geographic locale known as Tumamoc Hill and surrounding areas. The twentieth century Desert National Laboratory NHL, whose boundaries are isomorphic with the District, has important historic resources related to the establishment and operation of a biological research facility. In addition to improvement to the existing access road within the Western Right Of Way (ROW), **a total of 9 wood H-structures (2-7 to 3-4 and 3-6 to 4-1A) and two 3-pole turning structures (2-6 and 3-5) will be replaced inside the site boundary** (Figure 5; Table 2). The proposed replacement structures would not be located within any known features; however, a number of features have been identified within close proximity to Structure 3-5. Prior to construction, EPG will flag the ingress/egress to the site area along the Western ROW access road and monitor all activities within the site boundary during construction. In the event that the 3-pole turning Structure 2-6 and Structure 3-5 require relocation, EPG will conduct testing by placing a 1- x 1-meter test unit

within each of the pole locations to be used for each of the new turning structures; the exact locations would be staked by line crew prior to excavation

AZ BB:13:15 and AZ BB:13:74 are the southern and northern loci (respectively) of the Valencia site, a large Preclassic Hohokam village located on private land on the east terrace of the Santa Cruz River. A number of testing and data recovery projects have occurred at the site, making it the most well-documented Rincon phase site in the Tucson Basin. In addition to the Preclassic Hohokam village, archaeological investigations have resulted in the recovery of the first Clovis point and first excavation of Late Archaic pithouses in the Tucson Basin. Three existing wood H-structures (9-3, 9-5 and 9-9) will be replaced within 100 feet of AZ BB:13:74(ASM) and AZ BB:13:15(ASM), respectively, but not within the recorded site boundaries (Figure 12). Prior to construction, EPG will flag the ingress/egress to the site areas along the Western ROW access road, including appropriate areas for equipment staging. Since no road improvements or pole replacement will occur inside either site boundary, cultural sensitivity training provided to the construction crews at the beginning of the project will be deemed sufficient for use of the access road. However, archaeological monitoring will be required for all construction activities associated with the replacement of structures 9-3, 9-5 and 9-9.

Juan Bautista de Anza National Historic Trail

Managed by the National Park Service (NPS), this site was designated a National Historic Trail in 1990. Unlike more heavily traveled routes, the Anza Trail represents an exploratory route and so evidence for physical remains of the trail are virtually nonexistent. While the NPS has designated a number of historically significant sites associated with the trail in the Tucson Basin, none of these fall within the project APE.

NRHP eligible sites

AZ AA:12:875 is the historic El Paso Natural Gas Pipeline No. 1007. The site was recommended eligible for listing on the NRHP under Criterion D for its information potential, and under Criteria C and D for its design elements. One structure (2-6) will be replaced within approximately 25 meters of the site, but would not impact any contributing components at the site.

AZ AA:16:3 is the West Branch Site, a large Preclassic Hohokam village complex located on private land between the Tucson Mountains and the Santa Cruz River. A number of significant, previous archaeological investigations have been conducted at this site. Two structures (6-5 and 7-4) and one 3-pole turning structure (7-3) will be replaced within the boundary of AZ AA:16:3. Prior to construction, access routes and equipment staging areas will be demarcated and all activities within the site boundary will be monitored. Two existing wood H-structures (6-5 and 7-4) and one 3-pole turning structure (7-3) will be replaced within the AZ AA:16:3(ASM) boundary. Structures 6-5 and 7-4 lie outside of the previously excavated areas, in an area where no previous features have been identified on the surface. Structure 7-3 is approximately 20 meters north of the IAR study, and lies 30 meters from one previously excavated pithouse as well as 70 meters from one previously excavated cremation and an area of potential cremation (Figure 4). The potential presence of further human remains in the immediate vicinity of Structure 7-3 is of particular concern.

Prior to construction, EPG will demarcate construction access to the pole locations (no proper access road), as well as to appropriate areas for equipment staging, and monitor all activities within the site boundary during construction. In the event that the 3-pole turning Structure 7-3 requires relocation from its original location, EPG will conduct testing by placing a 1- x 1-meter test unit within each of the pole locations to be used for the new turning structure; the exact locations would be staked by the line crew prior to excavation.

AZ AA:16:26 is the St. Mary's Site, a large prehistoric Hohokam village site located at the northern base of Tumamoc Hill. The site is considered one of the largest known village sites on the west side of the Santa Cruz River in the Tucson Basin. Although the TUC-APE transmission line extends through the site area no road improvements or pole replacement activities will occur within the site boundary, effectively avoiding the site and resulting in no adverse effects.

AZ AA:16:377 is the historic State Route 86 (Why to Tucson Highway). The segment of SR 86 that intersects the TUC-APE transmission line was previously recommended not eligible for listing on the NRHP, but the greater property is part of the Arizona Historic Highways System and has been determined eligible for listing on the NRHP under Criterion A, as well as Criterion D. No road improvement or pole replacement activities will occur within the Arizona Department of Transportation ROW, effectively avoiding the site and resulting in no adverse effects.

AZ BB:13:794 is a series of four canals located on private land on the west side of the Santa Cruz River. Three of the canals are prehistoric, dating to the Hohokam Preclassic and Classic periods. A fourth canal is historic and associated with Midvale Farms. The site has been recommended eligible for listing on the NRHP under Criterion D for its information potential. No road improvements or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

Sites Unevaluated for the NRHP

AZ AA:16:29 is a Hohokam village located on the west terrace of the Santa Cruz River. Aerial imagery suggests that much of the site has been significantly impacted from residential development. The site remains unevaluated pending further study. The eastern boundary of the site extends to within 200 feet of the TUC-APE centerline; however, no road improvement or pole replacement activities will occur near this area, effectively avoiding the site and resulting in no adverse effects.

AZ AA:16:332 is a multicomponent site consisting of a small Hohokam artifact scatter and a historic trash scatter located on private land on the west side of Silverbell Road between San Jose and San Raphael streets. Residential development and road construction have significantly impacted the site, and it remains unevaluated pending further study. The western boundary of the site extends to within 200 feet of the TUC-APE centerline; however, no road improvement or pole replacement activities will occur near this area, effectively avoiding the site and resulting in no adverse effects.

AZ AA:16:333 is a Hohokam artifact scatter and likely habitation site located on private land on the second, western terrace of the Santa Cruz River. The site has been subjected to extensive development and now primarily consists of a parking lot. Moreover, aerial imagery indicates that the built environment extends right up to the eastern edge of the site. The eastern boundary

of the site extends to within 200 feet of the TUC-APE centerline; however, no road improvement or pole replacement activities will occur near this area, effectively avoiding the site and resulting in no adverse effects.

AZ BB:13:20 is a Hohokam artifact scatter located on private land situated on the western floodplain of the Santa Cruz River. When first documented the site was described as a large sherd and lithic scatter eroding out of the bank of a remnant wash. Recent activity at the site (landfill, grading, agricultural use, residential development) has left the site in poor condition, but it is still considered eligible for listing on the NRHP under Criterion D for its information potential. Structure 8-2 is situated within 30 meters of the site boundary, requiring an archaeological monitor to be present during pole replacement.

AZ BB:13:103 is a prehistoric artifact scatter located on private land situated on the east terrace of the Santa Cruz River. Recent excavations have identified 15 pithouses and six trash concentrations dating to the Middle to Late Rincon phases. Although the site area has been developed and now consists of a strip mall and associated parking lot, the site remains eligible for listing on the NRHP under Criterion D for its information potential. No road improvement or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

AZ BB:13:320 is a prehistoric artifact scatter located on private land situated on the west terrace of the Santa Cruz River north of Riverview Boulevard and on the east side of Dragoon Avenue. The site was originally described as a light density scatter of plainware ceramics and flakes, mostly within a vacant lot that exhibited significant disturbance from previous grading. Following the original documentation the vacant lot was developed, likely eliminating the surface signature. The site remains unevaluated for the NRHP pending further research. No road improvement or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

AZ BB:13:656 is a historic road segment located on private land situated on the western terrace of the Santa Cruz River between the river and Interstate-19. Based on its location, it is likely that the road may be associated with a route between the Mission San Xavier del Bac, or a nearby ranch and the Old Nogales Highway (now Interstate 19-Business/Sixth Avenue). Although soil compaction suggests a heavily traveled road, it does not appear to represent a major thoroughfare, and remains unevaluated pending further study. No road improvements or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

Sites not eligible for the NRHP

AZ AA:16:420 is a prehistoric quarry situated on the top and sides of a low finger ridge extending across private land on the lower bajada of the Tucson Mountains approximately one mile west of the Santa Cruz River. The site was recommended not eligible for listing on the NRHP due to its lack of information beyond the current documentation. The western boundary of the site extends to within 200 feet of the TUC-APE centerline; however, no road improvement or pole replacement activities will occur near this area, effectively avoiding the site and resulting in no adverse effects.

AZ AA:16:478 is a historic trash scatter located on private lands approximately 60 meters north of AZ AA:16:420 (ASM). The site consists of a dispersed can and bottle scatter, which has been recommended as not eligible for listing on the NRHP. No road improvement or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

AZ BB:13:102 is a historic artifact scatter located on private land situated on the east terrace of the Santa Cruz River south of Airport Wash. The site area has been impacted via transmission line construction, I-19, erosion, and recently has seen the construction of a Harkin's multiplex theater and parking lot. The site has been recommended not eligible for listing on the NRHP. No road improvements or pole replacement activities will occur within or adjacent to the site boundary, effectively avoiding the site and resulting in no adverse effects.

AZ CC:13:80 is the TUC-APE 115-kV Transmission Line. Previous recommendations indicate that the line is not eligible for listing on the NRHP due to its "questionable" integrity, as well as not meeting any of the four significance criteria. Specifically, the line does not have an association with historical events or personages (Criteria A & B), is not unique in its construction (Criterion C), and is well documented (Criterion D) through Bureau of Reclamation and Western drawings and specifications. Therefore, pole replacements associated with improvements to the line will result in no adverse effects.

If you have no further information and concur with our finding of **No Adverse Effect** we have provided for your convenience a signature line and comment field for use below. Of course you may provide separate correspondence if you desire. If we do not receive a response within 30 days we will assume you concur with our finding.

If you have any questions, concerns or wish to consult further about this undertaking please contact our archaeologist, Ms. Jill Jensen at (602) 605-2842 or myself at (602) 605-2524. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda J. Marianito".

Linda J. Marianito
Environmental Manager

As indicated by my signature below I concur with Western's finding of No Adverse Effect for the Tucson-Apache 115-kV Transmission Line Pole Replacement and Maintenance Project (all areas west of the northern boundary of the San Xavier Indian Reservation)

Do Not Concur.
Signature: *Juana Mayo* Date: *9/9/2013*

Affiliation: *Pima County Govt.*

Other comment:

I do not concur with the finding of "No Adverse Effect."

Enclosures: monitoring plan

cc:
Marianito
Tromly
Jensen
FILE



**Office of Sustainability & Conservation
Cultural Resources & Historic Preservation Division**

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September 9, 2013

Linda J. Marianito, Environmental Manager
Department of Energy, Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457

Re: Western Area Power Administration (WAPA) Project, Structure replacement project along the existing Tucson to Apache 115-kV Transmission Line in Pima County, Arizona

Dear Ms. Marianito,

Thank you for the opportunity to consult on the proposed WAPA maintenance project, Tucson to Apache 115-kV Transmission Line, in Pima County, Arizona. This letter continues the consultation your office initiated in July, 2012, in which my first response focused on several important issues concerning impacts from the WAPA project on Historic Properties under Pima County ownership and management that are listed, or eligible for listing, on the National Register of Historic Places.

I have reviewed your consultation letter, dated August 12, 2013, which summarizes proposed maintenance activities along the Tucson-Apache 115kV Transmission Line in Pima County and the submitted archaeological monitoring plan prepared by Environmental Planning Group, LLC (EPG), entitled *A Monitoring Plan for Pole Replacement along the Tucson-Apache 115 kV Transmission Line between the San Xavier Indian Reservation and the Tucson Substation, Pima County, Arizona* (EPG Cultural Resources Services Technical paper No. 2013-009, August 2013). The monitoring plan proposes cultural resources actions to comply with Section 106 of the National Historic Preservation Act, as amended (NHPA).

In the following comments on the current consultation letter and monitoring plan you will note my continued concerns. It is disappointing to see that the current consultation inadequately addresses Pima County's (the County) previous comments; several of the same issues remain unchanged in the current consultation.

- 1. Inadequate Discussion of Consultation:** The letter mentions previous consultation on this project (page 1, paragraph 1, sentence 1) before briefly describing the project and land ownership, followed by a project description. But it does not discuss the nature of the previous consultation, Pima County's previous objections, disagreements, or concerns, or the follow-up discussions in which the County provided information about cultural resources within County lands crossed by the WAPA easement. The letter also does not discuss the current consultation or whether it includes the other consulting parties in the previous consultation (see Comments 5 and 7).
- 2. Inadequacies in the WAPA Cultural Resources Analysis:** The WAPA cultural resources analysis continues to rely largely on the 1983 and 2008 survey reports, and inadequately incorporates more recent inventory results providing detailed information on cultural resources within Tumamoc Hill conducted by the University of Arizona and the 2012 survey report by Logan Simpson Design, Inc.
- 3. 1996 WAPA-SHPO Programmatic Agreement:** Omission of discussion about WAPA's 1996 Programmatic Agreement with SHPO for the transmission line, which stipulates WAPA compliance actions within National Register listed historic properties, and which applies to this project.
- 4. Errors in Site Descriptions and Land Ownership:** As noted in my previous response, the WAPA easement for the Tucson-Apache 115kV Transmission Line within Tumamoc Hill crosses portions of a 277-acre Pima County-owned parcel within the Tumamoc National Historic Landmark boundary, but the WAPA analysis inconsistently recognizes County ownership. In the descriptions of sites that will be impacted, the letter either omits descriptions of land ownership (as at Tumamoc Hill) or incorrectly describes Pima County-owned properties containing threatened sites to be under private ownership. For example, much of Valencia site, AZ BB:13:15(ASM), is County-owned and managed. Similarly, while the portion of the West Branch Site, AZ AA:16:3(ASM), that is included in the WAPA project is on private land, other portions of the site encompassing the WAPA right of way are owned and managed by Pima County and are part of Tucson Mountain Park.

Regarding Tumamoc Hill and the Valencia Site, it is important to note again, that the County acquired the land at Tumamoc Hill through open auction in 2009 and the Valencia Site in 2010 from the Arizona State Land Department (ASLD), State Trust Lands, using Arizona State Parks Growing Smarter grant funds. The County conveyed Conservation Easements over both properties to the Arizona State Parks Board. In addition, the County has agreed to enter into an Intergovernmental Agreement with the University of Arizona to ensure the future preservation of the natural and cultural resources of Tumamoc Hill in conformance with the University of Arizona's *Tumamoc Hill Cultural Resources Policy and Management Plan* (approved in 2009), including provisions regarding protection of cultural and historic resources within the National Register of Historic Places (NRHP) District. The County is obligated to protect and conserve the natural and cultural resources at Tumamoc Hill by the terms of the 2004 County Bond ordinance under which the acquisition was completed, the Conservation Easement held by Arizona State Parks, and the terms of the *Tumamoc Hill Cultural Resources Policy and Management Plan*.

- 5. Tribal Consultation:** The current consultation letter does not address the status of the project tribal consultation. I previously noted the WAPA consultation was inadequate and in error because the Hopi Tribe was not consulted. On many occasions the Hopi Tribe has declared Hohokam archaeological sites to be ancestral footprints of the Hopi, including Tumamoc Hill,

and as such these sites are Traditional Cultural Properties subject to consideration under Section 106 of the NHPA and 36 CFR 800. The Tohono O'odham Nation on many occasions has declared Tumamoc Hill to be a place of spiritual, cultural and ancestral significance to the Nation, a place which clearly meets the definition of Traditional Cultural Property per National Park Service Bulletin 38. The Nation most recently made this declaration through Resolution 10-271 in August 2010. All Hohokam archaeological sites are considered ancestral places by the Tohono O'odham Nation. Consideration of Tumamoc Hill, the Valencia Site, and the West Branch site as Traditional Cultural Properties must be addressed by WAPA prior to ground disturbing activities.

6. **Consultation with University of Arizona and Arizona State Land Department:** The current consultation letter does not address the status of consultation with the other land owners and land managers of Tumamoc Hill through which the WAPA easement passes. What is the status of consultation with the University of Arizona and Arizona State Land Department?
7. **Access to the WAPA Easement:** This consultation does not adequately address access issues and the submitted monitoring plan does not address access issues (see comments below). All access to the WAPA easement within the County-owned lands must be approved by the County and Arizona State Parks. In the event that access to the WAPA easement requires entry into, or across, County rights of way, right of way use permits are required in each case, subject to County cultural resources requirements.
8. **Inadequate Discussion of All Required Project Consultation:** The initial WAPA consultation letter states that WAPA has a Programmatic Agreement with the State Historic Preservation Office, but I will point out again that WAPA's easement does not represent ownership; the land remains under the ownership and management of the State, the University of Arizona and Pima County. Impacts on these lands are subject to State, University, and County requirements, as stipulated, for example, in the University's *Tumamoc Hill Cultural Resources Management Plan*, including SHPO consultation. Your letter did not include a copy of the Programmatic Agreement, and I repeat the previous request for a copy for our records and review. The letter does not mention the requirement of consultation with Arizona State Parks, which holds conservation easements on County properties containing portions of Tumamoc Hill and Valencia Site. Any ground disturbance on the County property and treatment of historic properties must also be acceptable to Arizona State Parks, the holder of the Conservation Easement.

Tumamoc Hill is listed on the National Register; therefore, the proposed WAPA project should be considered a federal undertaking subject to the requirements of the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act. Has WAPA taken steps to implement the NEPA process and comply with its requirements?

9. **Incorrect Determinations of Effect:** Descriptions of affected sites include recommendation of No Adverse Effect, including the proposed ground-disturbing actions within National Register-listed properties under Pima County ownership: Tumamoc Hill, AZ AA:16:6(ASM) and AZ AA:16:91(ASM), Valencia Site, and West Branch Site. All site descriptions include recommendations of No Adverse Effect regardless of whether the project will avoid any impacts because the sites are outside the WAPA easement (should be No Effect), or the project will include ground-disturbing actions within National Register-listed Historic Properties (should be Adverse Effect).
10. **Pima County Continues to Disagree with the WAPA Finding of No Adverse Effect:** Pima County does not concur with the WAPA finding of No Adverse Effect, in particular for National Register-listed Historic Properties partially or wholly within County ownership, such as portions of

Tumamoc Hill and Valencia Site (in the event that the WAPA project disturbance, such as guy wire anchors, or other ancillary support structures, extend within Valencia Site boundary). Pima County argues that the correct determinations of effect at Tumamoc Hill and, possibly, Valencia Site, should be Adverse Effect with adequate mitigation, but the monitoring plan must demonstrate the mitigation is adequate.

- 11. Inadequate Project Descriptions:** The project description states that heavy tracked equipment and large trucks will be used and includes access road maintenance within 10 feet of the existing road prism. Pole replacement actions will be at original pole locations and ground-disturbing actions will be limited to 50 feet from the original pole locations. However, if this is not possible, poles will be offset. The description does not mention ancillary disturbances related to pole replacement, such as guy wire anchors for structure support. All disturbances need to be considered and mitigated.
- 12. Proposed Mitigation and Submitted Monitoring Plan are Inadequate.** In the previous consultation response, I recommended development and implementation of a Historic Properties Treatment Plan (HPTP), written to SHPO standards, that includes mitigation of all adverse effects to cultural resources at Tumamoc Hill and other threatened Historic Properties, including construction monitoring, and supported by all appropriate consultations required under NHPA. Instead of an appropriate HPTP, WAPA submitted the EPG monitoring plan. The submitted document is inadequate. It does not present adequate mitigation measures to address Adverse Effects, as previously recommended. The submitted document describes construction monitoring as the primary mitigation, with brief treatment of the possibility that data recovery will be necessary in the event of offset pole installations. The monitoring plan lacks an adequate research design and work plan for possible data recovery; it contains only a brief summary discussion of a research design and the approach to any needed mitigation (data recovery excavations). There is no Work Plan.

In addition to the monitoring tasks, the document should provide a concise, but complete research design and work plan to address the possibility of data recovery, which should contain, at minimum:

- A. Adequate description of access issues and protocols, recognizing the requirement to coordinate and obtain permission from the County for all access to the project area within County lands.
- B. Arizona State Museum project-specific permit, repository agreement, and burial agreement for project., including permit and agreement numbers
- C. Research design that establishes an appropriate historic context for the project area and places the sites within the established context.
- D. Discussion of research domains/themes appropriate to the context with research questions. Include data requirements to address the questions based on the expected data recovery results.
- E. Discussion of excavation methods, including justification of the scope, which calls for individual excavation units at disturbance locations, as sufficient to adequately sample any discovered features. Discussion should identify expected feature types and how each will be sampled, including excavation strategy and sampling fraction, by feature type. Pima County believes that because the WAPA transmission line and access road are within a National Register-listed Archaeological District and National

Historic Landmark, 100 percent data recovery is required at all affected features within the WAPA easement.

- F. Discussion of analytic methods to address recovered artifact types and samples with a focus on how the analyses will contribute to addressing the established research questions.
- G. Discussion of the results of any data recovery, analysis, and/or monitoring observations, to address research questions and contribute to understanding the archaeology of the site and/or region.
- H. Discussion of curation strategy and schedule.
- I. Discussion of project reporting schedule.
- J. Include an inadvertent discoveries action plan detailing procedures and actions to be taken in the event of unexpected discoveries of human remains, burial goods, and/or sacred objects; cite the appropriate federal and state laws.
- K. Include recognition of the requirement for County, Arizona State Parks, and SHPO review of the project documents.

13. Purpose and Need of the Proposed WAPA Maintenance: Pima County continues to question whether the WAPA maintenance project is necessary because the Southline Transmission Line, proposed by Southline Transmission, LLC, has entered the consultation process required by the National Environmental Policy Act (NEPA), including the Section 106 process of the NHPA, with BLM acting as Lead Agency. This transmission line project proposes to use the existing WAPA easement through Pima County. It seems likely BLM will approve the Southline Transmission Line and this project will require extensive construction to replace the existing WAPA poles and structures with a higher capacity line requiring much larger support structures. The construction of the larger structures will constitute an entirely different set of impacts within the WAPA easement than the WAPA maintenance project. The increasing likelihood of the Southline project going forward affirms my previous question: Why is a maintenance project necessary when the WAPA transmission line probably will be entirely removed and reconstructed in the near future? If the Southline Transmission Line is to be co-located with the existing WAPA line, then this should be discussed and clarified in the WAPA maintenance project proposal, but it still represents a separate set of construction impacts. If co-location occurs, I continue to recommend scheduling construction as a single project, perhaps phased to accomplish both construction objectives and limit impacts on historic properties caused by repeated field mobilizations.

14. Relocate the WAPA Easement: Pima County continues to recommend that the WAPA consider alternative alignments for the Tucson-Apache 115-kV Transmission Line through Tumamoc Hill and that this easement be abandoned and conveyed to Pima County to ensure the preservation of the unique natural and cultural resources on Tumamoc Hill and the integrity of the Carnegie Desert Laboratory NHL.

I look forward to your response.

Sincerely,



Linda Mayro, Director
Office of Sustainability and Conservation

WAPA Structure replacement project along the existing Tucson to Apache 115-kV Transmission Line in Pima County, Arizona

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Cc: C.H. Huckelberry, Pima County Administrator
Kerry Baldwin, Parks Superintendent, Pima County Natural Resources, Parks & Recreation
Katy Harris, Advisory Council on Historic Preservation
James W. Garrison, State Historic Preservation Officer
Doris Pulsifer, Chief of Grants, Arizona State Parks
Patrick Lyons, Director, Arizona State Museum
Michael L. Rosensweig, Director, Desert Botanical Laboratory
Ed Galda, Co-Chair, University of Arizona Historic Preservation Advisory Committee
Todd Pitezal, Co-Chair, University of Arizona Historic Preservation Advisory Committee
Steve Ross, Cultural Resources Manager, Arizona State Land Department
Peter Steere, Tribal Historic Preservation Officer, Tohono O'odham Nation
Gary Gilbert, Ak Chin Indian Community
Barnaby Lewis, Gila River Indian Community
Shane Anton, Salt River Pima-Maricopa Indian Community
Leigh Kuwanwisiwma, The Hopi Tribe
Rolando Flores, Pascua Yaqui Tribe
Vernelda Grant, San Carlos Apache Tribe
Ramon Riley, White Mountain Apache Tribe
John Wessels, Director, Intermountain Region, National Park Service
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