



MEMORANDUM

Date: October 24, 2014

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

From: C.H. Huckelberry
County Administrator 

Re: **Update on Various Transmission Power Proposals Occurring throughout Pima County**

Attached is a September 30, 2014 memorandum from our Director of Sustainability and Conservation that provides updates on a number of power transmission proposals by federal agencies that impact Pima County.

The proposal likely to receive significant attention is the proposal of the Western Area Power Administration (WAPA) to improve their existing transmission line through Tumamoc Hill. We have been told by WAPA that this work is imminent and will begin the week of October 27, 2014, with WAPA re-grading and reconstructing the access road along their easement for a distance of about one mile crossing County-owned conservation lands. In areas prone to erosion, WAPA plans to substantially reconstruct the road with rock pavement as shown in their attached construction drawing. Their easement to build a transmission line was granted in October 1950 by the Arizona State Land Department, and the original access road is now more than 60 years old and revegetated with native Sonoran Desert plants and trees.

Pima County has asked WAPA to not implement the Tucson-Apache 115kV Transmission Line Pole Replacement/ Maintenance Project across Tumamoc Hill until the Southline Transmission Line (Southline) is either approved or denied by the Bureau of Land Management. If approved, the Southline and WAPA transmission lines will be co-located on a new high-capacity line that will realign and replace the WAPA line, resulting in the current WAPA line and access road on Tumamoc Hill to be abandoned. Consequently, we believe reconstruction of the access road at this time is unnecessary and will certainly be destructive of natural, cultural and historic resources on Tumamoc Hill.

WAPA initially requested the County grant a right of entry. We have declined to do so and have now been notified WAPA believes there is no need for a right of entry to begin this work. We will inquire of our Congressional Representative as to whether there are any alternatives to this work or whether the impacts can be lessened. As currently proposed, this action will certainly impact the County-purchased Tumamoc Hill conservation area and other resources on the Hill.

CHH/anc
Attachments

c: Linda Mayro, Director, Office of Sustainability and Conservation
Christopher Straub, Chief Civil Deputy County Attorney

Memorandum

Date: September 30, 2014

To: C.H. Huckelberry, County Administrator

From: Linda Mayrhofer, Director

RE: Update: Western Area Power Administration Tucson-Apache 115kV Transmission Line Pole Replacement/ Maintenance Project, Southline Transmission Line and WAPA Request for Right of Entry to Reconstruct Easement Access Road across Tumamoc Hill

This memo provides an update on the subject project and recommends withholding right of entry for Western Area Power Administration (WAPA) to reconstruct their easement access road across County property on Tumamoc Hill at this time. We suggest avoiding unnecessary impacts to Tumamoc Hill until a decision is made by the Bureau of Land Management (BLM) regarding approval of the proposed Southline Transmission line and until a treatment plan is approved by Arizona State Parks, pursuant to a Conservation Easement conveyed to the State for Growing Smarter Grant Project No. 230802.

Background: Pima County was first notified by WAPA of the pole replacement and maintenance project in 2012, and a brief chronology of interactions with this agency is attached. While considered a "maintenance" project by WAPA that required the preparation of an Environmental Assessment, the project essentially involves reconstruction of the entire 80 mile long transmission line, replacing 149 sets of poles and re-establishment of access roads along the WAPA easement, which WAPA presumes is 100' in width. A nearly one mile long segment of the WAPA line crosses County-owned lands on the west side of Tumamoc Hill.

Tumamoc Hill is a National Historic Landmark, listed in the National Register of Historic Places, and designated a National Environmental Study Area. In our review of the WAPA Environmental Assessment



Figure 1. WAPA Apache-Tucson transmission line (dotted line)

(EA), we disagreed with the federal agency determination that this pole replacement project would have "no effect" to historic properties or the natural environment.

In response to our objection, WAPA has prepared a more thorough and expanded treatment plan for the protection of cultural resources, which we have approved, should it be needed, and a vegetation restoration plan is also being prepared for the Natural Resources Parks & Recreation Department.

Pima County also challenged the purpose and need of the WAPA maintenance project because another extensive electric transmission line project, the Southline Transmission Line (Southline), is currently undergoing review under the National Environmental Policy Act (NEPA). This project involves construction of 360 miles of new high capacity transmission lines from Las Cruces, New Mexico to the Saguaro Substation near Red Rock, Arizona. If approved, it would replace the WAPA 115KV line. To date, the Draft Environmental Impact Statement (DEIS) has been issued, and the Final EIS is scheduled to be released by the end of 2014. If approved in 2015, Southline and WAPA line will co-locate their lines on the new high capacity line, and the proposed Southline will be largely sited on the existing WAPA right-of-way.

One exception is the segment on Tumamoc Hill where an alternate route along Greasewood has been selected as a preferred route by the BLM (Figures 2 and 3). If Southline is approved, it is likely that the existing WAPA right of way crossing Tumamoc Hill would be abandoned, and the current use of the 115KV line discontinued. If the current WAPA transmission line and right-of-way are abandoned, dismantling of the 115KV line would not require the road to be reconstructed as planned, and would avoid unnecessary cultural and natural resource damage.

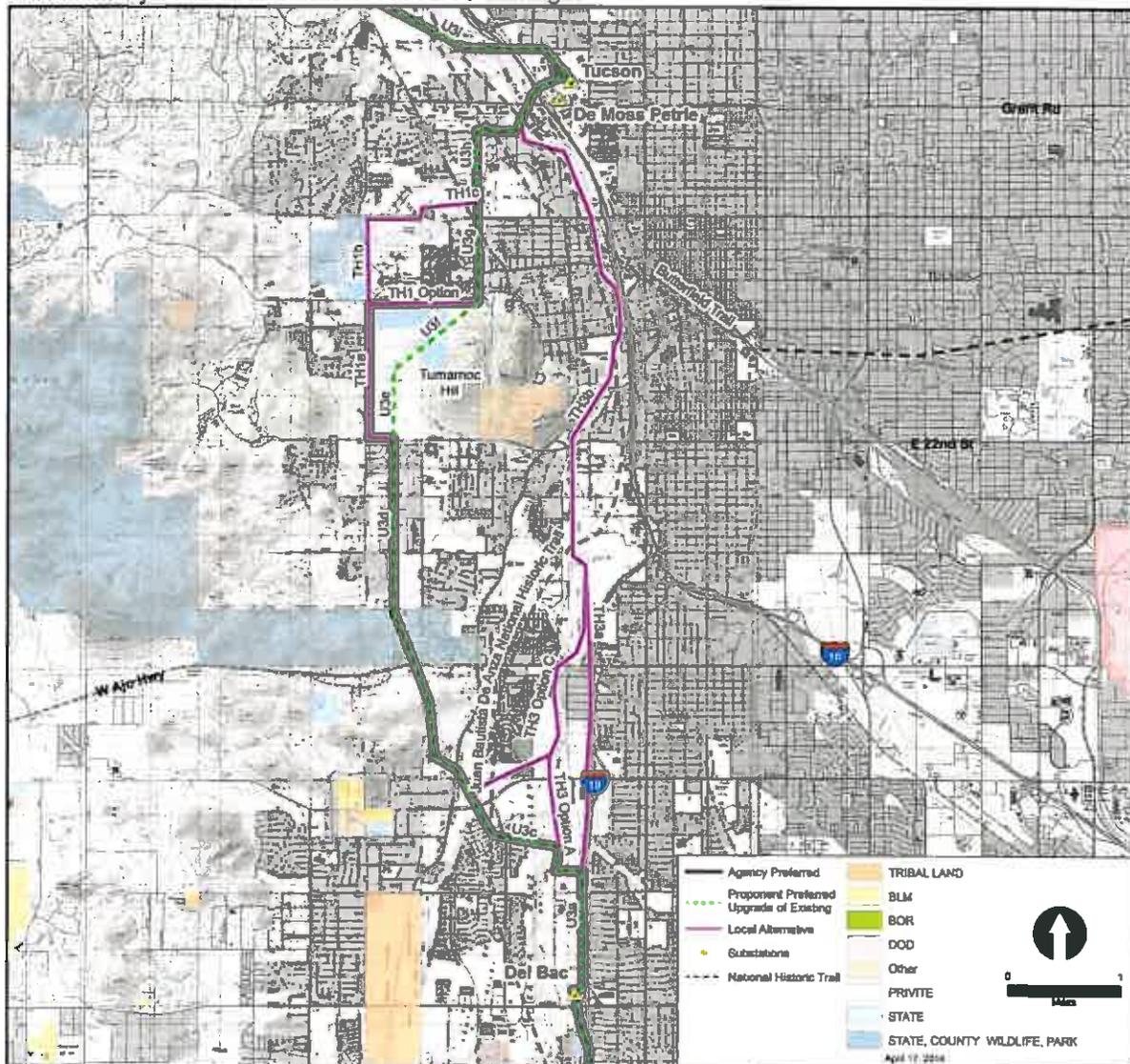


Figure 2. BLM Alternate Routes near Tumamoc Hill (purple lines)

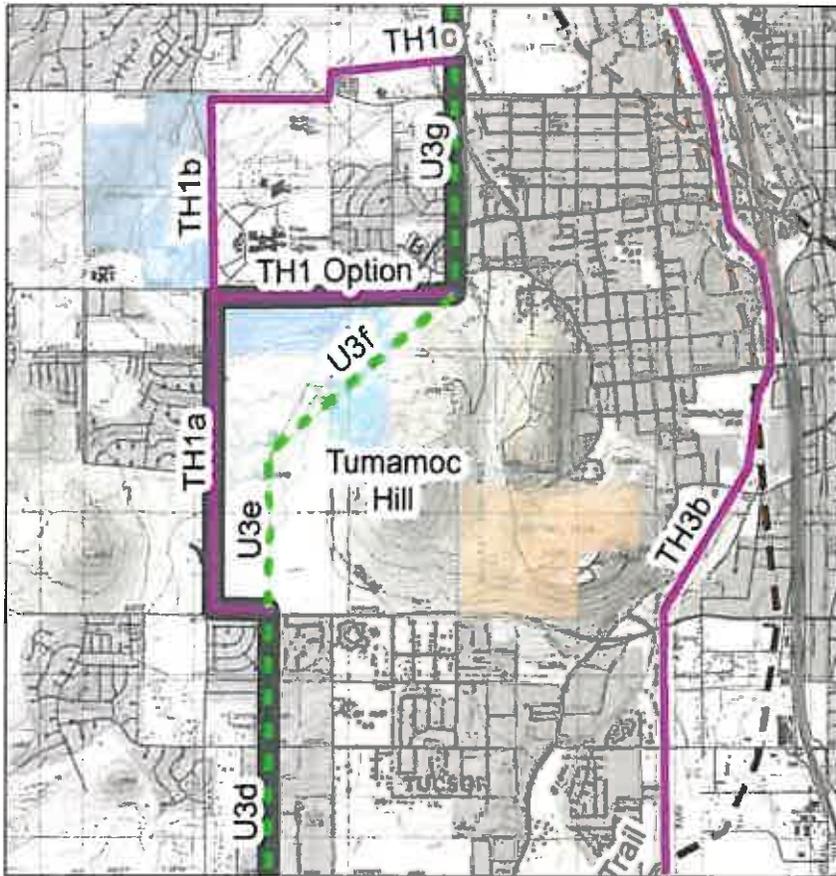


Figure 3. BLM Preferred Alternate Route (TH1a and TH1 in dark purple)

We have continued to recommend to WAPA that they wait to reconstruct both the access road and the 115KV line on Tumamoc Hill until a decision has been made on Southline. Western has now agreed to postpone pole replacement actions within Tumamoc Hill; however, they continue to insist that access road reconstruction proceed as soon as possible in the event WAPA needs emergency access (letter of September 11, 2014).

In accordance with the State Conservation Easement for Tumamoc Hill, Arizona State Parks was notified of the WAPA request to reconstruct the access road. We have not yet received their response and nor do we yet know what will be required for environmental restoration.

In summary, we continue to recommend withholding of the right-of-entry for WAPA to reconstruct the existing WAPA access road until:

1. Arizona State Parks responds and approves the WAPA monitoring and treatment plan for impacts to cultural resources in accordance with their conservation easement.
2. An environmental and vegetation restoration plan is approved by NRPR and Arizona State Parks.
3. BLM issues its Final EIS and decision to approve or deny the high capacity Southline Transmission Line project, which would realign and replace the existing WAPA 115KV line easement through Tumamoc Hill.

Please advise whether you concur with these recommendations.

- c. John Bernal, Deputy County Administrator for Public Works
 Nanette Slusser, Assistant County Administrator for Public Works
 Chris Cawein, Director, Natural Resources Parks & Recreation
 Kerry Baldwin, Superintendent, Natural Resources Parks & Recreation
 Neil Konigsberg, Manager, Real Property
 Loy Neff, Program Manager, Cultural Resources, Sustainability & Conservation

Time Line: Tucson-Apache 115kV Transmission Line Pole Replacement Maintenance Project

WAPA consulted with Land owners and managers at Tumamoc Hill (COT, Pima County, UofA, ASLD), Tribes, SHPO, ASM, Ax State Parks, NPS. The following timeline track Western's correspondence with Pima County

3/12/2012: First notice of maintenance project in an informal email, WAPA to NRPR

7/12/2012: First formal consultation letter, per NHPA Section 106, WAPA to County

8/9/2012: County response included numerous comments and corrections of errors and inaccuracies in WAPA letter. Disagreed with WAPA's Determination of No Adverse Effect County took position that proposed project would have Adverse Effect to Historic Properties. Proposed monitoring was insufficient to address effect. Questioned purpose and need of maintenance project because Southline had been proposed and was already in the NEPA process. Requested WAPA line to be taken off the Hill.

Hiatus for approx. 1 year

8/12/2013: Second consultation letter from WAPA. Posed as "new" consultation, but on same project. Expanded correspondence list, primarily based on information given by County. Corrected some errors, but many remained. Restated scope of project, now a larger project, with more poles to be replaced than originally proposed. Held previously stated position re- Effect. Had concurrence with Determination of No Adverse Effect from SHPO, Hopi, TON (with condition of Tribal monitor), White Mountain Apache (I haven't pulled the dates, but during the course of this consultation, we received copies of letters in support of the County position from Hopi, I think White Mountain Apache, NPS, other concerned parties).

9/9/2013: County response. Continue to hold position of Adverse Effect. Numerous comments and corrections on persisting errors. Called to question WAPA PA with SHPO, requested copy. Challenged determinations of effect. Proposed monitoring plan was insufficient to address effect; lacked a treatment plan. Continued to challenge purpose and need (because of Southline) and repeated request to take WAPA line off the Hill.

9/19/2013: Third letter from WAPA. Provided some requested information and made some corrections, but many "non-responsive" responses, for instance, side-stepped question of consulting with Arizona State Parks regarding their Conservation Easement. Avoided request for copy of PA by stating it does not apply. Held position on No Adverse Effect. Cited CX signed February 28, 2013 (in effect, WAPA gave itself a CX before addressing Section 106 process). Provided revised monitoring plan, still lacking adequate data recovery work plan. Instead argued the monitoring would "prevent" effect and since there will be No Adverse Effect, HPTP not needed.

9/24/2013: In-person meeting between WAPA, UofA, Pima County. WAPA agreed to consider "the feasibility of incorporating an 'extended' or 'enhanced' discovery/contingency plan."

10/7/2013: County met with ASM to discuss joint letter to SHPO arguing that the No Adverse Effect determination should be rescinded and instead, Adverse Effect should be determined.

10/18/2013: County response to WAPA. Continue to disagree with No Adverse Effect, Separate formal comments to follow.

10/22/2013: Field trip to Tumamoc Hill. Attendees: WAPA, County, ASM, EPG. Walk through to show vegetation to be removed, areas of access road to repair, discuss how pole replacements would occur, confirm proximity to archaeological features.

Early 11/2013: Sent joint PC-UofA letter to SHPO. Dr. Rosenzweig also sent letter to SHPO for the Bio. Laboratory.

11/19/2013: WAPA meeting with SHPO to discuss questions raised by PC-UofA (We only learned of this after the fact – never received response from SHPO).

3/13/2014: WAPA invited County (and others) to enter into an MOA for the Parker-Davis Power System, of which Tucson-Apache line is a part. County declined.

4/1/2014: WAPA meeting with Dr. Rosenzweig

4/24/2014: Fourth letter from WAPA to County. Letter appears to start consultation over (this letter comes at direction of SHPO to address the concerns in the joint PC-UofA letter. Much better, more comprehensive consultation with supporting documentation, extended monitoring plan.

5/21/2014: Informal response from County to WAPA, formal comments to follow.

6/18/2014: County response to WAPA. Formal comments, mostly review comments on monitoring plan

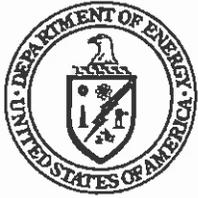
8/5/2014: WAPA sends revised monitoring plan and fifth consultation letter, dated 7/31/2014. State they are willing to delay work on maintenance project until NEPA decision is made on Southline. Still want to start access road repair as soon as possible.

8/12/2014: County sends informal, but extensive comments, requesting additional copies of monitoring plan for submittal to NRPR (to evaluate vegetation management), and to Arizona State Parks, under requirement of Conservation Easement.

9/10/2014: County sends comments on revised and improved monitoring plan (Neff sends with Mayo authorization). Approve revised monitoring plan, as submitted.

9/11/2014: WAPA sends letter delaying reconstruction of 115KV transmission line, but insisting on need to reconstruct access road.

9/17/2014: Neff phone conversation with WAPA – Jensen. Repeated request for copies. She will send (by overnight mail). She asked status of ROE request for access road repair. She insists that access road repair work must proceed. Notified NRPR and Real Property, both are holding approvals until vegetation plan can be evaluated and until OSC has approved review by Arizona State Parks. County position regarding access road maintenance work is that it should not occur until no other option is open, based on same argument as purpose and need of the maintenance project argument.



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Desert Southwest Customer Service Region
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Phoenix, AZ 85005-6457

SEP 11 2014

Linda Mayro, Director
Office of Sustainability and Conservation
Cultural Resources and Historic Preservation Division
201 North Stone Avenue, 6th Floor
Tucson, AZ
85701
Attn: Loy Neff

Re: Pima County Comments on Final Archaeological Monitoring Plan for the Tucson-Apache Pole Replacement Project

Dear Ms. Mayro:

Western is in receipt of comments sent by Pima County in response to the distribution of the Final Archaeological Monitoring Plan for the Tucson-Apache Pole Replacement Project.

Western notes the suggestion by Pima County that the access road repairs can be delayed until after a decision is made on the proposed alignment for the Southline project. Western is moving forward with the access road repairs in the event that an emergency or change in site conditions necessitates line crews accessing the Tumamoc Hill segment of the Tucson-Apache transmission line.

Western notes that Pima County accepts the revised monitoring plan (as submitted with consultation letter on 7-31-2014).

Please find enclosed five bound copies of the final monitoring plan for Pima County's internal use only. Western requests that any distribution of the monitoring plan outside Pima County administration be authorized by Western prior to distribution.

It is noted that Mr. Neff has requested to send a copy of the plan to the cultural resources consultant Pima County has hired to facilitate the removal of the TEP line. Mr. Neff also requested a copy of the plan to send to Arizona State Parks for review as required by the Grant requirement associated with the "Growing Smarter" funds received to acquire property at the Tumamoc Hill and Valencia sites. Western authorizes these distributions of the monitoring plan.

A digital copy of the monitoring plan is being mailed under separate cover to Mr. Loy Neff.

Western looks forward to working with Pima County in the development of an Memorandum of Agreement for future actions at the Tumamoc Hill property.

If you have any questions or concerns please contact our Regional Preservation Officer, Ms. Jill Jensen by email (jljensen@wapa.gov) or phone at (602) 605-2842. You may also contact myself at (602) 605-2524. Thank you for your assistance in this matter.

Sincerely,



Linda J. Marianito
Environmental Manager

cc:

Loy Neff, Archaeologist
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**TUMAMOC HILL EROSION REPAIR
PRELIMINARY SCOPE OF WORK**

EXISTING CONDITIONS

The Tucson - Apache 115kV transmission line segment west of Tumamoc Hill is accessed by a primitive road running parallel to the line and within the existing Right-of-Way (ROW). This road is located on a berm that forms a catchment for storm water runoff. The retention of water on the west side of the berm has supported a small riparian growth of mesquite trees and other vegetation; the berm also serves to detain stormwater impacts downstream. The transmission line and access road segments are located in an area set aside by Pima County for preservation as a natural open space.

Overtopping runoff flows have eroded the berm's downstream side and reduced the road to approximately half of its original width at some locations. These conditions, coupled with erosion damage further north, have eliminated surface access to the transmission line structures north of the berm.

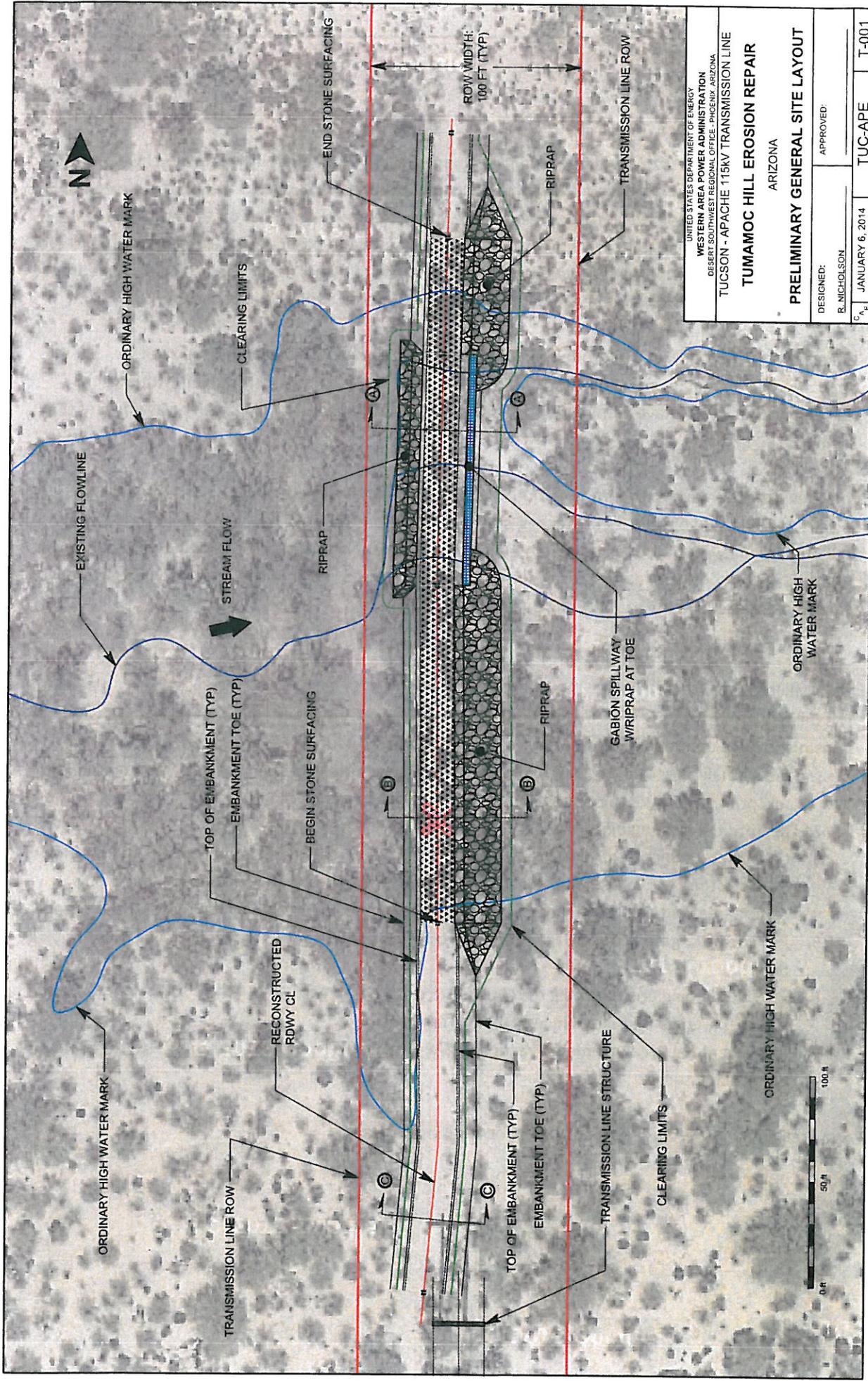
In the event of damage to the transmission line, electrical power service could be disrupted for an unacceptable period of time due to lack of access for repairs. The work necessary to restore access under emergency conditions could result in unacceptable visual impact to the designated preservation area. As a result of these factors, restoration of road access and repair of the retention berm is proposed as described in the following paragraphs.

PRELIMINARY SCOPE OF WORK

The following activities are under consideration in order to restore maintenance vehicle access along the transmission line and repair the retention/detention berm structure west of Tumamoc Hill:

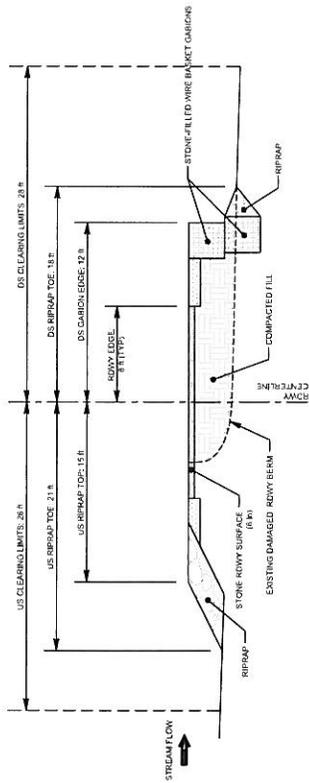
1. Clear small trees and vegetation directly impeding vehicle access and within the construction footprint. Minimize the removal of vegetation as much as possible.
2. Restore the existing berm cross section.
3. Construct a gabion spillway across the portion of the embankment subject to the highest flows. Provide stone riprap at the upstream and downstream sides of the spillway to limit scour.
4. Armor areas outside the main channel but still subject to overtopping flows with stone riprap.
5. Provide aggregate surfacing to harden the traveled portion of the roadway against overtopping flows.
6. Provide seeding and mulching to rehabilitate disturbed areas.
7. Utilize materials that blend in with on-site features.
8. Implement Best Management Practices (BMPs) to control construction runoff. Utilize dust control measures.

See preliminary drawings T-001 and T-002 for additional details.

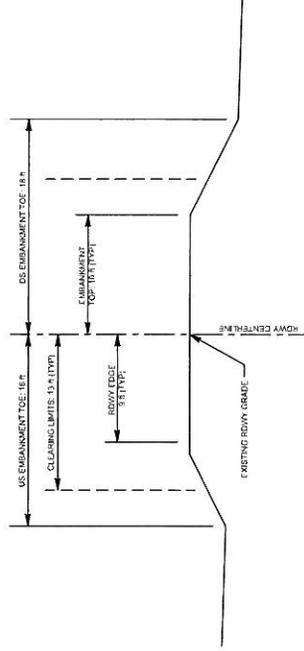


UNITED STATES DEPARTMENT OF ENERGY WESTERN AREA POWER ADMINISTRATION DESERT SOUTHWEST REGIONAL OFFICE - PHOENIX, ARIZONA	
TUCSON - APACHE 115KV TRANSMISSION LINE TUMAMOC HILL EROSION REPAIR ARIZONA	
DESIGNED: R. NICHOLSON	APPROVED:
JANUARY 6, 2014	TUC-APE
T-001	

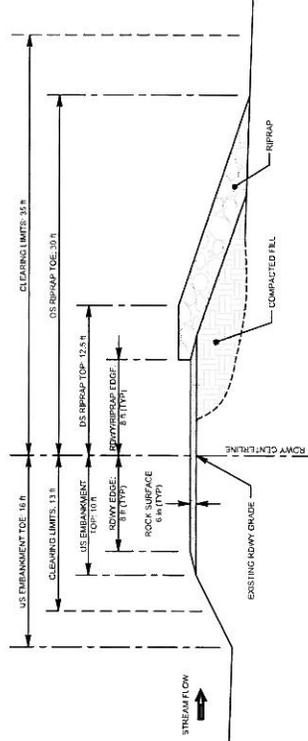
SECTION A - A



SECTION C - C



SECTION B - B



N.T.S.

UNITED STATES DEPARTMENT OF ENERGY WESTERN AREA POWER ADMINISTRATION DESERT SOUTHWEST REGIONAL OFFICE-PHOENIX, ARIZONA	
TUCSON - APACHE 115KV TRANSMISSION LINE TUMAMOC HILL EROSION REPAIR ARIZONA	
PRELIMINARY TYPICAL CROSS SECTIONS	
DESIGNED: R. NICHOLSON	APPROVED:
C ₁ A	JANUARY 6, 2014
TUC-APE	T-002