BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

LS-473

IN THE MATTER OF THE APPLICATION OF CHIMNEY CANYON SOLAR LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES §§ 40-360, ET SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE CHIMNEY CANYON GEN-TIE LINE PROJECT, WHICH CONSISTS OF UP TO TWO 500-KV OR 345-KV GEN-TIE LINES THAT WILL CONNECT A UTILITY-SCALE PV SOLAR ARRAY AND BESS LOCATED 6.5 MILES SOUTHWEST OF UNINCORPORATED JOSEPH CITY, NAVAJO COUNTY, ARIZONA, CONNECTING THE CHIMNEY CANYON SOLAR AND BESS FACILITY TO THE EXISTING ARIZONA PUBLIC SERVICE CHOLLA SUBSTATION AND IF NECESSARY THE PLANNED ARIZONA PUBLIC SERVICE SITGREAVES SWITCHYARD.	DOCKET NO. L-21367A-25-0232-00255 EVIDENTIARY HEARING

At: Flagstaff, Arizona

Date: December 16, 2025

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME II

(Pages 165 through 413)

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BE IT REMEMBERED that the above-entitled and numbered matter came on regularly to be heard before the Arizona Power Plant and Transmission Line Siting Committee at Flagstaff, Arizona, commencing at 9:16 a.m. on December 16, 2025.

BEFORE: ADAM STAFFORD, Chairman

MICHAEL COMSTOCK, Arizona Corporation Commission
LEONARD C. DRAGO, Department of Environmental Quality
SAL DiCICCIO, Incorporated Cities and Towns (Videoconference appearance.)
DOUGLAS FANT, General Public
ROMAN FONTES, Counties (Videoconference appearance.)
DAVID FRENCH, Arizona Department of Water Resources (Videoconference appearance.)
NICOLE HILL, Governor's Office of Energy Policy
R. DAVID KRYDER, Agriculture Interests
MARGARET "TOBY" LITTLE, General Public
GABRIELA SAUCEDO MERCER, General Public

APPEARANCES:

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CHMN STAFFORD: All right. Let's go back on the record.

Mr. Crockett, I understand there's a couple more exhibits you'd like to introduce.

MR. CROCKETT: Yes, Chairman Stafford. Thank you.

So in response to Member Fontes' questions yesterday about the corporate structure and insurance which we're going to talk about later today, we've prepared Exhibit CC-24.

That shows where Chimney Canyon Solar, LLC, resides within the Clearway Energy Group, LLC, corporate structure. I've distributed copies of that, hard copies to the members in the room and I've e-mailed a copy of that exhibit to Members DiCiccio, French, and Fontes, who hopefully have that now.

The second exhibit which we need to distribute is CC-25, which is a copy of the biological assessment that supports the application which was inadvertently omitted from the filed version of the application.

And so we're going to provide -- we're going to make copies of that now and distribute that to the members in the room and e-mail a copy to the members that are appearing virtually, and so I would request that

we recess until approximately 10:30 today to give us time to do that.

CHMN STAFFORD: Excellent. Any other comments from members?

(No audible response.)

CHMN STAFFORD: Members online, did you receive Exhibit 24?

MEMBER FONTES: I did. I just want to cover the things I was inquiring on for Mr. Crockett's preparation, and the applicant.

Want to know where the insurance falls. Is that going to be at the corporate? Because we're looking at decommissioning. Inform of us of how the County has informed you about any kind of requirements they have for decommissioning.

Where's the PPA going to be held at for the revenue? And what is the state or jurisdiction for the registration for those LLCs?

Thank you, Mr. Crockett. I think that would cover about everything I need.

MR. CROCKETT: Thank you, Chairman Stafford, Member Fontes. We'll be prepared to address those.

CHMN STAFFORD: All right. With that we will take a recess until 10:30.

(Recess from 9:18 a.m. to 10:41 a.m.)

CHMN STAFFORD: Let's go back on the record. Mr. Crockett, you've distributed the new exhibits, 24 and 25. 25 is the biological assessment. I'm looking to the online members to make sure they have copies of both these exhibits.

MR. CROCKETT: And Chairman Stafford, members of the committee, good morning. Thank you for your patience today in allowing us to get this exhibit copied.

We e-mailed it to Members French, DiCiccio and Fontes. It's a fairly large file, so we're not sure it went through, but hopefully it did.

CHMN STAFFORD: I got a thumbs-up from Fontes saying that he got it.

MR. CROCKETT: Okay. And then for the committee members, you have a hard copy of it. And it's I think been pushed out to your notebooks as well.

CHMN STAFFORD: It is.

MR. CROCKETT: Getting the thumbs-up from Grace, so -- so thank you. So I think we're ready to proceed.

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: Yes, Member Little.

MEMBER LITTLE: I don't think I got it.

Mr. Crockett, did you send it to me also?

MR. CROCKETT: We did not. So let's do that quickly.

MEMBER LITTLE: Thank you.

MR. CROCKETT: I'm going to ask --

MEMBER LITTLE: Go ahead and continue. I'll -- I'll get it when I get it. Thank you.

MR. CROCKETT: Okay. We need an e-mail address for Member Little. So --

CHMN STAFFORD: You want -- right here.

MR. CROCKETT: Let me take -- hand that?

MEMBER FONTES: I just forwarded it if it's helpful.

MEMBER LITTLE: Thank you.

MR. CROCKETT: That is helpful. Thank you, Member Fontes.

CHMN STAFFORD: Thank you.

BY MR. CROCKETT:

Q. Good morning, Ms. Cass.

A. (Ms. Cass) Good morning.

Q. We have -- we have copied and distributed -- let's begin with this: We've copied and distributed an exhibit which is marked as Exhibit CC-25. Would you please identify that for the record?

A. (Ms. Cass) Yes. We -- we have included CC-25.

It is the Threatened and Endangered Species Habitat Assessment that was performed by Terracon Consultants for the project.

Q. And, Ms. Cass, was this -- was this report or assessment inadvertently left out of the application that was filed?

A. (Ms. Cass) Correct.

Q. And are you prepared to answer questions on that from the committee members today?

A. (Ms. Cass) I am.

Q. Okay. Let's begin with a review of the various environmental studies that support the Chimney Canyon Solar gen-tie application.

A. (Ms. Cass) Yes.

Q. And if we could start at maybe Slide 48. There we go.

A. (Ms. Cass) Back up one slide, please.

Q. Okay.

CHMN STAFFORD: This is on hearing Exhibit 7A.

MS. CASS: Correct.

BY MR. CROCKETT:

Q. It's page 48 of hearing Exhibit CC-7A; correct?

A. (Ms. Cass) Okay. Good morning, Committee. Apologies for the delay this morning.

We're going to be starting off today diving into the environmental studies.

There were multiple environmental studies that were completed in support of this application and project that are discussed in Exhibits A through J, as well as to support environmental siting in general.

The types of studies completed include the routing analysis that was described yesterday by Ms. Shamey. We also completed a phase 1 environmental site assessment. We reviewed the land use. We completed geotechnical studies. We completed hydrology and aquatic studies, biological resources, cultural, visual and looked into noise and interference.

Ms. Shamey already discussed the routing analysis and public outreach, and we'll be speaking more on the visual simulations today.

I will be covering biological resources, noise, and interference. Dr. Huntley will be covering cultural resources and Mr. Neeley will discuss the geologic features specific to the site.

Q. Ms. Cass, would you please describe your approach regarding biological resources as detailed in application Exhibits C and D?

A. (Ms. Cass) Yes. So application Exhibit C addresses the species protected by federal or state laws

and policies because of their conservation status. It also evaluates any areas for protected -- for conservation purposes, for example, U.S. Fish and Wildlife critical habitat.

Our approach to evaluate these biological resources started with a desktop-level review. It was followed up by in-person field reconnaissance and a wetland and water delineation during that field studies it was to identify, to confirm the results of the desktop and also identify new information.

Then we went back and analyzed the results of both the desktop and the fields to assess habitat and the potential for special status species to occur. We then performed follow-up focus surveys for topics that needed more information.

In addition to the technical studies, we reached out to Arizona Game and Fish Department about the project. We received two letters from Arizona Game and Fish, which were provided in Exhibit J within the public outreach report which had recommendations for best practices to minimize impacts to wildlife.

The second letter was triggered by a change in the solar facility boundary and not resulting from any change from the gen-tie lines.

A response matrix was prepared and sent to

Arizona Game and Fish on September 23.

And Arizona Game and Fish acknowledged no further comments or questions on October 3.

Q. And Ms. Cass, the matrix of the applicant's response to Arizona Game and Fish, is that Exhibit CC-16?

A. (Ms. Cass) Yes. That's correct. That's correct, along with a copy of Arizona Game and Fish Department's e-mail acknowledging receipt.

Q. Okay. And does one of the Arizona Game and Fish letters refer to Project Pincushion?

A. (Ms. Cass) Yes. This project -- this project that we are now calling Chimney Canyon has gone through multiple name changes. Originally, and you will actually see this on the new CC Exhibit -- or CC-25 that the project is referred to as Cholla.

The project then changed names to Pincushion. It is now Chimney Canyon. This is because Chimney Canyon acquired this project from a previous developer and their name was Cholla. There was a name in the middle that we used as Pincushion. But we ultimately have named it Chimney. But in all three -- under all the names we're talking about the same project and the same project area.

Q. And Ms. Cass, so the two Arizona Game and Fish letters both refer to this project, Chimney Canyon Solar?

A. (Ms. Cass) I would need to double-check the

project name that is listed at the top, but it is in regards to this project area, yes.

Q. Okay. Thank you. And what was the -- what was the Arizona Game and Fish response to the matrix that Chimney Canyon provided addressing the comments of Arizona Game and Fish?

A. (Ms. Cass) I have it open and can just read it off exactly. And like I said, it is provided, it says, "Thank you for providing a response to the department's recommendations. The department has reviewed the response and a meeting to discuss the comments further is not necessary."

Q. And did you interpret that response as Arizona Game and Fish being satisfied with the responses that were included in the matrix?

A. (Ms. Cass) Yes, I did.

Q. Ms. Cass, would you please describe the methodology and approach, or your methodology and approach to biological studies?

A. (Ms. Cass) Yes. The map here overlays all of the different biological studies completed for the project and the survey areas.

The environmental department at Terracon was contracted to conduct the Threatened and Endangered Species Habitat assessment and the Wetland Delineation in

2023 and was updated in 2024.

These were about a 16 -- 15 to 16,000-acre study area and they're shown in orange and blue on Slide 51 of 7B.

The red boundary shows the current gen-tie corridors as well as the solar area for reference.

A desktop study -- a desktop analysis started to utilize available online resources to inform existing mapped conditions or habitat areas and included species range, species occurrence, vegetation communities, national hydrologic data, soil type, national wetlands inventory, and also checked Arizona Game and Fish Department and U.S. Fish and Wildlife databases for protected species, critical habitat and protected areas.

Field surveys then occurred over the entire 15- to 16,000 study area over seven days, in -- from September 26 and 27, 2023, and October 16 through 20, 2023. As a result of the findings of the threatened and endangered species habitat assessment, it was determined that one species, Peebles Navajo cactus, had a high potential to occur.

We then ordered species-specific presence/absence survey for the Peebles Navajo cactus in 2025, which was performed by Tetra Tech.

This survey focused on identifying whether this

plant was on site and built upon the previous study. It also consisted of a desktop review of known locations, suitable habitat and then intensive field surveys during the correct blooming periods in areas with suitable habitat. This field survey took place April 9 through 11, 2025, April 15 through 16, and April 25 through 26, all this year.

The surveyor also visited areas of known plant presence outside of the project area to gain information about suitable habitat, and positively identified the species to make observations on site of our project more accurate.

Q. Ms. Cass, please describe the findings regarding areas of biological wealth as detailed in application Exhibits C and D.

A. (Ms. Cass) So the land cover in the region is characterized by a mix of shale badlands, sand shrubland and semidesert grassland. The land cover is predominantly high desert shrubland mixed with herbaceous grassland. And there's long history of grazing in the entire area that has resulted in rangeland deterioration.

The biotic community on the Little Colorado River can be considered Great Basin riparian wetland. There are no designated or proposed critical habitat and sensitive habitat, or wildlife refuges or conservation

opportunities within the gen-tie project.

One area of biological wealth was identified within one mile of the gen-tie line. This is called the Tanner Wash area of critical environmental concern or ACEC. It is a 4,650-acre area designated by BLM and is located approximately one mile north of the existing APS Cholla substation.

This was created in 1989, and the sole purpose of it was to protect the endangered Peebles Navajo cactus, and that is the only location where this plant is known to occur on federal land.

Q. Ms. Cass, would you please describe the project's anticipated impacts, if any, to areas of biological wealth or special status species?

A. (Ms. Cass) As there are no significant biologically sensitive areas within the project's corridors, there are no impacts anticipated to that.

The seven -- there were seven ESA listed or candidate species that were evaluated, and none of these were observed on site. Only one of them had the potential to occur, and I'll continue talking about that in just a little bit.

Additionally, the gen-tie project does not contain any suitable roosting or nesting habitat for Bald and Golden eagles, although they may pass through the

area for foraging. No significant impacts are expected to Bald and Golden eagles as a result of the project.

MEMBER KRYDER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Without too much interruption here, could we go back one slide to this one? Yes.

You spoke about the designation of this area. I've forgotten, what was it properly called? With the --

MS. CASS: The Tanner Wash area, ACEC?

MEMBER KRYDER: Yes. What is so significant about it that it was specifically designated?

MS. CASS: It was specifically created because it is the only known location of the endangered Peebles Navajo cactus.

MEMBER KRYDER: And these are the little fellows standing here on this.

MS. CASS: Actually in approximately two more slides I have some pictures of this cactus. The photos here on Slide 52 of 7B presentation are some representative photos of the site. We have the sandstone wash areas on the upper left. We have the rangeland with more or less deterioration on the opposite corners of top right and bottom left, and then we also show the Little

Colorado River area on the bottom right.

MEMBER KRYDER: And what's the approximate size of this designated area? How many acres or square miles or whatever.

MS. CASS: It's approximately 4600 acres of the Tanner Wash ACEC.

MEMBER KRYDER: Okay. So that would be 10 square miles, back of the envelope. Is that --

MS. CASS: I don't know that conversion off the top of my head.

MEMBER KRYDER: Okay.

MS. CASS: I'll trust you on that.

MEMBER KRYDER: Okay. And it's the only place known for these fellows to be able to grow; is that right?

MS. CASS: Yes, that's correct. So if we can move forward two more slides. So if -- may I continue? So this slide here, we're now on slide 54 of 7A, it shows the seven species that were evaluated.

As noted, six of them have a low potential to occur or no adverse effect, so I'm just going to focus in on Peebles Navajo cactus right now.

So this is a very small, endangered, endemic cactus. The photo on the right on 54, 7B is a photo of this species. It is about the size of your

thumbnail when it is aboveground, and it goes belowground during periods of completely dry weather or no rainfall.

MEMBER KRYDER: It dehydrates on its own and goes down under the soil?

MS. CASS: Correct.

MEMBER KRYDER: Heck of a deal. Sounds like a spa.

MS. CASS: So it's only known to occur in a very small geographical area about seven miles in length by one mile in width. The only known occurrence is the Tanner Wash ACEC on BLM land, which is 1.5 miles northwest of our project. It is across -- this area is across the Little Colorado River, across the railroad, across I-40. BLM conducts annual monitoring for this species within its Tanner Wash ACEC.

MEMBER KRYDER: Excuse me once more. How many of these are there in this approximately 10-square-mile area? Are we talking about hundreds of thousands or are we talking about 15 or 20?

MS. CASS: I'll need to double -- double-check the BLM and U.S. Fish and Wildlife reports for the presence in the Tanner Wash ACEC.

MEMBER KRYDER: Okay. I would be very interested, you know, whether we're talking about preserving one of 50 or if we're talking about preserving

50 of 50,000.

MS. CASS: Well, as I'm about to say right now, this species was not observed on site on our project whatsoever.

MEMBER KRYDER: Oh, okay.

MS. CASS: So be -- using the presence/absence surveys started with by reviewing what was known at this off-site location, and it also checks the U.S. Fish and Wildlife five-year review of this species, the last report of which was dated 2022, which includes soil type mapping as a necessary habitat requirement.

MEMBER KRYDER: And how far off-site are we talking again, about feet or miles?

MS. CASS: Miles. 1.5 miles.

MEMBER KRYDER: Okay. Thank you.

MS. CASS: So the necessary habitat soil type is present within our project area. Therefore we conducted these presence/absence surveys.

These intensive field surveys took place during the collective blooming period. So I don't have a photo here of the species when it's blooming, but it has these very cute little pink and white flowers that are almost the same size or even larger than the cactus itself. And it is required to do the surveys during

blooming period, otherwise as you might guess looking for a thumbnail-sized cactus, it would otherwise be very hard to detect.

CHMN STAFFORD: Member Little, you have a question?

MEMBER LITTLE: Yes, Mr. Chairman. Thank you.

I -- during dry periods, and what time of the year did you do the survey in order to -- if they're underground they could be there and you don't know it; correct?

MS. CASS: Correct. So the field surveys took place in April of this year during three consecutive weeks. So we went out three weeks in a row in April. The surveyor also then went to the Tanner Wash ACEC, 1.5 miles away, and was able to successfully identify the species in that area, took that information and went to our project area and was not able to find any.

MEMBER LITTLE: Thank you.

BY MR. CROCKETT:

Q. And Ms. Cass, if I could just make sure we're clear on the record.

So the Chimney Canyon Solar project is south of Interstate 40; correct?

A. (Ms. Cass) Yes.

Q. And the area where Peebles cactus -- Navajo Peebles cactus are known to exist is north of Interstate 40; correct?

A. (Ms. Cass) Yes.

Q. Okay. And I think I recall that a square mile is about 640 acres, so just doing a little quick math, I think the area, you mentioned 4600 acres. I think that would be about seven square miles in size? Does that sound right to you?

A. (Ms. Cass) Yes.

Q. Okay. All right. Please continue.

A. (Ms. Cass) I'll also just point out this map that we have on Slide 54 of 7B. This is the snippet of the path that the surveyor took of our project area.

As you can see, they crisscrossed back and forth cross the corridor and then did lines in opposite directions as well. And this is the way that they conducted their surveys for the presence/absence detection.

Q. And Ms. Cass --

MEMBER KRYDER: There's a little -- oh, go ahead.

BY MR. CROCKETT:

Q. Just to be clear, this area that we're seeing the map, is this in the area where Peebles cactus exists

or is this on the Chimney Canyon Solar project area?

A. (Ms. Cass) This map is the Chimney Canyon gen-tie area within the soil type habitat requirements.

Q. Okay. So you searched for Peebles cactus in an area which had suitable habitat, and this shows the search, the -- basically the footprint of the search; is that right?

A. (Ms. Cass) Yes, that's correct.

MEMBER KRYDER: And what are the little white dots representing?

MS. CASS: So there are numbered areas where photos were taken for the -- it's little green numbers and little blue numbers. They're a little bit hard to see. So those are all photo points.

MEMBER KRYDER: Okay.

CHMN STAFFORD: And this is the only part of the corridor that had the suitable soil for this cactus?

MS. CASS: Correct.

CHMN STAFFORD: Thank you.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: Sorry, I'm going back. I don't know where the October 3 letter is from Game and Fish, I am looking at Appendix G, Arizona Game and Fish

Department communications, so I thought all of them would be here. But you mentioned there's an October 3 letter where they say there's no further need for consultation or --

MS. CASS: Yes. That was, I think CC-16 is where that's provided.

MR. CROCKETT: Okay. That's right, so Chairman Stafford, Member Hill, if you look at Exhibit CC-16, the first five -- four or five pages are a blue matrix where --

MEMBER HILL: Yes.

MR. CROCKETT: -- the company has responded. And then the last couple of pages is the e-mail from Game and Fish where they -- that's what Ms. Cass read into the record a little while ago.

MEMBER HILL: That's what I was trying to find. Okay. Thank you. Sorry, just wanted to go back and make sure I saw everything.

BY MR. CROCKETT:

Q. Okay. Ms. Cass, go ahead and continue, please.

A. (Ms. Cass) Thank you. So just to conclude the Peebles Navajo cactus discussion. This species was not observed on site. Therefore no impacts to this species is anticipated, nor to any of the other listed species that are -- that were presented or evaluated.

Q. And Ms. Cass, I apologize for continuing to interrupt you, but just for clarity's sake, so the species that we're talking about are listed on Slide 54 of Exhibit CC-7A?

A. (Ms. Cass) Correct.

Q. All right. Thank you.

A. (Ms. Cass) We also looked into -- so we also analyzed migratory species that might use this area. And the small disturbance footprint and short construction timeframe is going to result in minimal impacts.

For other nonlisted species, there may be minor impacts to individuals, but no impacts to population viability.

The lack of impacts is largely due to the nature of the project. The disturbance area is just going to be the poles and access roads with minimal vegetation removal. This was also designed to be collocated with other facilities to the extent possible. There is a short construction duration. And once operational, wildlife can continue to move through this area.

In total, no critical habitat or sensitive wildlife refuges are present on site and no significant impacts to listed migratory or nonlisted species. Therefore, while this project may impact individuals, both wildlife and plants, it's unlikely to result in any

impacts at the population level for species.

Q. Ms. Cass, would you also speak to the two wetland water jurisdictional delineations that were performed?

A. (Ms. Cass) Yes. So surface water and hydrology was discussed in Exhibit C of the project's application. Similar to the wildlife studies there were two reports that were completed. The first was by Terracon.

They were contracted to conduct a wetland delineation in 2023 and 2024, which included the approximate 15,000 study area. And ultimately delineated 16 aquatic features within the gen-tie project corridors that had the potential to be considered jurisdictional.

The Chimney Canyon gen-tie will also have to cross the Little Colorado River in order to enter the Cholla substation. Because of that, and the presence of numerous existing and planned transmission lines that are also crossing through this area that come into the substation, we have a little bit more engineering constraints, and we wanted a higher level of information.

Therefore we ordered a subsequent delineation that was prepared by Tetra Tech focusing on this area. This was an approximate 250 study area as shown in the yellow boundary as shown on Slide 55 of 7B. The results of the delineation are provided here.

The next slide, which is 56 of 7A, shows the results of the desktop study with the national hydrography dataset and national wetlands inventory, but I think it also shows the 10-year floodplain data in the purple color.

With -- we will be spanning -- the results of this delineation resulted in the boundaries of the Little Colorado River and Tanner Wash. Tanner Wash is the name of the tributary to the Little Colorado River that's kind of shown on the right-hand side in the lighter blue color on slides -- the B slide presentations.

We'll be spanning both of these features as well as all other jurisdictional features, and no poles will be placed within waterways.

CHMN STAFFORD: Member Fant, did you have a question?

MEMBER FANT: Thank you, Mr. Chair. I got a few questions.

Let's start with a couple simple questions. Since this is an old cattle grazing area, are there any old water tanks out on the area where the solar panels will be deployed?

MS. CASS: We will need to double-check that because this has been historically used.

I'll defer to my colleague, Mr. Almquist

here, to answer that.

MR. ALMQUIST: Chairman Stafford, Member Fant, I do believe there are more than one water tank out there. There is a small amount of cattle that graze, so it would be a requirement at that point. But speaking on this specific location, happy to reach out to the landowners and find out where those are if that's helpful.

MEMBER FANT: That would be great because these water tanks are, even though they're artificial, they're perennial water sources, which are used by the wildlife, too. So if there would be some way to maintain those water tanks, not necessarily in the identical position, but those water tanks could make a difference to the wildlife in and around the project area.

MR. ALMQUIST: Absolutely.

MEMBER FANT: I've got a bunch more questions if I can keep going, then.

CHMN STAFFORD: Go for it, and then after you, Member Little.

MEMBER FANT: Okay. Let's talk about bats.

Did anybody, when they were checking the area, go out there with a net and try to catch any bats any given night? Maybe throw a net out in between the project area and Chevelon Creek just to see if any bats

are --

MS. CASS: No, we did not conduct that.

MEMBER FANT: So we're not sure if there's any bats out there that are --

MS. CASS: As part of the threatened species habitat assessment, we did include an evaluation of habitat for special species of bats, and looked into each of those as well.

MEMBER FANT: In those species of bats, where do they fly in the air column? Are they low flying near the ground, midair column, high air column? If you know. Because if there's water, if there's water tanks out there or if there's none, there's only Chevelon Creek, you assume the bats are probably moving towards those resources at nighttime to get a drink, so I was curious of what type bats they are.

MS. CASS: So the bats that were evaluated include Pale Townsend's big-eared bat and spotted bats.

There is suitable habitat present for these species, but they're -- and I'll start with Pale Townsend's big-eared bat.

They typically inhabit pine forests and arid desert scrub habitat. However, they're almost always near caves and other roosting areas. These features were not present within the gen-tie project.

For spotted bats, it's often also found in habitat ranging from arid to Ponderosa pine forests and marshlands. They prefer open habitat and they roost in cliffs and stone outcrops.

So while they may use the gen-tie project area for foraging, due to the lack of roosting habitat, no significant impacts are anticipated for these species.

MEMBER FANT: Assuming they still have access to water. So I'm making an asterisk there.

Going back to the water tanks, of course. That would be my one suggestion is a follow-up, not mandatory but you might want to have your Terracon folks look for or make an effort to check for bats traversing the area, find out what's out there.

MS. CASS: So we will -- specifically addressing the water sources that you're talking about, in our coordination with Arizona Game and Fish Department, they did not include any requests for us to maintain water tanks on site.

But rather, for the solar portions of the facility which is beyond the scope of this committee, they did request that we avoid the waterways that are cutting through the site. So that is something that we will be doing in response to Arizona Game and Fish Department's recommendations.

MEMBER FANT: Let's switch to Pronghorn antelope. There's a significant amount of development out here, and I don't know if anybody's looked at the cumulative effect of the development on antelope or if there's even any antelope in this area. Potential antelope area. They may inhabit a little higher elevation.

So is there any fawning grounds out here for antelope or antelope herds active out here?

MS. CASS: I will note that I personally did observe Pronghorn at the site. And they seem to be having a fun time running through this area.

This -- there are no known fawning locations that are within this area.

The Arizona Game and Fish Department does kind of designate game management units all throughout the state, and this project area falls within one that is called Game Management Unit or GMU-4B.

This is a very large unit. It's about 1300 square miles and includes the area north of Winslow down to Tonto National Forest. The species that Arizona Game and Fish Department anticipates could be in this area for hunting is antelope, black bear, elk, mountain lion, deer, Merriam's turkey, and tree squirrel. But, again, I'll note that includes a much, much larger area

than just the Chimney Canyon gen-tie project.

MEMBER FANT: Do you intend to have fencing out and around your project?

MS. CASS: There will be no fencing for the gen-tie line.

MEMBER FANT: Okay. But -- okay. I'll just simply mention that Pronghorn antelope don't jump. They run really fast, but unlike a deer or an elk, deer or elk will jump over a fence, fence -- barbed wire fence has no effect on a deer or an elk, generally. But antelope don't jump fences.

So routinely where antelope are located they tend to reduce the number of barbs they put on the barbed wire fences. I'll mention this in terms of your solar facility. And you might want to think out your fencing security arrangement so you didn't necessarily inhibit where the antelope are running.

MS. CASS: So as noted, the Arizona Game and Fish Department did provide recommendations for the solar portion of the facility which includes leaving wildlife migration corridors. We will be incorporating this into our solar facility design.

Arizona Game and Fish Department did not have any concerns over the gen-tie line project due to the lack of fencing and lack of ground disturbance and

there should be no issues with wildlife moving underneath the gen-tie poles.

MEMBER FANT: Okay. Thank you.

Let's switch to Monarch butterflies. Even though they're only migrating through the area, if you plant a little milk thistle out there, they enjoy milk thistle. Just a thought to help them along the way while they're migrating. Throw a few milk thistle seeds down.

MS. CASS: So our threatened and endangered species habitat assessment did include an assessment for Monarch butterfly. A requirement for Monarch butterfly breeding is the presence of milkweed species.

This species was not identified anywhere in the project area, so although adults might be traveling and migrating through this region, it is not breeding habitat.

MEMBER FANT: No, I'm not worried about breeding habitat, I'm worried at eating. Not breeding, so.

So I'm just suggesting it might be a good idea not necessarily put it out amongst your panels, but you could throw out a little milk thistle out there and that would help the Monarchs as they're moving on their migratory routes.

So those are all the questions I have.

Thank you.

CHMN STAFFORD: Thank you. Member Little.

MEMBER LITTLE: Thank you, Mr. Chairman. I read the Terracon -- well, I read the whole application, but the Terracon report does not include the 2A and 2B transmission line areas. Was a study done of those two areas that was as extensive as the Terracon study was for the rest of the solar panel field and the northern transmission line?

MS. CASS: Yes. So I'm going to go back to Slide 51 of 7B, which includes a map of all of the different studies.

It was I think earlier noted yesterday at some point that Chimney Canyon holds additional site control for the project beyond the area that we identified as solar panels, which was an area shown -- it's an area south of the solar panels.

So I'm going to use the pointer to highlight that. It's this area down here.

MEMBER LITTLE: Entire corridor for 2A and 2B; is that correct?

MS. CASS: So it includes majority of the corridor for 2A except for as it heads south into Sitgreaves. There are portions of 2B that went beyond the scope of the original Terracon study, and so these --

these sections were analyzed from a desktop perspective for just the major, you know -- end of national wetlands inventory, national hydrography data set, and other desktop.

However, it is our expectation that we are going to be doing additional surveys for all of our final gen-tie line route and work areas prior to starting construction from our reconnaissance that was completed, the areas of 2B which are outside the original Terracon report are consistent with the general region of the area.

MEMBER LITTLE: That answered my question. Thank you.

MEMBER COMSTOCK: Mr. Chairman.

CHMN STAFFORD: Yes, Member Comstock.

MEMBER COMSTOCK: If we could in the reference to, I think it's CC-25, the Arizona Environmental Online Review Tool Report, page 3, line 2, there's three recommendations by the department there.

Can you expand on what those recommendations were and your application to those recommendations?

CHMN STAFFORD: What page are you referring to?

MEMBER COMSTOCK: Page 3 of 12, Item 2 in

the list that says Recommendations Disclaimer, Item 2. There was three recommendations made by the department under the authority of the Arizona Revised Statute Title 5, 17 and 28. I just wondered what expanding those out, what were the recommendations?

MS. CASS: I'm sorry. I'm still unable to figure out what document you're talking about.

BY MR. CROCKETT:

Q. So Ms. Cass, if I could --

MEMBER COMSTOCK: Yes, sir.

BY MR. CROCKETT:

Q. -- correct you there. If you go to the back of the document, there's pages 1 of 12. And we're looking at page 3 of 12, and it's Item Number 2 on that list?

MEMBER COMSTOCK: Yes, sir. It talks about recommendations by the department.

BY MR. CROCKETT:

Q. And I believe Member Comstock is asking what those recommendations are.

MEMBER COMSTOCK: And the reactions to those recommendations. Thank you.

MS. CASS: I think these disclaimers that are listed here at the end of this report are just about this document itself and that this document is the recommendations. For the more specific project-specific

recommendations made by Arizona Game and Fish Department, I would direct you to the two letters that they made when they got a boundary of our project and wrote us a letter.

MEMBER COMSTOCK: So can we see those on the board? Are they referencing the Title 5, 17 and 28, the letters?

MR. CROCKETT: And we have -- we have the letters from Arizona Game and Fish that is in the application, but maybe a better way to address those, Ms. Cass, is by looking at CC-16 where we have a matrix of what the recommendations are and what the company's response is.

We can -- shall we put those on the screen right now?

CHMN STAFFORD: It looks like if you go to pages 10, 11 and 12 of that same document, those appear to be recommendations from Arizona Game and Fish as well.

MEMBER HILL: It's the very last part of the application.

MEMBER HILL: So --

CHMN STAFFORD: Can you get to the microphone? There's one right there.

MEMBER HILL: The Game and Fish letters are the very last part of the application. It's binder 2, and it is appendix GF. You actually want to see the

letters, they're right here, so you can actually see the --

MEMBER COMSTOCK: I can look at the letters. I'm just curious what the recommendations were and what their response to the applicant was.

MR. CROCKETT: Sure. Thank you, Chairman Stafford, Member Comstock. Our Exhibit CC-16, which I believe is on the screen now if we could go back to the first page of that exhibit.

So what -- what the applicant did is they took those two letters from Arizona Game and Fish and there was quite a bit of overlap because the original letter was based on an earlier version of the project and it was expanded and they issued a subsequent letter. But what Tetra Tech has done here is they have taken the Arizona Game and Fish recommendations and then they've got -- to the far right column, they've got the Chimney Canyon response.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes. Member Hill.

MEMBER HILL: I just suggest that they didn't -- they didn't respond to all of the Game and Fish recommendations. So that's why I wanted to make sure my colleagues actually saw the Game and Fish letters. And I was wondering if you could talk a little bit about the

things that you didn't respond to and your rationale for that.

And then we can go through the things that you did respond to.

MR. CROCKETT: Thank you, Chairman Stafford, Member Hill.

BY MR. CROCKETT:

Q. So Ms. Cass, would you describe how the matrix was prepared?

A. (Ms. Cass) Yes. The matrix focused in on areas where there was a very specific actionable recommendation which would impact the studies that we -- the studies that we needed to do during the preconstruction phase of the project. Or significant post-construction items. For, like particularly requests for additional surveys. And those were the items that were addressed.

Is there a particular recommendation that you would like me to speak to that was not included in the table?

MEMBER HILL: Will there be lighting associated with this transmission project?

MS. CASS: No.

MEMBER HILL: The construction recommendations around escape ramps, wetlands and other things, where do I find that in this matrix?

MS. CASS: Clearway Construction's best management practice always include either covering trenches at the end of the day or including ramps. We're not expecting to need any sort of trenches for the gen-tie portion of the project.

MEMBER HILL: Okay. Can you submit your best management practices to us so we can review those?

MS. CASS: We don't typically have that written down in a formalized process. But those are always discussed with our EPCs during the bid process and included.

One of the -- there is a separate department within Clearway that manage the construction and operations of projects from an environmental perspective. And they always include to -- make sure to include worker environmental awareness training for every single one of our projects, and they also help come up with site-specific recommendations or best management practices that we as a company want to employ for each of our projects, even if we don't have a permit in hand that says thou shalt include ramps in trenches.

MEMBER FONTES: Mr. Chairman.

CHMN STAFFORD: One minute.

MEMBER HILL: Hold on.

CHMN STAFFORD: Member Hill is still asking

questions.

MEMBER HILL: So you train for this, I assume that you write down the site-specific best management practices at some point when you're --

MS. CASS: Yes, those are included in the worker environmental awareness training that is prepared for each project. That is typically prepared closer to construction, however, so one has not yet been prepared for this project.

MEMBER HILL: And that will include the construction recommendations that Game and Fish had around avoiding sensitive areas and providing escape ramps and other things.

MS. CASS: Correct.

MEMBER HILL: Okay. Invasive and exotic species. You didn't address that.

MS. CASS: So we -- there was a little bit of an informal view of invasive and exotic species that occurred during the reconnaissance portion of Terracon's report, so we have an idea of what that is.

All of our -- we're not expecting to need any sort of import material for the gen-tie portion. We also try to avoid that for the solar portion as well and balance the site. So we will not be expecting bringing in any sort of invasive species to the site as a result

of that.

MEMBER HILL: I assume that you wash equipment with some frequency before you bring it on to site? That's part of the construction --

MS. CASS: Correct.

MEMBER HILL: The workers' environmental awareness piece.

MS. CASS: Correct.

MEMBER HILL: Okay. It mentions iMap. Do you guys use iMap at all?

MS. CASS: iMap. I am not familiar with that program.

MEMBER HILL: Then you probably don't use it. It's an invasive species mapping tool that is generally open to agencies and others so that we can actually track the spread of certain species and the population of certain species, and where they're moving.

A lot of developers use it to determine if there's invasive species on a project as part of their permitting process. But I always like to ask have you considered contributing to that because your staff would have knowledge of movement of invasive species.

In a place like this, and I bring it up, this part of the state and this private land probably doesn't have a lot of biological diversity, or biological

information available.

I mean, we rely on databases and surveys and public information, but if the public or if the agencies have never been on a property, we just don't have a lot to go on. We don't -- I mean, it really is hard to do a desktop review of a place like this because there isn't any data to look at. You've got a soil map and you can look at topography and make some assumptions about things.

But I always -- I always am looking for companies who find it in their interest and best practice to actually contribute to data, to inform the larger discussion. So I just wondered what do you do with invasive species, how do you manage them, do you report them? Those kinds of things.

MS. CASS: Clearway does not have a policy to participate in this particular database that you're talking about. We -- for the solar portions of our project, we do create operational management plans for vegetation so those can be operated in a way that doesn't impede the solar panels themselves or the workers on the site.

Oftentimes if there is an invasive species that is growing out of control that impedes operations, so we have a vested interest to make sure that that does

not occur.

For the gen-tie portion of our project, due to the limited ground disturbance that's going to be occurring, and also just the nature of poles crossing through a site, we're not expecting there to be really either many impacts on invasive species to our projects nor our project contributing to it either.

MEMBER HILL: So roads. Roads are my biggest concern because those maintenance roads underneath those lines become a corridor for introducing invasive species. How do you manage access to the roads there?

MS. CASS: I'll defer to Mr. Almquist for this.

MR. ALMQUIST: Chairman Stafford, Member Hill, would you mind repeating your question, please.

MEMBER HILL: Roads are an access point for invasive species. When we put roads in places that are relatively undisturbed, it attracts traffic nuisances. That's how I feel like invasive species most often get brought in on.

So how are you managing road access to the roads that you're building underneath these transmission lines to reduce the potential for bringing on more invasive species?

MR. ALMQUIST: It's a good consideration that you raise in how we design our site access infrastructure in regards to invasive species. Frankly, I don't know if I have the data to speak on that portion. My main involvement regarding site road access is -- or the logical engineering side of things to make sure that we access to all available parts of the site.

But I would want to do a little bit more research before I properly answer your question. And defer a little bit to our engineering group, I'm happy to reach out them now to find more clarity.

MEMBER HILL: And mostly if you don't allow access, if you have a way of discouraging and making it less of an attraction for nuisances, then I worry less. But I do feel like when we build these transmission lines, the roads become an access point that the public trespass frankly, use frequently. And their -- their access there often introduces other species and creates more challenges for invasive species.

MR. ALMQUIST: I can't say the specific site road access, so the roads that will be used on site in between panel arrays and whatnot, those are closed off to the public for the --

MEMBER HILL: It's the transmission --

MR. ALMQUIST: Yes, that's --

CHMN STAFFORD: One at a time, please.

MEMBER HILL: Thank you.

MR. ALMQUIST: I think I got called for it yesterday, too.

But regarding the transmission roads, it's understood. Let me get a little bit more insight on that and answer your question.

MEMBER HILL: Okay. And what I'm hoping to hear, but like, tell me if I'm wrong, is a lot of this is on private property, there are gates, there's not going to be a lot of access. But I just think that that tends to be a vector or vehicle for a lot of invasive introductions.

The last question I think I have on this front is you mentioned there will be additional surveys for design of the gen-tie. Can you talk about what those additional surveys will look like?

MS. CASS: I think my next slide talks about that. I can either move on to that or address other questions if there are any.

CHMN STAFFORD: I have one quick question.

These habitat assessments, this is for the entire project including the solar array and not just the gen-tie; correct?

MS. CASS: Correct.

CHMN STAFFORD: Okay. Thank you. I believe Member Fontes had a question.

MEMBER FONTES: Thank you, Mr. Chairman. I'd like to ask the applicant how far along you are on design and with respect on phase 1 to preparing for the EPC contract RFP to award that.

MR. ALMQUIST: Chairman Stafford, Member Fontes, thank you for the question. The project's gone through several different iterations of design at this point. We do have exclusivity with the EPC contractor that will be working on the site and working through some of the final bids with them to try to understand a little bit of the schedule implications right now that are present just given the challenges of procurement. So if I were to generalize, so we are more so at the 10 percent design stage and kicking off the 30 percent design stage in the upcoming months.

MEMBER FONTES: I found Ms. Cass's response unacceptable for the purposes of the note on the planned mitigations that you're going to float down to your EPC contract. I recognize that you are a publicly listed company. This is not your first project.

My fellow Member Hill asked what were best practices. What I'd like you to do is think through that response in terms of what you've done on similar projects

for the environmental monitoring during construction and then also for the life during the O and M.

Look at that contract if you have draft language in there from your legal or procurement shop or look at another project and then come back to us with a more prepared answer.

I think we need that. We've had other project developers come in with this similar answer, we've asked them to go and check and then come back with something that we can put on the record to assure the public and to address these concerns.

So if you could, Mr. Almquist, I'd like to put that one back on you since you're the developer as opposed to just the environmental folk, but relate it back to how those mitigations are. Appreciate that.

MR. ALMQUIST: Understood. Member Fontes, do you mind if I just clarify the question, make sure I encompass your entire ask?

Just understanding the best practices for monitoring environmental issues during construction and during operations based off of our previous project, environmental and wildlife impacts.

MEMBER FONTES: That's correct. Or if you have something in a draft EPC contract that you're about to send out for bids, you know, let's look at that,

because that's also going to have those things that you're going to require.

MR. ALMQUIST: Understood. Thank you.

MEMBER FONTES: The other thing on that, and then what's your role -- what's your role as the constructor-operator-owner in terms of ensuring that's going to monitor. Are you going to do that? Do you have a construction manager? Are you going to delegate that to Terracon and have them monitor?

MR. ALMQUIST: Thank you for the clarification.

MEMBER FONTES: Yeah, we're just looking to capture this for the record as we've done with other developers. Thank you. Member Hill, I defer back to you but I think that's something we've seen before.

MEMBER HILL: Thank you.

MEMBER FONTES: Thank you, Mr. Chairman.

CHMN STAFFORD: Thank you.

Member Hill, you had an additional question.

MEMBER HILL: Or just kind of a comment or suggestion, because I -- thank you, Member Fontes, I was kind of turning over in my head the worker environmental awareness requirements was kind of a new concept for me, so I was turning over in my head, what I'd rather see

what that looks like and confirm that those things are in there, or would I rather see some amendment to Exhibit CC-16 that identifies what the practice will be in response to Game and Fish. And as Member Fontes says, the roles and responsibilities of the different parties associated with this.

I think there's a couple of options here, but the applicant can kind of figure out what might work best for them. So those are my thoughts.

MEMBER COMSTOCK: Mr. Chairman.

CHMN STAFFORD: Yes, Member Comstock.

MEMBER COMSTOCK: Somehow we went down another road here, but I still haven't heard the answer to the question I asked initially. So let me ask it another way.

On page 3 of 12 in the recommendations disclaimer, line Item 2, are the Title 5, 17, and 28 referenced to the Cholla array facility, or is it the CECs that we're responsible for? And if those recommendations are for the CEC process, then I don't see them in that letter. So thank you, Member Hill, for the opportunities to read the letters, but I still haven't heard the answer that I initially asked for.

MR. CROCKETT: Well, and Chairman Stafford, Member Comstock, just -- I think that the -- what you're

reading from, these are disclaimers on -- well, just looking at, for example, Title 5 in the parenthetical it says amusement and sports, I think that title deals with sports facilities, amusement park kinds of things, which I don't know would be relevant here. I think that might just be boilerplate-type language.

Title 17, Game and Fish certainly would.

Title 28, transportation, this is not a transportation project, so I don't think that would be relevant here.

But as to Game and Fish, what we have done is we've taken the Game and Fish recommendations, we've evaluated them, we've included them on Exhibit CC-16, and as Member Hill points out, we haven't addressed everything in the letters. But the things that were not addressed in the letters I believe Ms. Cass testified were things that were not relevant to the gen-tie project. For example, like lighting on the structures.

And so I had not forgotten your question. I was intending to circle back and just see what your preference would be.

We can -- Ms. Cass can walk through these Game and Fish recommendations and talk about the company's response with you if that would answer your question on this one.

MEMBER COMSTOCK: Mr. Crockett, I appreciate the clarification. I'm just reading the first part of this statement that said recommendations have been made, and it lists three categories.

So unless I missed English 202 in high school, sounds to me like there's three recommendations in this that were addressed by the department.

MR. CROCKETT: And Chairman Stafford, Member Comstock, look just reading at this, I'm inclined to believe -- we can do a little more due diligence on this -- I'm inclined to believe that this is boilerplate disclaimers like you see in contracts where there's a list of disclaimers.

And as I see them, two of the seven -- I mean two of the three would not apply here. And I don't think -- I'm pretty confident that there are no recommendations in the Game and Fish letter that would fall under Title 5 or under Title 28. And I'd need to look at Title 17, but I assume that's where the authority falls for Game and Fish, and that's where the authority for those recommendations which are then addressed in Exhibit CC-16.

And I think that's the best answer I can give to that question right now.

MEMBER COMSTOCK: Thank you. Perhaps we

can come back later if you've had some more time to look at it.

MR. CROCKETT: Okay.

MEMBER COMSTOCK: I understand. Thank you.

CHMN STAFFORD: This document you're looking at that's attached to CC-25, that's the results from the Arizona Game and Fish online review tool, isn't it? It's the report.

MS. CASS: Correct.

CHMN STAFFORD: Okay. Doesn't it -- don't -- I think we've seen a few of these. Don't they spit that same language out every time you get the online review tool report?

MS. CASS: Yes, that's correct.

CHMN STAFFORD: It's not something specific to this project. It's just -- I think it's the boilerplate language that he was talking about. And then they have -- and this one here just kind of gives you a reference. It has some, one of the standard recommendations you see at the last few pages of that report. This is kind of the starting point, and then they've had correspondence with Game and Fish to address specific things for the project.

I'm assuming for the solar project, you've -- they've talked about fencing and having the gap

at the bottom to allow smaller animals to move through the area unimpeded.

MS. CASS: Yes, they did provide their reference to their wildlife-compatible fencing recommendations.

CHMN STAFFORD: Okay. And is that included in this matrix in CC-16?

MS. CASS: I will need to double-check if that one is in there. But we did review Arizona Game and Fish Department's wildlife compatible fencing recommendations. And generally speaking that is not applicable to the gen-tie portion because there will be no fences.

CHMN STAFFORD: Right. I understand that.

All right. And Member Hill's been waiting, and then after her, Member Fant.

MEMBER HILL: Just a couple more questions as I'm trying to marry up all the things.

CHMN STAFFORD: Oh, I meant Member Little.

MEMBER HILL: Oh.

MEMBER LITTLE: Thank you, Mr. Chairman. I'm just wondering, Member Hill outlined a couple of possible ways to address the recommendations in the Fish and Game letter or Game and Fish letter that were not in CC -- what is it, 16, I think.

I'm just going to suggest a further one and that is to just include in the condition where that exhibit is referenced I think it's Condition 5, that the applicant agrees to comply where applicable to the recommendations that are in the Game and Fish letter. Just a suggestion as a possible way to also handle this. And that would cover the things that were in that Game and Fish letter that were not addressed in that exhibit.

MR. CROCKETT: And Chairman Stafford, Member Little, I think that's something we can certainly look at and talk about. I assume that the condition you're referencing would be limited to as applicable to the gen-tie project and not the solar project.

MEMBER LITTLE: I believe that is always the case.

MR. CROCKETT: Thank you.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair. Just one question on the June 23, 2025, letter from AZGFD, they talked about -- and this is not relevant, this is not jurisdictional. It says the facility out there may be in the -- there may be Bendire's Thrashers out in that area and recommended additional surveys for that particular type bird.

Do you know, was that an issue also in the corridor for the transmission line? That particular type bird? And that's not a trick question, by the way, just out of curiosity.

MS. CASS: No, we don't believe any impacts to Bendire's Thrasher is anticipated. That one is actually one of the items on page 3 within our matrix if you go forward two pages. We discuss that species. And that was acknowledged by Arizona Game and Fish department.

MEMBER FANT: Thank you.

CHMN STAFFORD: Member Hill.

MEMBER HILL: A couple of other items that I wanted to touch base with you on were in either the July 8 letter or June 23 letter from Game and Fish.

One of them was about bird diverters. How are you looking at the crossing at the Colorado River and the potential need for bird diverters there? The Little Colorado River, to be clear.

MS. CASS: Thank you. We have considered the usage of bird diverters in this area, and it's our expectation that it is not required to minimize impacts to bird species in this region.

MEMBER HILL: Okay.

CHMN STAFFORD: I think I asked the

question yesterday about how many other lines cross the Little Colorado and I guess Tanner Wash, too, and do any of them currently have bird diverters.

MR. ALMQUIST: Chairman Stafford, so we've been out to the site maybe seven or eight times, reviewed the photos that we have, and, you know, of course we weren't necessarily looking for bird diverters at the time. But don't recall bird diverters on those.

I wrote down a little bit of information here regarding the Avian Power Line Interconnection Committee, which do not require bird diverters from our understanding at the site, so of course the project would comply with that if that was the case here, but it does not seem to impact the crossing to our knowledge.

CHMN STAFFORD: Thank you.

MEMBER HILL: Game and Fish mentioned they would -- that you might consider doing that because APLIC doesn't do it. So I'd like to think about that a little bit. We required that in the crossing of the Little Colorado River a couple CECs ago. So I think that's a consideration to include.

Revegetation. So this kind of goes to Mr. -- or Member Fant's question about vegetation.

So can you talk a little bit about how you approach revegetation when you're -- after you've

constructed a transmission line? What are your practices?

MS. CASS: Our practices in this area are largely tied to what we do for our SWPPP permit, so this is our construction, general storm water permit which requires that we develop a storm water pollution prevention plan for every construction project over one acre in area. This project will absolutely comply with that.

The SWPPP requirements, in order to close that out, you must demonstrate a certain level of revegetation has been obtained. Typically, what happens is the -- our EPC gets the SWPPP and manages it during construction, and then it goes to operations.

They hand that off to us and we take that over as the operator for the site to ensure that our SWPPP can be closed out successfully. We have a vested interest in making sure that our SWPPP gets closed as opposed to staying open indefinitely, and therefore we make sure that our revegetation requirements meet SWPPP requirements as quickly as possible.

MEMBER HILL: Okay.

CHMN STAFFORD: And that's approved by the County?

MS. CASS: The SWPPP I believe is sent to

ADEQ.

MEMBER DRAGO: Correct.

CHMN STAFFORD: Thank you.

MEMBER DRAGO: That's correct.

MEMBER HILL: So I just suggest there's a couple of things that we've talked about here that could either been added to CC-16 or to Member Little's comment, we could add where applicable the letters dated this, that, and the other for Game and Fish could be included instead. Whatever you guys want to do. I don't have a preference.

Thank you.

MR. CROCKETT: Well, if there are no other member questions I'll move forward, or do we?

CHMN STAFFORD: Member Fant has a question.

MEMBER FANT: No, Mr. Crockett, not a question. But a point of information.

Because I work on transmission lines, too. This doesn't work for songbirds, but for migratory birds they can see an infrared. So you can put infrared lights on lines or crossings which are generally not visible from the human eye, but it will divert high rates like 96, 98 percent of all migratory birds away from the transmission line but it doesn't work with songbirds. So just a point of information.

MS. CASS: Thank you.

MR. CROCKETT: Okay. Ms. Cass --

MS. CASS: Sorry. I, if I may, I have just a little bit more information for Member Comstock just about these recommendations that you're referencing.

As noted by Chairman Stafford, all of -- the document that you're talking about is the online review tool. It's kind of one of the very first steps that occur in a desktop review process. Generally speaking, you go on a website, you plug in your project area by uploading a file and it spits out this report. So as noted, it is very generic.

I believe the statutes that are -- it is referencing are just kind of the Arizona Game and Fish Department statutes as a whole, and the recommendations that are listed are actually the photovoltaic solar recommendations which are later on in pages like 10 and 11, 12.

I think you were talking about number 3 or number 2 on that page which was referencing the recommendations. But if you go down to number 5, it says that further coordination with the department requires the submittal of this environmental review report and a cover letter into the project evaluation program.

So that is what then occurred to get more

project-specific information, and to have a staff member at Arizona Game and Fish Department review it as opposed to just spitting out the online report.

And so that is where our subsequent letters from the department come from, which provide much more project-specific information than what this tool did.

MEMBER COMSTOCK: Mr. Chairman, now that's an answer. That was a great answer. Thank you for that. It was a lot different than what I first heard the first time we went around. So thank you for researching that. Thank you for finding the answer.

MS. CASS: Thank you. I just needed to think about it a little bit.

BY MR. CROCKETT:

Q. Ms. Cass, have you formed a conclusion and opinion regarding whether the gen-tie line is compatible with waterway resources, wildlife, plant species, and any affected habitats?

A. (Ms. Cass) Yes. So this next slide talks a lot about what we've kind of been discussing and circling around already.

So as the applicant, we're committed to a few items to minimize impacts resulting from the project.

Our design is going to consider pull and work area placements to avoid sensitive waterways, or any

other sensitive biological areas including spanning waterways.

We will have minimal temporary construction work areas such as to string the poles with conductor, and we will obtain appropriate permit coverage to be designed to meet the threshold for nationwide permits if necessary.

We will also include design, a gen-tie line design that is compliant with the Avian Power Line Interaction Committee, APLIC, standards, which are largely due to the spacing of conductors for large birds and will minimize the risk of electrocution.

We're also going to follow our standard best management practices and comply with requirements for protected species.

We will absolutely contact the Arizona Game and Fish department or U.S. Fish and Wildlife Service if there's a species on site that we come across during construction or operations where we need further support with.

Additionally, we will be doing additional surveys in areas that were previously unsurveyed as necessary. So this includes the portions of 2B that were the very bottom part of 2A and the portions of 2B that outside the scope of the reports that were conducted.

We will also be doing a native plant inventory

and nesting bird surveys as required by the Migratory Bird Treaty Act.

Q. So Ms. Cass, let me -- let me just ask you again. So these mitigation measures that you've outlined that the company is committed to do. With those in place do you believe that the Chimney Canyon gen-tie project is compatible with, again, waterway resources, wildlife, plant species, and any affected habitat?

A. (Ms. Cass) Based on our evaluation, studies that we have completed as well as our proposed minimization measures, we believe that development and operation of the gen-tie line project is compatible with biological resources.

Q. Okay. And we've covered a lot of ground with committee members. Is there anything else, Ms. Cass, that we've not covered on biological resources that you would like to cover at this point?

A. (Ms. Cass) We've covered everything from my perspective.

MR. CROCKETT: Okay.

MEMBER HILL: Can I ask a couple follow-up questions?

CHMN STAFFORD: Please, Member Hill.

MEMBER HILL: Okay. So I talked a little bit about my concern about some portions just being

desktop review, because there just isn't good data to inform just what you might see.

So you've talked about doing additional surveys in previously unsurveyed areas. Can you tell me about what those surveys look like? Can you characterize those? What are you looking for?

MS. CASS: I think there'll be maybe four different types of surveys. So areas that -- we will start off by confirming our biological desktop areas for the entire route. If there's areas that we find that need some additional eyes on the ground to review it, we'll do that habitat reconnaissance survey in those areas.

We will also be doing -- there's a few portions that did not have a full jurisdictional delineation, particularly along 2B and the very southern portions of 2A and 2B. We will do an updated delineation for those -- for those sections as well.

MEMBER HILL: To clarify, what do you mean by delineation?

MS. CASS: For a jurisdictional delineation report.

MEMBER HILL: Okay.

MS. CASS: Everything starts off with desktop to see if there are any NWI or MHD features that

are present. If they are present or there's potential for washes, then a surveyor goes out there who's specifically trained in aquatic resources and wetland habitat and will determine if there are any potentially jurisdictional features according to Clean Water Act requirements, and mark the edges. That's why the delineation is there, the delineations of the Army Corps jurisdiction.

MEMBER HILL: Okay.

MS. CASS: And then as required by Arizona Department of agriculture, Native Plant Law, we will do a native plant inventory of all out of our work areas as well as the Nesting Bird Survey, I think that's like the two weeks prior to construction, under Migratory Bird Treaty Act.

MEMBER HILL: And then my follow-up question to the surveys of previously kind of unsurveyed areas is if you find something that we've discussed, Navajo cactus, how do you treat that? Do these surveys get shared with Game and Fish? What's the follow-up?

Because you haven't actually been on the ground in these portions of the property, so we've talked about a lot of different things that could be out there. How do you resolve that?

MS. CASS: I will note for Peebles Navajo

cactus in particular, there's only suitable habitat along Route 1. There is no suitable habitat along routs 2A and 2B, so for that species, we have done quite a bit of diligence on that.

For other species or other things that might come up, as -- we'll -- so one of the last surveys that we'll do is going to be the two week prior to construction NBTA. At that point in time we're not going to be changing our design if there's a nesting bird there, we will pause work in that area.

For the other surveys we will do that much sooner in advance during the design, so that we'll be able to put our pole placement so that we are able to avoid these species and not have to go get a permit that's going to be because we're going to be impacting these.

MEMBER HILL: Okay. And do you share this data with Game and Fish?

MS. CASS: We have continued to be in coordination with Game and Fish. They haven't requested any additional information as described in our last -- our last coordination with them.

However, they have been involved as part of the Navajo County process and that was one of the instances that they were first brought on and informed

about the project. So they will continue to be kept up to date with how the project progresses.

MEMBER HILL: And I read the Game and Fish letter. I think that they are comfortable based on the analysis that you've already completed. I think the question in my mind was what about the surveys that you still need to do, sharing that with them, and having any further consultation. What's the decision point there for you guys?

MS. CASS: We will conduct further consultation as requested by the department.

MEMBER HILL: Okay. Thanks.

CHMN STAFFORD: Member Fontes, you had a question?

MEMBER FONTES: I do, Mr. Chairman, for you.

I can't remember when we haven't had a biological assessment on a gen-tie of this length for a CEC, and I'm wondering what your guidance is, given that we're going to have an EPC contract awarded and we don't have that information to inform it for the monitoring and the construction, so I'm kind of feeling uncomfortable about that, but based on precedent that we've looked at in other cases with developers for your guidance.

CHMN STAFFORD: I think we could address

that with a condition to the certificate. I think Member Little may have some language for us when the time comes.

I think now it's time for lunch. With that let's take our lunch recess and come back at one o'clock. We stand in recess.

(Recess from 12:01 p.m. to 1:03 p.m.)

CHMN STAFFORD: Let's go back on the record.

Mr. Crockett.

MR. CROCKETT: Thank you, Chairman Stafford.

We're ready to move ahead now and talk about cultural resources. And to that we'll turn to Dr. Huntley again.

BY MR. CROCKETT:

Q. Dr. Huntley, would you please provide some context for the cultural resources investigations that are described in the application as Exhibit E?

A. (Dr. Huntley) Yes.

Go ahead next slide.

It's important to know that the region where the project is located contains a rich archaeological and historical record. People have lived in or traveled through the area for thousands of years leaving behind artifacts, structures, and petroglyphs or rock art.

Prehistoric use of the area included resource gathering food and materials, habitation, farming and other activities. Prehistoric cultures include ancient Paleoindian and archaic groups as well as more recent ancestral Pueblo people and modern Native American tribes: Hopi, Navajo, and others.

Later came European explorers, Hispanic and Anglo-American homesteaders and ranchers.

Q. Dr. Huntley, would you please describe the cultural resource investigations that were conducted as described in the application Exhibit E.

A. (Dr. Huntley) First, Tetra Tech's archaeologists completed Class I -- a Class I literature search consisting of a review of previously identified historic sites, structures, and archaeological sites within the gen-tie project and research area. And the research area consists of the proposed gen-tie project and a one-mile buffer radius around it.

Tetra Tech compiled data from the AZSITE archaeological database, Arizona State Museum records, the National Register of Historic Places, general land office plat maps, and the U.S. Geological Survey historical topographic maps.

Q. As a result of your investigation, what are the findings of the desktop review?

A. (Dr. Huntley) Tetra Tech's review identified 17 previous cultural resources surveys within the research area. These are shown on green in these figures.

Two previous surveys intersect the gen-tie project and meet modern survey criteria, that is they were conducted within the last 10 years.

And I can point these out if anybody would like to see them.

CHMN STAFFORD: And these are the maps on hearing Exhibit 7-A and B slides 61 for both of them?

DR. HUNTLEY: Correct.

CHMN STAFFORD: Okay.

DR. HUNTLEY: Yep. Sorry about that.

MEMBER KRYDER: Mr. Chairman.

CHMN STAFFORD: Member Kryder.

MEMBER KRYDER: Just a quick question. These were done within the last how many years again?

DR. HUNTLEY: Chairman and Member Kryder, these were done -- this is showing all surveys that were done at any point in time. We had two surveys that are considered current, that is they were conducted within 10 years or less.

MEMBER KRYDER: Okay. And were these as a part of either the Chimney Canyon gen-tie project or were one or the other solar or wind projects that were done?

DR. HUNTLEY: Most of what you're seeing on slide are previous investigations that were done for other projects. However, the slides are showing also the work that Tetra Tech did as part of a Class III pedestrian survey that I'll be discussing in just a minute.

MEMBER KRYDER: Okay. And if I could go back one slide -- oh, I guess it's two -- back to Slide 59, is there special significance to these three pictures that you presented here?

And if so, would you tell us about them.

DR. HUNTLEY: Sure. I picked these because I thought they were nice photos. They're all things that were found as part of surveys in the area, not necessarily for the gen-tie survey. Because we have also done some work for the solar facility.

But on the left, we have a very old couple-thousand-year-old projectile point. And in the middle is Apache Butte, which is a petroglyph site. And on the right is part of a ground shell bead.

MEMBER KRYDER: A bead?

DR. HUNTLEY: Yes.

MEMBER KRYDER: Okay. I couldn't figure that out.

DR. HUNTLEY: Yeah.

MEMBER KRYDER: It looked to me like it was a back of a .45-caliber pistol bullet.

And the one in the middle looks to me like it's an advertisement for Hormel pork. And the upper left-hand corner looks to me very much like a pig.

DR. HUNTLEY: Well.

MEMBER KRYDER: But it was not.

DR. HUNTLEY: Oh, I like that interpretation, though. It's an interesting one.

MEMBER KRYDER: I guess art is in the eye of the beholder, someone once said.

So thank you very much for that. And I look forward to your continued discussion.

DR. HUNTLEY: I believe I finished this slide. Just to remind everyone, this shows all of the previous surveys that have been conducted. And just to point out -- well, trying -- you can see these thin green lines that follow the proposed corridors. Mainly those are the Class III surveys by Tetra Tech that I'll talk about in just a minute.

Tetra Tech's review -- this is a Class I literature review -- identified 71 previously documented archaeological sites within the research area, 12 of which are within the gen-tie project. These are one historic structure, four historic artifact scatters. One

of these is technically called an artifact scatter, but it's the Hashknife Range that came up yesterday. Two prehistoric artifact scatters with features. One lithic scatter. This is a scatter of flaked stone tool debris for making stone tools and four stone tool procurement sites.

BY MR. CROCKETT:

Q. Dr. Huntley, in addition to these findings, did the applicant commission Tetra Tech to conduct a Class III survey of the requested gen-tie project CEC corridor?

A. (Dr. Huntley) Yes.

Q. Would you please describe the findings of that Class III survey.

A. (Dr. Huntley) Certainly. Tetra Tech archaeologists conducted a Class III pedestrian survey of approximately 1500 acres of proposed gen-tie corridors as they were originally configured.

Weather was generally clear and breezy during the survey and ground visibility was great, at least 75 percent or more throughout the survey area, which leads us to be confident that we've identified all surface-visible resources.

We documented 31 archaeological sites, four of which were previously known, and 27 of which were new.

We also documented 16 isolated occurrences.

These are prehistoric or historic artifacts that occur individually or as a small group or could be a simple feature such as a stone cairn.

Note that we found no obvious features related to the historic Hashknife Range which we talked about yesterday. However, it's possible that some of the historic artifacts in the area are related to use of the range.

So just to summarize what we found: Cultural resources documented by Tetra Tech attest to multiple uses of the area. Prehistoric use. We have evidence of hunting, resource gathering, habitation, including archaic period pithouses and an ancestral pueblo masonry room blocks. People were likely farming in the area for many hundreds of years. Historic use we have evidence of homesteading, hunting, ranching, and oil and gas exploration.

Q. Dr. Huntley, did the applicant complete a State Historic Preservation Office consultation for cultural resources?

A. (Dr. Huntley) Yes. Tetra Tech submitted a draft report in September of 2025. Comments from SHPO were received on October 31, 2025. SHPO comments are currently being addressed and a revised report will be submitted to SHPO.

And a copy of our initial consultation is provided in the project's CEC application.

Q. Next would you please discuss tribal outreach that was conducted in connection with the gen-tie project.

A. (Dr. Huntley) Yes. And we talked a little bit about this yesterday. But, as previously discussed, the applicant conducted tribal outreach as part of overall public outreach. Both e-mail and physical mail communications were used.

Letters were sent out on May 7, 2025, to the following groups: White Mountain Apache Tribe, Navajo Nation, Mescalero Apache Tribe, Fort Mojave Indian Tribe, Hopi Tribe, Pueblo Zuni, and Tonto Apache Tribe.

One response was received from the White Mountain Apache Tribe tribal historic preservation officer Mark Altaha on May 8, 2025. He advised the applicant that the project will have no adverse effect to the tribe's cultural resources and/or traditional cultural properties.

Postcards inviting stakeholders including tribes to public meetings were sent on May 8 and July 30, 2025.

And we previously showed examples of these.

MEMBER KRYDER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Again, moving back one slide, I guess I'm slow on the uptake today, but it's to Slide 65. It noted there that SHPO comments are being addressed.

Are you going to touch on what the comments are and how they are being addressed?

MS. CASS: Mr. Chairman, Member Kryder -- I almost called you representative. We can do that. I'd like to consult with my colleagues first.

MEMBER KRYDER: Nice and slow for me. I still am always one slide behind it seems.

DR. HUNTLEY: Chairman, Member Kryder, we have included the letters -- the letter from SHPO itself in our updated scoping report. I forgot the number, but CC-Exhibit 15.

MR. CROCKETT: Yes. I'll just interject. It's -- we refer to that as the public outreach summary or the scoping report was previously referred to. It is Exhibit CC-15.

MS. CASS: We have SHPO's full comments in that we also prepared a matrix.

MEMBER KRYDER: And are you going to go over them with us?

I don't have it in front of me.

Okay. You always seem to talk so fast you

seem like a used-car salesman quite frankly.

MS. CASS: Oh, I'll try to slow down.

The matrix is provided in the updated CC-15 with our response to each of the comments. We did not include in our presentation here that matrix and going through them one by one; however, we can do that if you would like.

MEMBER KRYDER: I always like to hear what SHPO has to say. And certainly when it says they're being addressed, I like to know what the address is so I know where to send the UPS package.

MS. CASS: And I can hand back off to Dr. Huntley to maybe give an overview of the type of comments that were received at a high level.

MR. CROCKETT: And thank you, Ms. Cass.

And while Ms. Huntley does that, maybe we can get CC-15 up on the screen.

CHMN STAFFORD: And what page is -- it's 170 pages, so which page is the relevant one for the SHPO?

MR. CROCKETT: Well, that's a good question, Mr. Chairman. I will ask one of my witnesses.

MS. SHAMEY: It is appendix H of the report.

CHMN STAFFORD: What page of the PDF is

that?

MS. CASS: Oh, one moment, please.

CHMN STAFFORD: It looks like it starts on 138 of the PDF in front of you.

MS. CASS: Thank you, Chairman.

CHMN STAFFORD: I just started scrolling through until I saw SHPO.

DR. HUNTLEY: All right. Are we all ready for me to begin summarizing?

BY MR. CROCKETT:

Q. Please -- please go ahead, Dr. Huntley.

CHMN STAFFORD: Are you there, Member Kryder?

MEMBER KRYDER: I'll try to catch up.

MR. CROCKETT: Well, let's make sure we get there first.

MEMBER KRYDER: Where on my iPad am I going to find this bad girl?

MR. CROCKETT: Member Kryder, it's Exhibit CC-15, and it's toward the back of that exhibit.

CHMN STAFFORD: Starting on page 138 of 170.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: I'd like to add to Member

Kryder's request to go through this matrix and identify those things that SHPO requested or made a comment on. I'd also like the applicant to identify anything in -- that SHPO made a comment on that they are not -- I'm getting back to the Game and Fish letter. There were several things in the Game and Fish letter that the applicant didn't address because they thought it was I think addressed in other places, but I wanted to make sure it was addressed here.

If there are things in the SHPO letter or comments from SHPO that are not addressed in this matrix that we address those as well.

CHMN STAFFORD: Member Fant, did you have a question?

MEMBER FANT: Thank you, Mr. Chair.

No, I just wanted to mention these are confidential -- are these confidential?

MR. CROCKETT: No.

MEMBER FANT: Oh, okay.

MR. CROCKETT: Those are all --

MEMBER FANT: Minor?

MR. CROCKETT: -- public documents.

MEMBER FANT: Okay. All right.

CHMN STAFFORD: It's the locations of the actual historic sites that are going to be confidential

is my understanding.

Right, Mr. Crockett?

MR. CROCKETT: I believe that's right, Chairman Stafford, but Ms. -- Dr. Huntley can address that question as well.

DR. HUNTLEY: You're all correct. We are careful not to provide you any specific locations of cultural resources, historic or archaeological sites, nor any very specific details that might allow someone to go out there and figure out where the sites are.

MEMBER KRYDER: And thanks to Grace's help I'm on the proper page.

MS. CASS: Before Dr. Huntley gets started, I'm just going to note that page 138 of this PDF is the exact table and -- the exact letter that we got from SHPO. Page 140 takes that table and basically fills in the last column with our response.

MEMBER KRYDER: Thank you. That's helpful.

DR. HUNTLEY: Shall I begin?

First, I'd like to address Member Hill's question first, actually, and just to confirm that we are addressing all of the comments, and you'll see in this matrix that there is a response --

MEMBER HILL: Super.

DR. HUNTLEY: -- from each comment.

And I'm happy to go through one by one. We can certainly do that. I'd first like to summarize the comments.

So we received 25 comments, which frankly is not as many as we sometimes get on reports. So it's a very -- it is very, very common to have comments back from SHPO expecting us to address those.

Many of the comments are tech editing or typographical in nature or request updates to maps.

Some of them are requesting more information about particular sites. They are requesting more data for us to better justify our interpretations of what some of the sites are and how we're determining whether or not they are significant for listing in the national register or the Arizona state register.

So that's the general range of comments that we have.

I will -- I'm happy to scroll through each of these and -- if you'd all like for me to do that.

MEMBER KRYDER: Scan them for me at least. The words that troubled me was we're looking at them, basically. And so it's difficult for me at least and perhaps others on the committee to know what that means. Looking at is interesting, but it don't pick no cotton. Okay?

CHMN STAFFORD: Member Fant, you had a question.

MEMBER FANT: Yes, for the Doctor.

Does it make a difference for being listed in a registry if it's on private property versus public or federal lands?

DR. HUNTLEY: It does not.

MEMBER FANT: Okay.

MR. CROCKETT: And I guess if I could just interject. Dr. Huntley, perhaps we could focus just on ones where there's some additional work.

For example, the first one, cover page, add the day to the report date. That's -- I mean, that's a pretty ministerial thing. But as you look through these, if there's things where there's additional work that needs to be done or if there's any area of disagreement between the applicant and SHPO, I'd ask you to maybe highlight those things.

MEMBER KRYDER: Yes, that would be very helpful without -- I don't have time to read and digest these. Thanks, Jeff.

CHMN STAFFORD: I'm going to guess that in comment 3, the APE, is that area of potential effect, not talking about a gorilla?

DR. HUNTLEY: That is correct, Chairman.

Area of potential effect.

MEMBER HILL: Can I ask one other clarifying question, please?

Some of this is related to gen-ties. Is some of this also related to the nonjurisdictional solar field?

DR. HUNTLEY: No, this -- all of these comments pertain to --

MEMBER HILL: Just to the gen-tie.

DR. HUNTLEY: -- the gen-tie report.

MEMBER HILL: Okay. Thank you.

CHMN STAFFORD: One at a time. One at time.

MEMBER HILL: Strike two.

DR. HUNTLEY: Okay. So I think -- let's see what page we're on here.

MEMBER KRYDER: Dr. Huntley, comment 25 caught my eye just as I scrolled through.

Why is ASLD being consulted if the report states this is limited to privately owned land?

I recall that little section of Arizona land as well.

So that was, what, just a typo essentially?

DR. HUNTLEY: I believe so. But if you'll give me just a minute, I'm going to go look at my maps

for our surveyor.

MEMBER KRYDER: Okay. Thanks.

DR. HUNTLEY: Would it be easy to go back to the summary of our survey of areas?

I beg your pardon. I didn't mean to speak off mic. I'd asked if it was possible to go back and show the map of the previous survey coverage.

MS. SHAMEY: Is it 60 perhaps?

DR. HUNTLEY: Let me see if can tell. I believe that's 61.

MS. SHAMEY: That's correct.

DR. HUNTLEY: Thank you. That's helpful.

So if you'll remember, I said that we conducted the Class III survey for the gen-tie corridors as previously defined, and we talked a little bit about this yesterday how -- how -- apologies -- -- how down in this area there's been a change. This green line is what we surveyed.

And so for this report that the SHPO reviewed for the gen-tie, there was no land administered by the Arizona State Land Department, and so, yes, that was a typo in our report.

MEMBER KRYDER: Thank you. That's all that I had, Chairman.

CHMN STAFFORD: All right. And I'm looking

at the map. And this is slide -- which one is it again?

DR. HUNTLEY: 61. And this is in B in the PowerPoint.

CHMN STAFFORD: Okay. And so the big green line, those look like the existing transmission lines. Those have already been surveyed; correct?

DR. HUNTLEY: That is correct.

CHMN STAFFORD: Okay.

DR. HUNTLEY: Thank you.

If we could go ahead to -- sorry, you're having to work hard here. If you could please go ahead to the comment matrix again. Perfect. Okay. I see it on the left now.

For example, comment 7, they just -- they wanted -- they asked us to refine the cultural affiliations to the associated culture, and they gave examples, Paleoindian, archaic, ancestral Pueblo, et cetera. And in the report I think in the report we were a little more general. We identified certain things as Native American or prehistoric, and they simply wanted us to narrow that down if possible to a particular group, so that just requires a little bit of additional research of what's found at the site.

Let's see -- and they did -- that comment did show up twice.

Also, let's see, it looks like comment 14. This is one example where they looked at what we recorded, and it is the SHPO's opinion that we need to provide more justification as to our recommendation as to the site's ineligibility for listing in the national register of historic places.

And just for a little context, this is something fairly common where there's some back-and-forth discussion between the consultant and the agency in terms of how the site should be managed. It's a management recommendation, and that goes along with the eligibility recommendation.

Are there any other comments that anyone sees that they'd like for me to specifically address?

MEMBER KRYDER: None for me. Thank you very much. You've done a fine job.

BY MR. CROCKETT:

Q. And, Dr. Huntley, I just ask you to clarify, are there any items on this matrix that are still needing to be addressed or have these all been addressed?

A. (Dr. Huntley) We are currently in the process of addressing them. We have not submitted the revised draft report to SHPO.

Q. Do you have an estimate on when you may submit the revised report to SHPO?

A. (Dr. Huntley) I would need to consult with the applicant first just to make sure we're on the same time line for that.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: So is your conclusion that of the artifacts -- I don't have all the words for this -- of all of the things that you found or places that you identified, none of them are eligible for anything, any protection or any management or any, you know -- yeah.

DR. HUNTLEY: Member Hill, no, that's incorrect.

MEMBER HILL: Okay.

DR. HUNTLEY: We actually have quite a few sites that we have recommended as eligible for listing in the state or national register.

MEMBER HILL: So there's a couple in here that you identified ineligible that SHPO wants more information on, and that's what you're working on now with them?

DR. HUNTLEY: That's correct.

MEMBER HILL: Okay. I'm only seeing the ineligible ones here, not seeing the broader picture. Okay. That's helpful. Thanks.

CHMN STAFFORD: Is that because SHPO did

not dispute the ones you said were eligible?

DR. HUNTLEY: That's correct.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair. So I assume that whichever one's eligible or not eligible, you'll adjust your transmission line within the corridor to avoid those eligible sites?

DR. HUNTLEY: Yes, sir. And, in fact, we're going to talk a little bit more about that in a minute. Thank you.

MEMBER COMSTOCK: Mr. Chairman.

CHMN STAFFORD: Yes, Member Comstock.

MEMBER COMSTOCK: Maybe in that with that, Doctor, were all the artifacts found on the surface? The artifacts that were found, were they surface artifacts? They were you could walk up and see them?

DR. HUNTLEY: Yes, sir. Sorry, I didn't follow the question. Yeah, that's correct. All we are able to use during a pedestrian survey is what we see visible on the surface.

MEMBER COMSTOCK: So as we go to construction and start drilling pole holes or and potentially undergrounding, how are the construction crews trained to recognize artifacts that may have to be addressed?

And I don't know if that's in this section or later on, but I think that needs to be addressed. Since there's such a high profile here, that might a good subject to talk about.

MS. CASS: Chairman, Member Comstock, I'll address that question.

The -- as the projects prepare for construction, we have an environmental team here at Clearway. My role is specifically for the permitting and development of projects. We also have people at Clearway whose role is environmental during construction and operations of the project.

I review the project with this team and provide them all of this information including these studies and the requirements such as to avoid these resources.

The information about the cultural sites that are given to them and actually as part of that same worker environmental awareness training for biological resources, it also includes cultural resources.

And there is a requirement in there that if anything is found, the construction crew will stop work and reach out to the environmental contact for the project to determine whether that is actually a resource or not.

MEMBER COMSTOCK: So specifically, if I may, when they're drilling the hole and they pull the overburden out, do they sift that overburden for cultural artifacts or observe it in some stance or is there somebody out there at the site that actually observes that?

How does that function within the construction process?

MS. CASS: This is -- this is actually a very similar process that we're going to do for biological resources. But as we're doing this handoff from the development team to the construction team, we'll be assessing -- we'll start by looking at the requirements for this project if there's any cultural resource requirements and how those are being managed.

We will then determine if there's a high enough level of risk that we will proactively decide if we want to do additional monitoring beyond what the requirements are.

I just for this project, in particular, in the solar areas of the portion, we know that we're going to be siting things to avoid resources. We're going to be doing the same thing with the gen-tie line to avoid resources. And have an archaeologist on call to be able to support the project during the construction phase.

MEMBER COMSTOCK: Thank you.

One last question. What's the typical depth of a borehole for a pole?

MS. CASS: I will hand off to Mr. Almquist to see if he knows that information on design.

MR. ALMQUIST: Chairman Stafford, Committee Member, I believe 30 feet is the -- a typical depth for a borehole. But let me confirm that with you and come back to you.

MEMBER COMSTOCK: So if I may -- I mean, I don't know if this is a geologist's opinion or maybe the doctor can answer it. Every foot you go down in that borehole, how many years did that represent archaeologically? Would it be 100 years, a thousand years? 30 feet seems to be a long way down to -- you might not -- you might find something.

DR. HUNTLEY: That's a great question. And I wish that it were that simple, because it would make my job a lot easier if it that was predictable.

Unfortunately, there's no hard and fast answer to your question. It depends a lot on the local geology, how much erosion there's been, what kind of a site we're talking about. You know, whether it had a structure aboveground or not.

So it's -- you sort of need to know the

area you're working in. You can develop some expectations, but there's definitely no hard and fast rule.

CHMN STAFFORD: I guess at some point the deeper you get the less chance of finding anything is. And I guess the depth of the footing you have to dig for the pole is going to depend on the height of the pole, isn't it?

MS. CASS: Yes, that's correct. I'm not the cultural lead here, but I will note that at a certain point you start to get away from a chance of finding cultural resources, and you actually move into paleontological resources at a certain depth. And that's a different field of study than archaeology.

CHMN STAFFORD: Member Kryder.

MEMBER KRYDER: Just looking at all of this and recounting a story that a member of actually a team who puts in these poles recounted to me, he asked about my membership here on this committee, and I tried to explain it, and he shook his head knowingly. And I said, Well, when you're boring a hole or you're digging a trench or whatever, and you come across exactly at Member Comstock's question, you come across something, what do you do? Because if you find that beautiful point that you showed us at the beginning of your presentation,

Dr. Huntley.

He said, well -- he said, I might say to the worker pick it up and put it in your pocket. I don't want to shut the project down.

So my question evolves to with all of the good training, what's the enforcement?

MS. CASS: We have the construction, environmental compliance lead will be the one responsible for enforcement of all of the environmental requirements for this project. We will be preparing an unanticipated discovery plan for cultural resources which outlines the procedures.

And the -- probably the, you know, most important and highest sensitivity aspect of that is regarding the requirements if there's any human remains that are found. You know, hopefully that never happens on any of our projects, but that one has some very strict requirements on the procedures in the case that it does.

MEMBER KRYDER: Yeah, it's like making antigun laws in Australia right now. Great to have a law. Enforcement's the issue.

Would you agree to that?

MS. CASS: Yes.

DR. HUNTLEY: If I might just add, when it comes to human remains, the enforcement is actually

pretty clear in Arizona. There are very strong statutes that -- and follow-up.

CHMN STAFFORD: And we cite them in every certificate.

MEMBER KRYDER: Yeah, I understand what's written on the paper. I also understand how difficult that is to put in practice. And I commend you for your work on it. That's the reason we're spending some time on the SHPO. I enjoy reading these and understanding the struggle that the applicant has here in trying to make the whole piece work. We've got a project to finish, but we've also got some other stuff to do to get that to happen.

Thank you very much for your input. And if I made too much levity about it, I certainly didn't mean to demean the job you're doing. Thank you.

CHMN STAFFORD: Member Hill.

MEMBER HILL: Thank you, Mr. Chair.

In response to Member Comstock's questions you identified that you'd have an archaeologist on call. Can you -- can you characterize this.

This is a really remote location. What does "on call" mean? And how do you engage them?

Is this an on-site thing, remote thing? Walk me through that.

MS. CASS: We have not contracted a company to provide this service for us yet at this time. We will be reaching out to a consultant that has the appropriate knowledge. I don't want to commit to a single company, but I think you may be able to assume by who is present here at this table. And we -- we have not yet had all the discussions about the location of the support staff.

At a bare minimum, on-call includes being accessible via a phone call to have a discussion, and we often will make sure that there is someone located nearby who could come to the site.

The reason that this is important for us as the developer is because if we're stopping work on a project, we need to make sure we have someone come to the site quickly so that the construction team isn't waiting around for an answer.

MEMBER HILL: That makes sense. I'm curious if you can in your construction schedule potentially even identify areas that might be riskier than others and have someone available during construction.

Is that something you ever actually employ?

MS. CASS: We are absolutely taking that into consideration. And as part of the studies that Tetra Tech has completed, we do -- it's confidential

information to the -- that's not being publicly shared, but we do have the site locations, and we will be avoiding those.

Where -- there are situations where we may have to be driving -- you know, driving around it or near it or some of those things. We will be establishing environmentally sensitive areas that will be flagged or fenced off due -- so that there's a visual indicator on the ground so that the construction crews know not to go in that area.

MEMBER HILL: That's super helpful. Thank you.

BY MR. CROCKETT:

Q. Okay. So, Dr. Huntley, was there anything else on this exhibit that you wanted to cover before we moved on?

A. (Dr. Huntley) No, not necessarily. Unless other people have questions, I'm happy to address those.

Q. Okay.

CHMN STAFFORD: Just quickly, to kind of sum it up for me here, unless you've got that coming in the next few slides.

DR. HUNTLEY: Are you referring specifically to the SHPO comments or summing up the cultural resources?

CHMN STAFFORD: The cultural resources.

MR. CROCKETT: I think that might be my next question. Okay.

BY MR. CROCKETT:

Q. So, Ms. Huntley, have you formed an opinion and conclusion regarding the project's compatibility with cultural resources?

A. (Dr. Huntley) The project design has taken cultural resources into consideration and has already revised the proposed corridors to minimize impacts. With avoidance of no insignificant cultural resources based on our evaluation, development and operation of the gen-tie project will be compatible with cultural resources.

To ensure compliance with avoidance of resources, the applicant commits to complete -- to completing updated surveys of the final route for previously unsurveyed areas prior to construction. Therefore, the gen-tie line project is compatible with cultural resources.

Q. And, Dr. Huntley, this is probably becoming clear to the committee members today, but the cultural resources that you've described as well as the biological resources we've talked about and then we'll talk about some geologic issues with Mr. Neely when it comes up.

But are all of these reasons why the corridors

that are being proposed here are as wide as they are in certain areas?

A. (Dr. Huntley) I believe that Ms. Deandra is going to address that next.

Q. That would be just great.

Thanks, Ms. Cass.

A. (Ms. Cass) Yes, that is correct.

We are taking cultural resources very -- we understand that's very significant for the project. That is why -- that is why we've provided Dr. Huntley to join us today and why we have adjusted our corridors to account for these resources.

Just to provide a bit of an example, one of -- there was a few areas along the survey area where the cultural site was the entirety of the corridor. It went completely north and south of that corridor, and the length of it was a size that was greater than we could span. And as a result of that, we decided to expand our proposed CEC corridor so that we would have the maneuverability to be able to -- to successfully be able to avoid these sites.

Obviously that means that there are additional areas beyond -- that are in our corridor that we have not surveyed on, but the intent is we will be surveying these so we can continue to avoid these resources.

I will also note to just one area that you may have noticed on one of the maps where on Routes 2A, the survey area for cultural resources was quite a bit further west than what we are currently proposing. This was an area that had a much higher density of cultural sites. Because it is -- well, we theorize it's because it's closer to a permanent source of water.

So as a result of this finding, this was an area where we shifted the alignment of Route 2A to an area that has a lower cultural sensitivity based off of Tetra Tech's knowledge of this area.

And that was within the Class I literature search that was performed.

CHMN STAFFORD: Okay. So I'm just going to wrap it up here. I think -- I think you may have already covered this.

So I'm looking at the map on hearing Exhibit 7B, Slide 61, the light green is the stuff that's all been previously surveyed; correct?

DR. HUNTLEY: That is correct.

CHMN STAFFORD: Okay. And so some of that's going to be -- I guess the ones that are inside the proposed corridors for this project are the surveys that you have completed thus far?

DR. HUNTLEY: That's correct, sir.

CHMN STAFFORD: Okay. And let's look at gen-tie Route 1.

So in -- and you obviously haven't surveyed the entire corridor. You just surveyed the most likely right-of-way I'm assuming; correct?

DR. HUNTLEY: That's correct.

CHMN STAFFORD: Now, for example, in gen-tie Route 1, how many sites -- new sites did you discover?

DR. HUNTLEY: I would have to go look at my report to provide those exact details, sir.

CHMN STAFFORD: Okay. Then I guess my next question would be how many of those has SHPO recommended as eligible?

DR. HUNTLEY: I have the same answer to that.

CHMN STAFFORD: Okay.

DR. HUNTLEY: I'll need to go consult the report, which I'm happy to do if that's --

CHMN STAFFORD: That would be great. And then I had the same questions for Route 2A and 2B just to kind of get an idea of what we're working with.

And so the standard condition's going to be to do a Class III survey for the final right-of-way for all the routes. That seems like you're going to do that

anyway. That's your plan to do that.

I guess then -- and so under that condition it says that, you know, that if you can't avoid it, you'll do the proper recording in consultation with SHPO. I think their preference, of course, is to avoid if at all possible and only do it -- go that route if it's unavoidable like if you're in a spot where you can't span it, where you can't avoid it, you're going to have to put a pole in there somewhere.

And so I want you to kind of confirm for me that you're -- the first line of dealing with it will always be to avoid.

MS. CASS: That's correct. Just to provide a little more color, during a -- early on in the process for us to prepare this application we were originally intending to request a 500-foot-wide corridor for this project. And that is what was surveyed, a 500-foot-wide corridor. And that was where we found that situation where there was a site that was wider than 500 feet and longer than 1,000 feet. And that is why we expanded the corridor to 2,000 feet to give us that maneuverability so that we can avoid.

CHMN STAFFORD: Okay. And then the landowner has no objections to these Class III surveys of the property either, does it?

MS. CASS: No.

CHMN STAFFORD: Okay. So they've agreed as part of the right-of-way for the transmission lines to have cultural -- Class III cultural resources surveys done?

MS. CASS: Correct. And they have already provided that authorization with the surveys that we have completed.

CHMN STAFFORD: Excellent.

So I guess I'll wait for the follow-up. We can get -- I guess we can circle back to that later.

But this is going to wrap up your cultural resources section; right, Mr. Crockett?

MR. CROCKETT: Yes, that's correct, Chairman Stafford.

MEMBER DRAGO: Can I have a question?

CHMN STAFFORD: Okay. I've got a question from Member Drago and then Member Comstock.

MEMBER DRAGO: Thanks, Mr. Chairman.

Following on to what Chairman talked about, if you can go to CC -- what is this, 7?

CHMN STAFFORD: Yeah.

MEMBER DRAGO: PowerPoint A, Slides 62 and 63.

From my understanding the --

CHMN STAFFORD: That's B. You're looking at B.

MEMBER DRAGO: Is it B? Yes. Did I have A?

CHMN STAFFORD: Wait. Oh, it is A. Okay. You're right.

MEMBER DRAGO: Yeah, so comparing the two slides, the map that Chairman showed.

CHMN STAFFORD: That's 61. A-61.

MEMBER DRAGO: Is the map?

CHMN STAFFORD: Yeah.

MEMBER DRAGO: Right. It says these are the surveyed areas, right?

But the green blocks, are those that you had done a desktop to see that they had already been done? And therefore no other work was done by you with respect to that in a Class III?

Am I correct?

DR. HUNTLEY: Let me clarify that, please.

MEMBER DRAGO: Yes.

DR. HUNTLEY: It depended on whether or not it was a current survey.

MEMBER DRAGO: Okay.

DR. HUNTLEY: And so I could point out specifically -- so I'm sorry about that. So these blocks

actually were current surveys. This block here was a current survey. Actually, the transmission lines, these are a little out of date.

MEMBER DRAGO: So then, with that said, when you go to the Slide 63, it says, "Documented 31 archaeological sites. Four were previously known and 27 new."

So that was in the corridor of the transmission line?

DR. HUNTLEY: Those 27 new sites were in -- along the gen-tie -- either one -- one or the other of the gen-tie routes that we surveyed.

MEMBER DRAGO: Okay. And how would have you -- would they have been previously known?

That would have meant that they were surveyed; right?

DR. HUNTLEY: Correct. For those four previously known sites, that's correct. They are in the AZSITE database -- the online database or available at the Arizona State Museum archaeological records office.

MEMBER DRAGO: All right. Very good. Thank you.

CHMN STAFFORD: Member Comstock.

MEMBER COMSTOCK: Mr. Chairman, if you would graciously clear something up for me. When we vote

on this, we're going to vote on gen-tie 1 and then either gen-tie 2A or 2B; is that correct?

CHMN STAFFORD: That is my understanding of what the applicant has requested.

Now, it's -- it's gen-tie 1 for certain because they have an interconnection agreement, I believe, for the first phase of the solar storage project.

The issue's going to be whether they'll do -- and they'll know by the time it's -- before they build 2A or 2B, they may just construct gen-tie Route 1 as a double-circuit and not construct either 2A or 2B, but at least the gen-tie Route 1 will be constructed as a single circuit.

Is that correct, Mr. Crockett?

MR. CROCKETT: Chairman Stafford, what we're asking the committee to approve is the corridor that we've requested for Route 1 as well as both corridors for Route 2A and 2B, recognizing that only one gen-tie will be built on Route 1 -- there'll be a gen-tie for certain on Route 1. There will be a gen-tie possibly on either Route 2A or 2B but not both.

And if we can get all of the power into the Cholla Substation through Route 1 then neither 2A or 2B would be constructed.

MEMBER COMSTOCK: Thank you. And my point of concern was if you do -- you go to -- we approve the CEC and you go to construct 2A but because of cultural findings you had to move to 2B, would you have to come back to us or we're going to vote so that they can move that as they need?

CHMN STAFFORD: I believe the CEC's drafted to avoid that. It would allow them to do just what Mr. Crockett described.

MEMBER COMSTOCK: Thank you. I appreciate the clarification.

MR. CROCKETT: Yeah. And, Chairman Stafford, Member Comstock, if I could just add one other thing.

The language in the CECs states that these corridors are not exclusive. And so they can overlap with even another applicant for a CEC. And so you're not locking up, so to speak, this area for Chimney Canyon. You're simply authorizing them to build in Route 1 or Route 2A or 2B, and so we would not need to come back to the committee.

The only time we would need to come back to the committee is if for reason we needed a Route 2C because neither 2A or B was going to work. Then potentially we'd have to come back to the committee to

look at that.

But hopefully at the end of the process we'll have a CEC that would authorize all three of those routes as possibilities.

MEMBER COMSTOCK: Mr. Crockett, thank you for clarifying that. You were reading my mind because I was concerned with the activity that's up there. And if we tie up miles of right-of-way to be able to build up there, that could be a conflict in the future. So thank you for that clarification.

MR. CROCKETT: And, Chairman Stafford, Member Comstock, it's always on the applicants to work with one another to work out some of these things. And we heard testimony yesterday this is a somewhat unique situation because of the involvement of Aztec Land and Cattle. They're sort of acting as the quarterback here to make sure that everyone that wants to build in this area has the ability to get to a substation.

So that -- we don't anticipate having to come back to the committee. We think that what we've requested provides sufficient flexibility to be able to build phase 1. And if Chimney Canyon is the successful bidder on phase 2, that they would have options to make that a reality.

MEMBER COMSTOCK: Thank you.

CHMN STAFFORD: And it's possible -- is it possible that that phase 2 would have multiple opportunities to bid into different RFPs?

MR. CROCKETT: Chairman Stafford, I'll defer that to Mr. Almquist for an answer.

MR. ALMQUIST: Chairman Stafford, phase 2 we'll bid into the APS upcoming RFP as well as SRP. And the case -- I guess best-case outcome for the project would be an award through SRP because we already have deliverability strategically into Cholla through that method, but it would bid into both.

And the Sitgreaves substation which we referred to Route 2A, 2B, that's an APS-only substation. There wouldn't be deliverability to SRP there.

CHMN STAFFORD: Okay. But I'm just going to talk through some hypotheticals so, for example, phase 2 is not accessible for either APS or SRP. In another year, would another RFP come out you could conceivably bid into?

MR. ALMQUIST: That's correct. Yes, sir.

CHMN STAFFORD: Okay. And so -- and the CEC's good for 10 years. You've got a minute to get that second phase into somebody's mix then; right?

MR. ALMQUIST: That's correct.

CHMN STAFFORD: Okay.

MR. CROCKETT: That's correct, Chairman.

And they're renewable.

CHMN STAFFORD: Exactly.

MR. CROCKETT: Okay. We're ready to move forward on and talk about visual resources here.

So Ms. Shamey is going to walk us through that.

BY MR. CROCKETT:

Q. Ms. Shamey, would you please describe Tetra Tech's approach regarding visual resources as detailed in application Exhibit A -- I'm sorry, Exhibit E.

A. (Ms. Shamey) Yes. Tetra Tech completed a visual impact assessment that described the visual study area, which is the land within a five-mile-wide buffer surrounding the gen-tie corridors.

The study area was assessed for its existing visual character and the primary types of viewers likely to be present within it.

The assessment identified the level of visual modification in the landscape that would result from the construction and operation of the gen-tie line project.

The existing visual character of the study area is defined by generally broad and mostly flat landforms with more gently rolling terrain and some topographic variety in the southern portion. Vegetation is sparse

and consists of semiarid desert shrubs and grasslands. This allows for visibility of distant hills and low mountains to the north.

Also characterizing the visual study area is a variety of human development. Joseph City and the I-40 and BNSF railway corridors characterize the northern boundary of the study area and existing electrical infrastructure, including high-voltage transmission lines, substations, and a wind energy facility are present in views throughout the southern study area.

The APS Cholla power plant and substation is a prominent landscape feature in this part of Arizona. Its visual presence ranges from appearing noticeable to being the dominant element in views for most of the study area. The gen-tie line project would be visible from a range of viewing distances between under one mile and over eight miles depending on the gen-tie route and the general location of the viewer.

There are three primary viewer groups in the study area: travelers, local commuters, and residents. Travelers are viewers who would enter the project area by driving either eastbound or westbound along I-40. The segment of I-40 that passes by the APS Cholla Substation is less than one mile from the Route 1 corridor.

The proposed solar collector substation,

starting location of Route 2A and 2B, would be over four miles from I-40. That would also be the same starting location for Route 1.

Local commuters are viewers from local roads in the area such as Obed Road, Territorial Road, and McLaws Road. The Route 1 corridor crosses Obed Road.

Territorial Road and McLaws Road pass by the solar collector substation and intersect with the initial portions of all three route corridors.

The majority of residential viewers are in Joseph City approximately one mile north of gen-tie Route 1 and over five miles from the beginning segments of all three routes.

There's also a small concentration of residences south of Joseph City over four miles from Route 1 and around seven miles from Routes 2A and 2B.

A final fourth viewer group, tourists and recreationalists, are viewers assumed to be engaged in recreation activities such as hiking, all-terrain vehicle use, and horseback riding as examples.

However, due to the large amounts of private land surrounding any nearby ASLD parcels, there's no public access to these areas for recreation.

Q. Ms. Shamey, did Tetra Tech create visual simulations depicting the gen-tie project?

A. (Ms. Shamey) Yes. To illustrate the gen-tie line project's visual characteristics visual simulations were completed from four key observation points or KOPs within the study area.

Q. How did Tetra Tech determine the location of the four KOPs?

A. (Ms. Shamey) The locations of the viewpoints or KOPs for the visual simulations were chosen to represent the sensitive viewers at publicly accessible locations either closest to the gen-tie line project or at a location where there was the potential for the greatest visual impact resulting from the project.

Six visual simulations were created and are shown on the following slides.

First let me walk you through the four KOPs.

KOP 1 is located at the old fort historical marker adjacent to Main Street in Joseph City.

CHMN STAFFORD: I'm looking at the map on your Exhibit 7A or B Slide 70; correct?

MS. SHAMEY: Correct.

CHMN STAFFORD: Okay. And that's also the same as one that's on the placemat, isn't it?

MS. SHAMEY: Yes. The placemat also has all four KOPs and four example visual simulations on the back.

CHMN STAFFORD: Thank you.

MS. SHAMEY: So, again, KOP 1 is located at the old fort historical marker adjacent to Main Street in Joseph City. Main Street runs parallel to Interstate 40 and Route 66, and these views are representative of locals, travelers, and tourists. It can be seen here north of Route 1.

KOP 2 is located along McLaws Road and approximately .9 mile west of Rock Art Ranch Road. McLaws Road is the main local east-west route in the project located approximately four miles south of Interstate 40 and Route 66. It is also representative of locals and travelers. It can be seen here in approximately the middle of the solar area of the project.

Next we have KOP 3, which is located along Territorial Road near small dirt road intersection approximately three-quarters of a mile east of Rock Art Ranch Road and is representative of locals and travelers along a minimally used local road. It can be seen here at the start of all three route corridors. This KOP was chosen as it will be a publicly accessible location with the greatest potential visual impact in the project area.

Lastly, we have KOP 4 located near the point of interest called The Cracks trailhead and

identified -- as identified on Google Maps. This is representative of private recreationalists and is not publicly accessible. There are no publicly accessible points near the south end of your Route 2A and 2B corridors, so it was included here as the best representation of where the project is viewable.

CHMN STAFFORD: Member Little, you had a question.

MEMBER LITTLE: Thank you, Mr. Chairman. Yes.

The KOP 2, you said that's on a road and represents travelers along that road, but it's also right in the middle of the solar field. So the solar panels will be on either side of the road and fenced; is that correct?

MS. SHAMEY: Yes. The solar panels will be on either side of the road. As to whether they are fenced or not, I will have my -- Deandra, Ms. Cass, respond.

MS. CASS: Yes. In this particular area, part of the reason why KOP 2 was chosen is because it is near the two BLM parcels. And those are the ones that are kind of outlined in yellow here on Slide 70. And as the BLM parcels are excluded from the solar portion of our project, there will be no solar panels on the BLM

parcels.

We will be having solar panels on the private land in this area, and they will be fenced.

MEMBER LITTLE: Okay. So I guess my question is you have a -- there's a road that -- a public road that goes through the middle of your solar field; is that correct?

MS. CASS: Yes. Public access points will remain open. So you would see a fence on the north side of the road and south side of the road, but we are not going to be fencing off the road in the middle.

MEMBER LITTLE: Thank you.

BY MR. CROCKETT:

Q. And, Ms. Cass, just for the record, what is the name of that road that we're talking about?

A. (Ms. Cass) That is McLaws Road.

Q. Okay.

A. (Ms. Cass) McLaws and Territorial Road, if you're driving along it, it appears to be one road. But there is a name change around KOP 3 where the road makes a turn.

Q. Thank you.

Okay. Ms. Shamey, before you discuss the simulations themselves, would you please remind the committee where in the application those simulations are

located.

A. (Ms. Shamey) Yes. If any committee member would like to follow along, the latest simulations are included in Exhibit E of the application package as well as your placemats in front of you. This exhibit should be located into your -- loaded into your tablets in front of you, but we also have binders of hard copies with all exhibits in the room.

Q. And, Ms. Shamey, would you please orient the committee regarding the simulations they're going to be looking at?

A. (Ms. Shamey) Yes. So each simulation shows two images. The first of which shows the existing conditions from the viewpoint at the key observation point.

The second image that follows --

Q. And, Ms. Shamey, let me interrupt you. We may need to move -- do we need to move the slides forward here to show a simulation?

A. (Ms. Shamey) We can.

Q. Okay.

A. (Ms. Shamey) Yes. This is KOP 1. So this is an existing photograph, existing condition. And if you go to the next slide, that is the simulated view. So each visual simulation will be presented first with the existing condition and then a simulation that follows to

more easily see the differences.

CHMN STAFFORD: We're looking at hearing Exhibit 7A, Slide 70 and 71. That's KOP 1 with existing and then simulated conditions?

MS. SHAMEY: Slide 71 and 72.

CHMN STAFFORD: 71, 72, yeah.

MS. SHAMEY: Yes.

CHMN STAFFORD: Thank you.

MS. SHAMEY: As observed -- I just wanted to note that as observed by the project team during a site visit this last month in November 2025, construction of nearby solar facilities and their gen-tie lines are ongoing as we've mentioned earlier. These new poles are highly visible features of the landscape but are not shown in the simulations because the structures were erected very recently after our site photos were taken.

Additionally, the simulations show a representation of the gen-tie line routes, but the final alignment could be erected anywhere within the corridors as previously mentioned. Generally the representative routes that have been simulated here are conservative in that they show a route that is closer and larger to viewers than what may actually be built.

So here on Slide 71 of PowerPoint A, this is simulation KOP 1A, which was developed from KOP 1 and

simulates Route 1. This is representative of locals, travelers, and tourists on Main Street. Within the existing condition photograph you can prominently see the existing APS Cholla Substation on the left.

In the simulated view from KOP 1, which faces southeast, representative transmission line Route 1 would be visible across the center of your view approximately 1.2 miles away as it connects to the existing APS Cholla Substation on the left.

The structures and power lines would blend cohesively to the landscape appearing consistent with existing rigid metal forms, tall vertical lines and thin horizontal wires.

On the right side of the horizon the structures would extend beyond the natural skyline interrupting the natural flat horizon.

MEMBER KRYDER: Ms. Shamey.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Going back to Member Little's earlier question. So while you're showing the simulated gen-tie lines here, after the construction of the solar fields, what we see in the foreground here on the edge of the highway will be solar panels?

MS. SHAMEY: No. So we are looking currently on Slide 72. We are currently looking at the

simulated view of Route 1.

This KOP as is shown on Slide 72 in PowerPoint B is up near Joseph City near the APS Cholla Substation. We are looking south. So we will not be looking at the solar array.

MEMBER KRYDER: My mistake. I didn't -- I failed to read up here on the corner of it. My mistake.

CHMN STAFFORD: And in the simulated condition, it looks like those are the three-pole structures, is that so they can cross under existing lines?

MS. CASS: The three-pole structures were used in this location because there is a turn as it's crossing over the Little Colorado River.

CHMN STAFFORD: Okay.

MS. SHAMEY: Continuing on. So on the right side of the horizon, the structures would extend beyond the natural skyline interrupting the natural flat horizon. The transmission line would create a weak visual contrast and attract attention, but would remain a codominant element in the landscape.

Again, it should be noted that additional transmission infrastructure is currently being built and will be visible from this viewpoint. Therefore, the visual contrast for Route 1 at KOP 1A is anticipated to

be low.

On Slide 73 on PowerPoint A, we see the existing condition for KOP 1B, which is also at KOP 1 near APS Cholla Substation and faces due south. The representation transmission line Route 1 would also be visible across the center of the view approximately 1.2 miles away.

And structures and power lines would appear thin behind the foreground vegetation contrasting with their irregular natural land forms. These structures would extend beyond the horizon mimicking the vertical elements of the sign post and fence post in the foreground together creating a rhythmic pattern across your view.

Although the transmission line would attract attention, it would be subordinate to the existing landscape features. Therefore, visual contrast for Route 1 at KOP 1B is anticipated to be low.

CHMN STAFFORD: And looking at that existing or I guess either one, there's the right side of the photograph there's a house there. That's the one we talked about the other day. That was the closest one that did not respond to outreach?

BY MR. CROCKETT:

Q. Ms. Shamey, can you respond to that question?

A. (Ms. Shamey) I believe that is correct.

A. (Ms. Cass) I'm pulling up on a map right now that has our KOP locations on aerial imagery, but based off of what I'm comparing and looking at, no, that house is not the same one that is closest to -- second closest to our project site, and instead that is one that is much closer to I-40. And let me measure that real quick. It is approximately 4600 feet or .8 miles away from our corridor and even further from the proposed route.

CHMN STAFFORD: Thank you.

BY MR. CROCKETT:

Q. Please continue, Ms. Shamey.

A. (Ms. Shamey) So on Slide 75 we have the existing condition for KOP 2 facing east. This simulates Route 1 and Route 2B and is representative of locals and travelers on McLaws Road, which is the main east-west thoroughfare south of I-40.

In the simulated view from KOP 2, the representative transmission lines for Route 1 and Route 2B are shown. Route 1 would be approximately 1.6 miles away on the left side of the view. And Route 2B also approximately 1.6 miles away would be on the right side of the road.

MEMBER KRYDER: With your pointer, would you point out now on this one -- I think I have it

right -- KOP 2. Where would the solar panels be on this simulated condition?

MS. SHAMEY: Ms. Cass is pointing them out, but they are the dark gray sections left and right of the road.

MEMBER KRYDER: Okay. Thank you very much.

MS. SHAMEY: Oh --

MS. CASS: Sorry, just to add on, Chairman and Member Kryder, the solar panels were included in the visual -- in all of the visual simulations for informational purposes, so this is what would be seen here if there was a maximum buildout of this -- of the solar portion.

Right here, we're near the intersection of where the BLM land is if you can sort of identify right here, as you might be able to tell on the north side of the road so on the left side of the simulation the solar panels would be much closer because that's private land. And so right here they're approximately .1 miles away.

On the right side because there is BLM land in the middle that we will not be utilizing, the solar panels are a little bit further away. I believe one section is one mile, so that would be one mile away.

MEMBER KRYDER: Thank you very much.

//

BY MR. CROCKETT:

Q. Ms. Cass, this photo is taken as the caption indicates standing on McLaws Road; is that correct?

A. (Ms. Cass) Correct.

A. (Ms. Shamey) Both routes would connect to the solar collector substation in the approximate center of the view on the right side of the road.

The structures would extend past the horizon and appear to be a similar height to the existing APS Cholla Substation in the background on the left. The power lines would create a gently undulating horizontal line low in the sky that would reinforce the horizontal line of the horizon.

While not shown here, Route 2A would be similar to Route 2B and would introduce closer electrical infrastructure on the right side of the view visually extending the manmade elements within the landscape.

The project would attract attention and would be a codominant feature in this view. Therefore, a visual contrast for Route 1 and Route 2A or 2B at KOP 2 is anticipated to be low to moderate.

In Slide 77, we show the existing condition for KOP 3A developed from KOP 3 facing northwest. This simulates Route 1 and is representative of locals and travelers on Territorial Road.

In the simulated view from KOP 3A, the representative transmission line for Route 1 is visible across the view terminating at the solar collector substation on the left. The transmission structures would be located approximately .6 miles away protruding above the horizon and appearing in front of the Mesa.

The power lines would appear to hover above the Mesa framing it and disrupting the view from -- with its structural elements. The rigid structures would be constructed from hard materials and contribute to the visual distraction of the distinct Mesa landforms in the distance.

It should be noted that this KOP was selected specifically for its accessibility to the public while presenting the greatest potential visual impact in the project area, largely due to its existing undeveloped nature.

At this location the project would introduce new structural elements into the landscape setting and begin to dominant the view. Therefore, visual contrast for Route 1 at KOP 3A is anticipated to be moderate to strong.

On the next slide we have simulated view KOP 3B which is also developed from KOP 3 and faces due west. The representative transmission line for Route 1 would be

visible on the right and end at the solar collector substation near the center of the view approximately .6 miles away.

The representative transmission line for Route 2A would be approximately .5-mile away situated on the left side of the road starting from the solar collector substation and extending to the left side of the view.

While Route 2A is not shown here, there'll be minimum differences in the visual contrast between Route 2A and 2B as both routes would be located within proximity of each other and appear to differ only slightly in size with the transmission structures of Route 2B appearing just a bit larger.

The structures would break up the flat uniform horizon rising well above it with the power lines clearly visible against the sky. Therefore, the visual contrast for Route 1 and Route 2A or 2B at KOP 3 is anticipated to be moderate or strong.

Next, on Slide 81, we show the existing condition for KOP 4 facing southwest. This simulates Route 2A and is representative of private recreationalists.

In the simulated view from KOP 4, the representative transmission line for Route 2A would be visible in the distant center appearing just left of the

existing transmission lines and extending across the view towards the right situated approximately 2.6 miles away. If you look closely, it is right on the horizon line.

The turn in representative Route 2A would result in the apparent cluster structures on the far right of the view from this location. While Route 2B is not shown here, there would be minimal differences in the visual contrast between Route 2A and 2B.

MEMBER KRYDER: Ms. Shamey.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Looking at Slides 81 and 82, 81 specifically, what is -- is this rock, this dark material in the mid --

MS. SHAMEY: I believe that is shrubs, vegetation.

MEMBER KRYDER: It is what?

MS. SHAMEY: Shrubs, vegetation. Low-lying vegetation in a -- in a rocky setting.

MEMBER KRYDER: Okay. I couldn't make it out. I see the road -- the service road or whatever in the front, it and looks like typical graze land. And then suddenly this change, and I couldn't make it out.

MS. CASS: This is an area that has some interesting geological features, and I think you'll be very interested in some of the upcoming segments of our

presentation.

MEMBER KRYDER: But these are shrubs?

MS. CASS: Correct. The dark areas is vegetation.

MEMBER KRYDER: Thank you.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Ms. Shamey, I'm going to just throw something down as an idea. It seems to me the perpetual shadows thrown by the solar panels will cause the moisture content of the soil to be higher than normal, less loss due to evaporation.

So what I'm implying is I think looking at the condition of the range land, which looks pretty beaten up out there, the solar projects may actually improve the quality of the -- what's the correct term -- vegetation out there. I just throw that out as a possible project with the local community college or NAU, get some folks out there who are specialists in vegetation to study that possibility. I'm just shooting from the hip since that's where the cowboys all hung out.

MS. SHAMEY: Thank you, Chairman.

BY MR. CROCKETT:

Q. Ms. Shamey, were you finished with your discussion of the visual resources?

A. (Ms. Shamey) I think I had a little more to continue.

Q. Okay. Please continue.

A. (Ms. Shamey) Altogether the structures at KOP 4 will be perceptible resembling the form and shape of the existing foreground power lines. From this vantage point the structures would closely resemble the wind turbine on the left in form and height subtly reinforcing the pattern cross the view.

It should also be noted that there are approved projects in the area that will add to the build infrastructure and may also be visible from this vantage point.

The transmission line for Route 2A or 2B would be noticeable but create weak visual contrast and would not dominate the view. Therefore, the visual contrast for Route 2A or 2B at KOP 4 is anticipated to be low.

Q. Ms. Shamey, what are your conclusions regarding the visual impacts associated with the Chimney Canyon gen-tie project?

A. (Ms. Shamey) At KOP 1, closer to Joseph City, the visual contrast of the project would be low to moderate due to the existing electrical infrastructure, including the existing APS Cholla Substation, utility lines throughout the vicinity of Joseph City, and large

transmission structures along the northeastern portions of the project.

Additionally, as mentioned previously, there is ongoing construction for additional transmission infrastructure tying into the APS Cholla Substation.

To the south, visual contrast would be moderate to strong at KOP 3 which is largely undeveloped. However, KOPs 2 and 4 would have low to moderate visual contrast as the gen-tie routes would be seen with existing infrastructure.

And, again, as noted previously, there are approved projects to the south and east that will be visible from the gen-tie line project.

Overall, impacts to sensitive viewers will be low to moderate due to brief transient views of the landscape for travelers on Interstate 40 or local roads such as McLaws Road and Territorial Road which are minimally used in comparison to I-40.

Additionally, the majority of sensitive viewers will be individuals visiting landmarks or engaging in recreation activities near KOP 1 in Joseph City. And while they would have longer, more immersive visual experiences, their vantage point would have low to moderate visual contrast as the gen-tie route would be visible alongside existing larger scale electrical

infrastructure. Therefore, the gen-tie line project will be compatible with visual resources within the region.

MR. CROCKETT: So that concludes our presentation on visual resources, and we're happy to answer additional questions.

Also at this point we thought we would offer to show you the virtual tour again if that would be helpful. If not, we can push ahead.

CHMN STAFFORD: Any questions about the visual impacts?

(No audible response.)

CHMN STAFFORD: I think we've been going for close to 90 minutes. I'm sure the court reporter could use a break. It seems like a nice place before you start the next section with the geologic features.

Let's take a 10 to 15-minute recess.

(Recess from 2:26 p.m. to 2:56 p.m.)

CHMN STAFFORD: Let's go back on the record.

Mr. Crockett, I believe you had run down some answers over the break.

MR. CROCKETT: Well, Chairman Stafford, if it's okay with you, we thought we'd finish the presentation of the evidence and then go back through our list of deliverables to questions from committee members

and do it all at one time.

CHMN STAFFORD: That will work.

MR. CROCKETT: Okay. So we're going to move next to geologic features. And for that we're going to talk to Mr. Neely.

BY MR. CROCKETT:

Q. Mr. Neely, please remind the committee regarding your area of responsibility on the Chimney Canyon gen-tie project.

A. (Mr. Neely) My area of responsibility was to understand the regional geological features that may affect the project.

Q. Why are the geological features relevant to this gen-tie project?

A. (Mr. Neely) Because in the end, the foundations for the structures will be founded in the earth, and understanding what the subsurface conditions consist of will be required for the engineering recommendations to design the project. Understanding the larger geological setting informs decisions made along the process of exploration and design of the project.

Q. Please describe the geologic setting where the gen-tie project is located.

A. (Mr. Neely) On the left side of 85A -- Slide 85 of CC-7A, is the geological setting of the Colorado

plateau. One can see this section if you simply go to the Grand Canyon and simply look over the edge, okay, to give an idea.

CHMN STAFFORD: But not too close.

MR. NEELY: Don't get -- yeah. Yeah.

But if you look at the cross-section on the right, that is the Holbrook Basin geological cross-section, and that is a subset of the Colorado Plateau, okay.

Please, if you note there's a halite and anhydrate member in here, and that's very important to what we're seeing as far as the geological features are concerned on the site because it is that member that is like a salt, and the salt is dissolvable in water. So the presence of the halite layer results in a variety of interesting geological features within the Holbrook Basin location.

BY MR. CROCKETT:

Q. Why did the applicant retain your services and what studies did Terracon perform?

A. (Mr. Neely) Based on previous work we had done in Clearway in other parts of Arizona, Clearway personnel were potentially aware of features -- geological features -- that might be present within the project area.

Chimney Canyon reached out to Terracon to provide additional information regarding the potential for such unique features being present at the site. Terracon conducted a desktop review and field reconnaissance study and then combined those results into a final report.

Based on our desktop review and on our site reconnaissance it was determined that isolated subsidence basins were present along with near surface cracks within the sandstone and the final report was prepared.

Q. Mr. Neely, what is a subsidence basin?

A. (Mr. Neely) So if you look at the picture on the left, this is a depression. Now, this is not a subsidence area that's on the project, but it is similar to a subsidence area that's on the project, okay.

The subsidence areas on the project are almost a mile or more wide, so you can't get that into a single picture. But this photo is similar to a subsidence basin in that you see wide, gradual changes in the surface topography. And so ADWR has been monitoring these subsidence basins in the state for a number of years, and you can go to their website. All that information is public knowledge.

Q. So, Mr. Neely, to the untrained eye like I have, if I saw this feature out in the landscape, I wouldn't

think anything of this. I wouldn't think of subsidence here.

Is that -- are these readily apparent to people or are they -- does it take an expert such as yourself to determine that this is a subsidence basin?

A. (Mr. Neely) Well, and even an expert wouldn't necessarily pick up on this being a subsidence basin because we're talking about such small movements. As we'll discuss later, area A that's in the report has all of about two centimeters of movement over 31 years. You just wouldn't pick up on that. But the InSAR that ADWR does use will pick up on that kind of movement.

Q. Would you please describe the results of your geologic survey.

A. (Mr. Neely) We identified possible subsidence areas as well as surrounding extension cracks. Please note Dr. Huntley here is in the picture as a scale to the width of the crack.

This is an extension crack. These cracks are naturally occurring physical manifestations of the stress and the underlying sandstone and are limited to surface features only.

On-site observations confirm the presence of these features. Terracon determined that the subsidence areas are present but with a very slow rate of movement

that would ultimately not impact the ability to construct any of the structures or any of the routes.

MEMBER KRYDER: Mr. Scott.

CHMN STAFFORD: Member Kryder.

MEMBER KRYDER: Mr. Scott, how deep is this crack that you reference, approximately?

MR. NEELY: Chairman Stafford and Member Kryder, that crack on the right is about 30-foot deep. And, yes, we did measure several of the cracks. The deepest we could find was 30 feet.

MEMBER KRYDER: Okay. And -- okay. I'll just have to go with it with your presentation. Thank you very much.

MR. CROCKETT: We did ask Dr. Huntley to repel down to the bottom so we could get an exact measurement, but she declined to do that.

BY MR. CROCKETT:

Q. So, Mr. Neely, how did the results of your geological survey impact the proposed corridors for the Chimney Canyon gen-tie project?

A. (Mr. Neely) The presence of the geological features is an engineering factor and not an environmental or health safety consideration. However, due to the engineering factor and the desire to design around these features, the project's corridors were

expanded in key areas along Routes 2A and 2B to allow for additional -- yeah, could I have that back? Sorry.

So there's this big crack that you see right here and another one right here in the 2A route. We have made Chimney Canyon aware of their presence and the need to engineer around them. Not that they can't be crossed, it's just they need to be engineered around, right.

And the same, then, with this area over here where this is area A that I was talking about earlier. One could cross it or one go around it. And if we can go around it, that would be the better approach.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: Mr. Neely, can you remind us what the yellow blobs are.

MR. NEELY: So the yellow blobs that you see on 88 -- Slide 88 of CC-7B are where cracks are located. On that same slide the purple circles are where the subsidence areas occur.

MEMBER HILL: So cracks and subsidence could be mutually exclusive?

MR. NEELY: What's that?

MEMBER HILL: They could be mutually exclusive? They're not related to each other?

MR. NEELY: No, ma'am, I believe they are

combined.

MEMBER HILL: Oh, okay.

MR. NEELY: I believe that what's happening here is that you've got compression here, compression here, compression here, which puts this middle of the sandstone in tension. And what you're seeing is the tension in the sandstone being exhibited as a crack at the surface.

Some of those cracks are narrow and there's many of them. Some of them are wide like you saw in that picture there that's like two foot wide. It's just all the extension goes into one single crack.

MEMBER HILL: Okay. That's helpful.

MEMBER KRYDER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Explain the word K-A-R-S-T, please.

MR. NEELY: Okay. So karst is a word that describes the formation of a void underneath the ground surface.

So if you've been to Kartchner Caverns here in the state, that is karst topography or creating a karst formation because it is karst. It is a cavity in the ground that was formed over a long period of time of water running through the subsurface and dissolving the

limestone. Okay? The limestone goes away. It flows around, flows down the stream, and you end up with a cave inside. So that is what karst is.

To put that in context with the current site, there is salt underlying the Coconino Sandstone about 6 to 700 down there, okay. The salt goes into solution as the groundwater moves through it, takes the salt away, and as the salt disappears you create karst formations underneath the Coconino Sandstone.

MEMBER KRYDER: Okay. You mentioned the caverns out east of Tucson there.

MR. NEELY: Yes, sir.

MEMBER KRYDER: Are there cracks appearing in this -- in the topography there as well?

MR. NEELY: No, sir.

MEMBER KRYDER: Why here and not there?

MR. NEELY: Two different rock formations, completely different rock formations.

MEMBER KRYDER: Okay. But you said that the resulting karst, if I understood it, was because the water washed -- in that case with the caverns it's limestone and in this case it's salt. Is that correct or does that --

MR. NEELY: No, that's correct, but they are different rock formations. So the different rock

formations behave differently.

MEMBER KRYDER: Okay.

MEMBER COMSTOCK: Mr. Chair.

CHMN STAFFORD: Yes, Member Comstock.

MEMBER COMSTOCK: If we could go to Slide 87. The picture on the right-hand side is an extremely straight cut and looks like almost a 90-degree angle at one point. In order to engineer the pole sitings correctly, would the applicant be prudent to take core samples along the running line of that in order to avoid such an area where this might occur? Or what is your professional opinion on how to avoid something that could do that in the alignment?

MR. NEELY: My professional opinion would be that these are mapped near the surface, so they can be located at the surface. And so that the foundations for the monopole structures will need to be let's just say a particular distance from there these cracks, okay, to be stable on their own. And, yes, that will need to be field identified at some point.

MEMBER COMSTOCK: And how would the applicant field identify those sites?

MR. NEELY: By hiring someone like myself.

MEMBER COMSTOCK: You're welcome.

If I may, just one last question. The

picture on the right, how long does it take for a fissure that size to create?

MR. NEELY: I don't know, sir. I heard you ask a question yesterday about -- or, I mean, earlier today about time. And I just can't answer that question. I don't know.

MEMBER COMSTOCK: The clock's always ticking. That's why I'm asking. I appreciate that. Thank you.

BY MR. CROCKETT:

Q. And, Mr. Neely, if I could just follow up on subsidence, is subsidence caused by groundwater pumping in this water?

A. (Mr. Neely) No, sir. That would be a large part of what ADWR's subsidence InSAR program is all about is identifying subsidence basins across the entire state, most of them associated with the ground -- withdrawing of groundwater and therefore the increasing in ground pressure because the soil is no longer buoyant and it subsides. It simply compresses itself. Okay. And this is not that kind of subsidence, not at all.

Q. And in terms of the cracks if I understand your testimony, I believe your testimony is that these cracks are readily apparent, and, therefore, it's a little easier to design around them when you're placing

structures for power lines?

A. (Mr. Neely) It is apparent. And to follow up on Member Comstock's observation, yes, this is very straight and then makes a hard corner here. We call that orthogonal jointing within the sandstone, and it's prevalent across the -- a big, big portion of the 2A, 2B area of the site, okay. The orthogonal jointing is very prevalent and easily seen. The open cracks are also easily seen.

MEMBER COMSTOCK: Thank you. That's good.

BY MR. CROCKETT:

Q. So, Mr. Neely, will construction of the Chimney Canyon gen-tie project impact any of these geologic features that you've identified?

A. (Mr. Neely) No. These are long understood processes that are regional forces that are created, and the construction of the route will not impact the geological processes that are currently at work.

Q. So to be clear, can Chimney Canyon Solar construct any of the gen-tie routes 1, 2A, or 2B consistent with the geology in the area?

A. (Mr. Neely) Yes. In my professional opinion, geologic features present do preclude the ability to safely construct and operate any of the gen-tie routes.

Q. And, Mr. Neely, do you believe that the

flexibility built into the corridor widths that have been proposed provide sufficient freeboard for the applicant to be able to construct these gen-tie routes?

A. (Mr. Neely) I believe so. Although listening to Dr. Huntley earlier, I can see there'll be two of us that will need to be out there making these field decisions. But, yes, sir, I believe so.

MR. CROCKETT: All right. Thank you. Well, that's all I had for Mr. Neely. If there are any questions from the members, further questions, we'll entertain those now.

CHMN STAFFORD: There do not appear to be any questions at this time.

MR. CROCKETT: Okay. Well, then, we're ready to move ahead to noise and signal interference, and that's going to be Ms. Cass. And in working with her on this, I found her to be particularly enthusiastic about this topic, which was surprising to me because I've not previously found that to be the case.

BY MR. CROCKETT:

Q. So, Ms. Cass, would you please describe the anticipated noise emission levels from construction of the proposed gen-tie facilities?

A. (Ms. Cass) Thank you, yes.

I will note that noise is a topic that comes up

for me often in my role as an environmental manager. EMT interference is not, so I do have a lot of fun learning about that one.

So to start off, the current noise levels in the project area are typical of that of a rural environment. At a nearby project the ambient noise levels were measured in the field to about 40 to 42 A-weighted decibels.

On the right-hand side, which is Slide 90 of CC-7B, we have a chart here of typical sound levels in dBA 40 to 42 falls here in the green section, which is about in between a soft whisper at five feet away or the inside of an urban residence.

The existing noise sources in the region include the APS Cholla Substation, the existing transmission lines, the BNSF rail line and I-40 as well as construction of other nearby projects.

There are very few sensitive receptors along the gen-tie corridors, but the closest three are listed here in the chart on Slide 90 of CC-7A.

Two of these are rural residences of landowners that we have been in close communication with and are either a participating landowner or in active negotiations with. The closest one is the one that was pointed out during the first portion of Route 1 during

the virtual tour.

The other sensitive receptor was also shown in Route 1 is just outside of Joseph City and already surrounded by I-40 the rail line, Cholla Substation the power plant, and all of the existing transmission lines.

It is expected that some noise will be emitted from construction activities. However, this will be temporary in nature. And due to the limited number of people that are in this area and because construction will occur during daytime hours, the impacts associated with construction of the gen-tie line are anticipated to be temporary and minor.

Q. Ms. Cass, would you please describe the anticipated noise emission levels from operation of the proposed gen-tie?

A. (Ms. Cass) So audible noise will be emitted by the proposed facilities largely due to the corona effect of the transmission line. This is a result of the electric and magnetic fields creating a small electric discharge that ionizes the air close to the conductor. This corona effect could be exacerbated in wet weather because water is a good conductor of electricity.

Under normal circumstances the audible noise at the edge of the project's 150-foot right-of-way would be 57 decibels for the 500kV line and 51 decibels for the

345kV line variant.

While Navajo County does not set a noise threshold, a general industry standard used by EPA and FERC is about 55 decibels. So noise on the 500kV line would be above this when standing at the edge of the 150-foot right-of-way. However, we did model how much additional feet is needed to get below 55, and that is 105 feet.

Because the -- and that -- this is because noise naturally attenuates as you go further away. And this can be models. Here on the right-hand side, this is the it's called cylindrical spreading of noise from a line source. And because noise is being emitted along the entire line, that is one of the ways that you can -- you can measure that.

So when the -- because the closest residential structure is approximately 0.3 miles east of the gen-tie, corona noise during normal operations would either be indistinguishable from ambient sounds or inaudible. During wet weather, the sound emitted from the project would be higher. However, it would also be masked by the rain itself and similarly decline the further away a receptor is to the project. And it would also be indistinguishable from the increased ambient noise or inaudible.

Q. Ms. Cass, would you next describe the potential for proposed gen-tie to cause electromagnetic interference?

A. (Ms. Cass) Yes. So I have -- I put a bunch of charts here on the right because I found it incredibly interesting. So first off, I'm going to start by talking about just electromagnetic fields. There's many -- many of our electric devices emit an electromagnetic field that we don't pay attention to and we don't notice.

Our gen-tie line will also create an electromagnetic field. The electric field is caused by the voltage of the conductors, so either 500 or 345, and it will be static as long as that line is energized because of the 500 and the 345 kilovolts will remain the same.

The magnetic field is caused by the current flowing through the conductor, and the strength depends about the load or the generation flowing through the line. For example, at nighttime when the solar facility is not producing anything, the magnetic field will be much weaker than it would be during the day, and it is actively contributing electricity to the grid.

Both of these fields are very low frequency and do not have the potential to impact genetic material or cause cancer. On this electromagnetic spectrum, charts

that I have here on Slide 91 of CC-7B, we have the 50 to 60 hertz, which is categorized as an extremely low frequency radio wave and with a little transmission line icon. Side tidbit, I believe the 50 hertz is for the grid structure in Europe and 60 is for what we have in the U.S.

The right-hand chart provides the strength of magnetic fields which are produced by common household goods as compared to electric lines at the bottom. Also but right here the highest number on the chart is 20,000, and it's in milligause is what that's measured as, which is actually from a hair dryer at 1.2 feet away.

And it's in the same scale here. The magnetic fields produced from transmission lines are about 1 to 300 milligause at the edge of the right-of-way. We have actually modeled specifically what the magnetic field for our project would be for both the 500 and 345k results, and those are shown on the chart on the left on Slide 91 of CC-7A.

MEMBER KRYDER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Kryder.

MEMBER KRYDER: Looking back over some of our previous hearings, we had commentary from a variety of sources about the alleged danger of standing under, living under, et cetera, the lines of the sort that are

being described here.

Could you address that a little bit?

I know it's a controversial area, and I'd like to hear what your views are and get them into the record.

MS. CASS: Yes. So we have a threshold identified for magnetic fields. It's shown here as 100 microtesla on Slide 91 of CC-7A.

This threshold was created by the International Commission on Non-Ionizing Radiation Protection, and they recommend a threshold of 100 microtesla.

In researching this I saw that the note of this was actually specifically for situations where there may be someone with a pacemaker nearby. If there's someone without a pacemaker, they actually increase that threshold to 200.

Below this threshold, there are no -- generally speaking magnetic interference -- magnetic field interference is on electronics. It does not harm the human body. So if you have electronics within the human body, that's where it becomes relevant.

But as you can see here, that our results is significantly below this threshold. We are modeling 9.02 microtesla for the 500kV and 4.85 for the 345.

This was modeled when measured 9 feet away from the pole and 1.5 meters above the ground. This is not measured, you know, at the edge of the right-of-way or at the edge of the corridor. This is standing right below the lines.

MEMBER KRYDER: That's very helpful. One of the ways that I've learned to learn is to try to take an opposing position and make as strong of an argument as I can for the opposing position.

Could you fill in some of the blanks for the people who may not be represented in the room but who so strongly and really quite strongly seem opposed to living under or nearby a 500kV or 345kV?

What -- what are they upset about?

MS. CASS: Well, I can't speak to the reasons -- the specific reasons why an individual or the general public may be unhappy with transmission lines. You know, in -- I think oftentimes they can actually occur due to the noise that could be heard as opposed to the electromagnetic field itself because the noise is something that we can sense and we can hear. You can stand underneath one and hear the buzz and the hum that's coming.

The electromagnetic fields is not something that we can sense or feel or has any impact.

I'm going to go back to this scale here of the electromagnetic spectrum and hopefully try to put in perspective.

So this -- all of this on here is called light even though we give it different names. We have radio waves at the bottom, and we have gamma waves at the top. And up here near the top which is -- and we have visible light in the center.

Ultraviolet light is about where the light has a high enough frequency that it can start damaging the human body. It could push electrons off of atoms and it can cause genetic mutations within DNA. This is where, you know, cancer comes from because you're out in the sun and haven't been using, you know, any sort of sunscreen for a whole lifetime. And then at a higher wavelength such as X-rays and gamma rays it could be pretty -- pretty significant and very damaging.

The levels of the fields that are produced by this project are so far below that and we are surrounded by wavelengths at this level that we -- we never notice and are completely imperceptible.

MEMBER KRYDER: Thank you very much. I know I put you in a difficult position asking you to find and speak about the opposition. But it's helpful for me to see the bigger picture when I can attempt to hear all

parts of the spectrum.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Member Hill.

MEMBER HILL: So I want to make sure that I'm understanding this because we do get a lot of questions about this, and I really appreciate what you've provided here because I think it's more detailed than I've had in probably 25 cases -- the last 25 cases.

What I'm seeing, though, I want to confirm, is the electromagnetic field is 9.02 microteslas, and that is comparable -- if I look at the next -- at the slide next to it to -- and that's at the edge of the right-of-way, right? And that is comparable to sitting, you know, roughly a foot away from a plasma television. I mean, that's 70 -- you know, 73.6 milli --

MS. CASS: Correct.

MEMBER HILL: So there's a comparable number there.

MS. CASS: Yes.

MEMBER HILL: Like, that is shockingly low to me. And I'm not being critical. It's just that I've never had a way of, like, making a comparable example of anything, so --

MS. CASS: Yes. It is incredibly low. Yeah, I put the conversion between microtesla and

milligause up here at the top.

MEMBER HILL: Yep.

MS. CASS: So, yeah, 90.2 milligause is what we model for our 500kV results. And you're correct it's on the high end of sitting one foot away from a TV.

MEMBER KRYDER: Mr. Chair --

CHMN STAFFORD: Is that the end of your questions, Member Hill?

MEMBER HILL: Yes.

CHMN STAFFORD: Member Kryder.

MEMBER KRYDER: Where does my cell phone fit in this?

MS. CASS: I don't have that off the top of my head, but I would love to look it up.

MEMBER KRYDER: I would love to hear it because I've got a friend who won't even -- she's afraid to put her cell phone to her ear at times.

MS. CASS: It was just pointed out to me that that is actually 1.2 inches away.

MEMBER HILL: Oh, inches. Oh, yeah. I got it.

MS. CASS: And I would also like to clarify that this 9.2 microtesla at -- for the magnetic field that's standing 9 feet away from the pole. That is not standing at the edge of the right-of-way.

MEMBER HILL: Okay. Regardless, that's helpful. I mean, people use those corridors all the time, so --

BY MR. CROCKETT:

Q. So, Ms. Cass, as I've listened to your testimony on this topic, it seems almost incontrovertible to me that there could be a health effect from these gen-tie lines to anyone in the vicinity.

Is that consistent with your opinion?

A. (Ms. Cass) Correct.

CHMN STAFFORD: Incontrovertible that there would be no health effect?

MR. CROCKETT: Yeah, that there would be no health effect, yeah. Thank you.

BY MR. CROCKETT:

Q. And then so are there impacts associated with magnetic or electric fields from this project in your opinion?

A. (Ms. Cass) No, there would be no impacts associated with magnetic or electric fields as a result of the project.

Q. So, Ms. Cass, will you next describe the potential for the proposed gen-tie facilities to cause interference with communication signals?

A. (Ms. Cass) Yes. So this is all still related

and it's still as a result of the electromagnetic field that's emitted and the frequency of the waves here.

So potential communication interference would specifically be because of the frequency. Also down here on Slide 91 of CC-7B it just shows the two different types of interference that can occur when there are overlapping waves.

One of them is called constructive interference because you have two waves that are occurring at where the peaks and the troughs are at the same location, and that results in a new wave that has an even higher peak and a lower trough.

The opposite occurs in destructive interference when you have peaks and waves that are opposing each other, and the results is basically a flat line.

This interaction between waves is most noticeable when the waves are at this exact same frequency. In this example this chart includes waves at the same frequency.

As mentioned, the frequency of waves created by transmission lines is a very low radio wave at a frequency of 60 hertz. When a cathode-ray tube or CRT TVs were common, some interference could occur because the screen refresh rates of those were also 60 to 120 hertz. The technology for current TVs is so

drastically different and faster that no impacts on TV screens will occur.

Next I'll move more on to radio communications.

CHMN STAFFORD: Member Comstock, you have a question?

MEMBER COMSTOCK: If I may, and I know this is not a condition now. However, this is turning into a utility corridor through Arizona. And if an interstate gas line is sited through this area, I assume that the applicant, because this is not your first project, has a AC mitigation procedure to minimize corrosion on natural gas steel lines or hazardous material lines as they run perpendicular or parallel with the transmission lines?

MS. CASS: Correct. The impacts on perpendicular lines is incredibly low such that additional study is not needed.

The impact for parallel lines does result in the need for additional study, which there are no parallel existing lines that we would be going along so we did not order that for that study.

Should a future line want to be constructed parallel to ours, then studies will need to be conducted so that we can site it in such a way that it is not -- well, the other company would need to site it in a way that it would not be impacted.

MEMBER COMSTOCK: Thank you.

MR. CROCKETT: And, Chairman Stafford and Member Comstock, there is a condition in the typical CEC that addresses underground gas lines.

MEMBER COMSTOCK: Yes, sir, Mr. Crockett. Thank you.

I just wanted to get it on the record that there was a policy in place by the applicant to address those. Thank you.

BY MR. CROCKETT:

Q. So please continue, Ms. Cass.

A. (Ms. Cass) I'll continue on with radio communications. If you've -- typical radio communications occur at 50 -- or 530 to 1700 kilohertz. If that range of number sounds familiar, it's because when you're tuning your radio, that is specifically what you're tuning to. You are turning to a, you know, 930 kilohertz frequency in order to receive that station.

The near -- the lowest frequency station in the region is KVWM 970 out of Show Low, which is a news and talk radio. This 970 is a measurement of kilohertz which is four to five magnitude in higher frequency than the transmission line.

FM radio communications occur at 88 to 108 megahertz. And similar to AM radio, again, when you're

tuning your radio, that number that you're tuning to is the frequency. This is measured in megahertz, however, which is six to seven times higher in magnitude. Due to this extreme difference in transmission line frequency and common radio communication signals, minimal impact is anticipated.

Furthermore, as described in my testimony earlier and everyone else here, there's a large amount of existing infrastructure in the immediate vicinity of the proposed project. There have been no known concerns raised about the existing infrastructure or proposed facilities in blocking communication signals.

Q. Ms. Cass, what is your conclusion regarding whether the gen-tie line project would result in interference with television, radio, cellular or microwave communication signals?

A. (Ms. Cass) Construction and operation of the project is unlikely to cause any interference with radio communication signals surrounding the project, and any potential interference would be very minor. The only potential that we can see at this point is AM receivers that are located underneath transmission lines could be affected. But these effects will be no greater than those caused by all of the other existing high-voltage infrastructure in the area.

FM radio, digital TV, Wi-Fi, satellite television, cable are all at much higher frequencies than the transmission line frequencies and are not affected. Therefore, there are no significant impacts to TV communication signals as a result of operating and constructing the project.

CHMN STAFFORD: Member Hill, you had a question?

MEMBER HILL: I do. Thank you for this. I'm making note that as the voltage goes up the microtesla measurements go up. How do those things stack? If there's multiple lines, say three transmission lines in a row, does that number stack if you have three 500kV, like, or how -- do you know what I'm -- what's the cumulative impact?

I'm going back to a biodiversity thing.

CHMN STAFFORD: Right. And I guess is it diminishing marginal impacts?

MEMBER HILL: Yeah.

CHMN STAFFORD: Or is it increasing marginal impacts?

MEMBER HILL: That was my question. Thank you.

MEMBER CASS: In all situations the strength of these fields diminish drastically over

difference -- distance.

I will point out over here on the right the strength of the magnetic field which as I now know goes from 1.2 inches to 36 inches away can go from a very high number such as 20,000 milligause down to 3. And the project right-of-way is going to be 150 feet wide. This means we are reserving the right to keep 150 feet of space so that there won't be another project closer to us in that corridor.

At those distances the magnetic fields and the electric fields emitted by the different lines will not cause a cumulative impact.

MEMBER HILL: Okay. So where you're looking potentially to collocate with the 500kV line that APS manages, those lines won't increase the microteslas in that corridor?

They are separate corridors and they will max out at 90.02 -- or 9.02 is your understanding of this?

MS. CASS: That -- that's correct --

MEMBER HILL: Okay.

MS. CASS: -- due to just the distance that they are away from each other.

MEMBER HILL: Okay.

MS. CASS: In areas that -- well, in all

situations whether we're paralleling these lines or crossing underneath them, we would be coordinating with those other utilities or transmission line owners so that there is no health and safety impact as a result of it.

MEMBER HILL: Okay. Thank you.

CHMN STAFFORD: Member Little, you have a question?

MEMBER LITTLE: No, Mr. Chairman. I was just going to clarify they're additive, so you would feel the sum of whatever you were feeling for each individual one. But because of the distance from between them depending on if you're standing real close to one line but you're pretty far from the other line you will feel hardly anything from the other line and you'll feel mostly from the line you're on. It just depends on where you are.

But you would -- might be a little bit from the line that's pretty far away and then more from the line that you're in and they would add together. So they are additive. But because the lines are spread apart pretty far apart, it's -- it's one -- usually it's only one line that's going to affect you.

CHMN STAFFORD: Thank you.

MS. CASS: We were starting to get to a field of physics and engineering that I am not very

familiar with, but I will note that because the magnetic and electric fields -- those were models based off of our 500kV and 345kV and also with our projected capacity of our solar facility.

The results of other -- other lines aren't necessarily going to be exactly this because the specifications for their transmission line are different.

MEMBER HILL: Okay.

BY MR. CROCKETT:

Q. So, Ms. Cass, would you please continue and finish your response to my earlier question.

A. (Ms. Cass) Yeah. Largely because I found this interesting, cellular phone antennae and microwave receivers are often mounted on top of transmission structures to take advantage of the added height afforded by it, which demonstrates that transmission lines don't interfere with these.

I'll note that those operate -- they're considered microwaves, which is a subset of radio waves and are an even much higher frequency than the other radio frequencies that we have discussed. Therefore, no significant impacts to cellular or microwave communications are anticipated.

Q. So, Ms. Cass, in summary what is your conclusion regarding whether or not the Chimney Canyon gen-tie

project would result in excessive noise either during construction or operation or interference with communication signals?

A. (Ms. Cass) For all of the reasons discussed, the construction and operation of the gen-tie project would not result in significant noise impacts and there's minimal potential for communication signal interference as a result of the project.

Q. So Ms. Cass -- well, I told you she had an enthusiasm for this topic. I learned a lot from it, so thank you for that.

So, Ms. Cass, speaking on behalf of all of the witnesses today, have you formed an opinion regarding the environmental compatibility of the Chimney Canyon gen-tie project as it's outlined in the application and as modified in this hearing in terms of the widths of the corridors?

A. (Ms. Cass) Yes, thank you.

Chimney Canyon Solar, LLC, is taking environmental compatibility considerations very seriously for this project. And based off of the technical studies completed by Tetra Tech, Terracon we believe that the project would be environmentally compatible with the factors set forth in the Arizona Revised Statutes Section 40-360.06 and consistent with the previous projects

approved by the siting committee.

On the screen here on Slide 93 of CC-7A, we have a run-through and a summary of what we have discussed yesterday and today with each of the exhibits matching up to the application.

To show that we expect that the project will be compatible with biological resources, cultural resources, have consistent visual impacts, no impact to recreation or land use, no noise or interference impacts and has been generally well received by the public.

Q. Thank you, Ms. Cass.

MR. CROCKETT: So that completes the presentation of our case regarding the environmental compatibility of the project.

I do have a list of follow-up questions that we've accumulated over today and yesterday that we'd like to respond to now before there's -- I have some concluding items with Mr. Almquist.

So let me just start. I'll run through these, and if there's something I've missed, we're happy to deal with that. But we think we've covered everything along the way except for these.

BY MR. CROCKETT:

Q. So, Mr. Almquist, are there grazing leases present on the sections of previously identified land

within the project area that are BLM land?

A. (Mr. Almquist) I believe this question originated from Chairman Stafford and indeed there are.

Q. Is there an airport in or near Joseph City?

A. (Mr. Almquist) Chairman Stafford, Member Fant I believe is where this question came from. The nearest airport is 10 miles away in Holbrook.

Q. This is I believe a question from Member Kryder. What is the cost difference between weathering and galvanized steel, monopole transmission structures, and what would inform your company's decision to use one versus the other?

A. (Mr. Almquist) So, Member Kryder, we had -- I had this discussion with several of our EPC teams and engineering teams. We actually carry a pretty marginal cost difference the two. Weatherizing steel is between surprisingly 3 to $5,000 more per structure.

The main difference is first being galvanized steel is the typical standard. Weathering steel can attribute to a more rustic aesthetic, but it does require some additional processing to make sure that that corrosion doesn't affect it structurally. Those this are the main differences, but that being galvanized is the standard that we typically use.

MEMBER KRYDER: Thank you very much. And

the decision then is flip a coin?

MR. ALMQUIST: There are cases where the County -- where particular jurisdictions may prefer weathering steel depending on aesthetic opinions by the jurisdiction. That would be the main decision point. Effectively there wouldn't be a large difference from a constructability point of view.

MEMBER KRYDER: And has the decision been taken at this point for this project?

MR. ALMQUIST: No, it has not.

MEMBER KRYDER: And do you expect it to be taken --

MR. ALMQUIST: The decision likely would align with the execution and final terms of the development service agreement from Navajo County. If they made mention of weathering steel like I mentioned it's a very minimal impact to the project. We would just choose the material choice that the County would require.

In the case that they don't have a preference galvanized steel would be the choice just for corrosion resistance, but both work for the project.

MEMBER KRYDER: Thank you very much. That's very helpful.

BY MR. CROCKETT:

Q. Mr. Almquist, what are Navajo County's

decommissioning requirements for the gen-tie project?

A. (Mr. Almquist) So I believe this question came from Member Fontes. Member Fontes, I actually reached out to the County this morning, and going to read a couple specific segments from their decommissioning bond requirements that the project would be aligning with.

So the -- in reading here verbatim, "The permit and agreement holder shall maintain a decommissioning bond in the amount of the full decommissioning costs at the end of the anticipated life of the project net salvaged value as estimated by a professional engineer registered in the state of Arizona. Said bond shall be reviewed and approved as to form, substance, and amount by the planning and development service department in county attorney's office. The engineers estimate a decommissioning cost shall be renewed no less than every five years by a professional engineer registered in the state of Arizona and a copy of each renewed estimate shall be provided to the planning and development service department in county attorney's office to review and approve."

And, as I mentioned, these came straight from the language I received this morning from an individual Cody Cooper who represents the planning and development department at Navajo County, and the project would abide

by these regulations.

Q. Mr. Almquist, where is the revenue from the PPA held? In which entity?

A. (Mr. Almquist) Correct. This is also a question from Member Fontes -- or answer for Member Fontes.

The simple answer is the PPA is held within the project energy that the PPA's executed with. In this case, of course, being Chimney Canyon Solar, LLC. The revenue of that PPA gets paid directly to that project entity. And I think the intent of the question was trying to understand where that revenue travels as the project develops.

And so when the project reaches mechanical completion, it is then transferred to CWEN, our public stock, which would then be, I guess, in the umbrella of the Chimney Canyon Solar PPA, so I hope that answers the question.

I have a little bit of a more detailed, very structured answer for you too if it's needed.

Q. And let me --

MEMBER FONTES: I think it does.

MR. CROCKETT: I'm sorry, Member Fontes, go ahead.

MEMBER FONTES: I said I think that answers

the question. I just want to make sure that the decommissioning bond we know what that entity's going to -- or that's going to be held and then any kind of insurance where is that going to be held. Looking for some symmetry there.

BY MR. CROCKETT:

Q. So, Mr. Almquist, go ahead and please respond to those two follow-ups from Member Fontes.

A. (Mr. Almquist) So I did confer with the Clearway team regarding decommissioning and how it's insured, and the decommissioning really has more of its own legs given its individual process. Now I can speak much more to the insurance that the project currently holds and what will hold in the future.

So at the present time, I received this morning to make sure I had an updated statement of evidence of liability through a certificate of liability insurance that is currently active and held with the project. The insured members are indeed both Chimney Canyon Solar, LLC, and Clearway Energy Group, LLC, for up to 5 million in excess liability coverage, and, as I mentioned, this amount reflects the project in its current development stage.

In addition, for reference or for additional information, property insurance will also be held on the

asset through the life of the project. But this property insurance will change from development also in construction and operation as the physical assets of the property change.

So I think here with the intent of your question, the insured parties are both Chimney Canyon Solar, LLC, and Clearway Energy Group, LLC. But the bond itself has -- I guess it is more -- the surety bond has more legs outside of the insurance policy to ensure in the case -- worst-case scenario Chimney Canyon Solar, LLC, were to disband, that bond would still be present.

MEMBER FONTES: That addresses my concerns. I just wanted to capture those for the record for the public just so you know where that sits. All too often as stated companies come in with a high level at the corporate level and they stop there. We like to just get it for the record as it applies to the CEC and the state of Arizona.

So I appreciate you. I appreciate counsel following up on that as well. Thank you.

Mr. Chairman, over to you in case you have questions.

CHMN STAFFORD: Not yet. He's got -- I have some questions that they're outstanding that they're about to answer, I feel.

MR. CROCKETT: Yeah, thank you. Thank you, Chairman Stafford. Thank you, Member Fontes.

And I will follow up on one more thing with you. We have marked as an Exhibit CC-24 that's been distributed to each of the members here, and I should have -- you should have received a copy of that via e-mail. It's a one-page summary of the -- maybe I talked about this this morning I don't remember, but this is a one-page diagram of how or where Chimney Canyon Solar, LLC, resides within the corporate structure of Clearway Energy Group, LLC.

MEMBER FONTES: Mr. Crockett, the only thing that, and it's -- by my part, that I noted that that didn't state is where are the -- what's the jurisdiction of the Chimney Canyon Solar, LLC?

Is that Arizona or is that the Delaware --

MR. CROCKETT: No, let me follow up with Mr. Almquist on that.

BY MR. CROCKETT:

Q. Mr. Almquist, where is Chimney Canyon, LLC -- Chimney Canyon Solar, LLC, Incorporated?

A. (Mr. Almquist) Delaware.

Q. And is Chimney Canyon, LLC -- I'm sorry, I keep doing that -- Chimney Canyon Solar, LLC, registered in Arizona as a foreign limited liability company?

A. (Mr. Almquist) It is.

MEMBER FONTES: Thank you.

BY MR. CROCKETT:

Q. Okay. So, Mr. Almquist, are there stock water tanks located within the gen-tie project, and how will the project impact those stock water tanks?

A. (Mr. Almquist) This question for Member Fant, there are indeed stock water tanks on the site. I conferred with the landowner person this morning and reviewed our lease option documents. We are contractually obligated to not impact those.

The location of the stock water ponds can change upon final design, but what's out there inevitably can't be impacted in the long run.

MEMBER FANT: Have you ever seen a bat take a drink out of a stock water tank?

MR. ALMQUIST: I'd like to witness it.

MEMBER FANT: Just hang out by a stock water tank near sunset. And it's pretty cool. They come down and dive bomb like (indicating) and get a drink without landing.

MR. ALMQUIST: It's impressive.

MEMBER FANT: To avoid rats. Rats actually locate around the pond and try and catch the bats when they come in to get a drink.

MR. ALMQUIST: Wow.

MEMBER FANT: That's true.

BY MR. CROCKETT:

Q. Mr. Almquist, can you now describe Chimney Canyon Solar's best practices for environmental and biological monitoring during construction and also discuss what is Clearway Energy Group's role versus that of Chimney Canyon Solar?

A. (Mr. Almquist) Yes. So this question applies primarily to Member Fontes. Member Hill, you might find it a little bit more informative as well.

So this question earlier I wrote up a bit of a statement to really clearly describe how we go about this, though.

So the environmental and biological monitoring is best described by outlining how it fits into our overall permitting management for the project.

As Chimney Canyon prepares for construction, the permitting team with support of our permitting counsel, which in this case is Tetra Tech, will prepare what we call a permit and condition compliance matrix. Typically in our best practices is done six to nine months prior to construction. This lists all the permits required for the project, its status, and responsibility between the project owner and the EPC.

So, for example, the CEC permit, of course, is Chimney Canyon Solar's responsibility, while the ministerial permits will be the responsibility of the EPC.

Obtaining all the required permits is the first step that informs our environmental and biological monitoring practices that we'll get into a little bit further, so.

And just for some background, Clearway, Deandra -- or, excuse me, Ms. Cass previously mentioned does have in-house staff assigned to every construction project. These are environmental staff that are assigned to biological and wildlife resources and other topics of cultural hazmat, SWPPP and SPCC air quality, everything else that we can consider environmentally.

So our process -- permitting process that I'm outlining in general then moves into its next review phase where the development permitting team will review the environmental studies and the permits required in coordination with Clearway's construction environmental team I just described.

Collectively we determined what, if any, additional BNPs need to be implemented on the project, so that determination is what's used to inform the next section of our compliance matrix where the matrix will

list out all of the permit conditions and then scope -- and the scope of each and what will be assigned to the project and what will be assigned to our EPCs.

So how does this fit into the overall biological and environmental monitoring process? So we ensure the compliance of the scope that I just described in that matrix and the best practice that we've developed through the company's experience is to hire an independent biological and environmental monitor that is outside of the EPC.

This monitor's scope on-site is to ensure the conditions outlined in that matrix are -- excuse me, are done in accordance with the conditions outlined in the compliance matrix.

The monitor scope also includes the authority to issue stop work orders and provide adjustments realtime or other recommendations to the EPC.

So to date I wanted to provide an additional little bit of background. The question was asked where we are at in our EPC contract. The EPC contractor has been more or less selected for the PV project, but that is not necessarily the case for the gen-tie project.

And the environmental team at this point has provided some recommendations of items that they want to be included in the EPC bids that will inevitably go out

but, again, those are for the PV project not finalized, still working through those bids and what that looks like with schedule implications, and for the gen-tie project the EPC project is not finalized either.

So as I previously mentioned, our process is to develop this matrix six to nine months out from construction. The primary reasoning for this is because the design layout and specifications for the project facility as well as the gen-tie project are still in early engineering design phases, and there could be downstream impacts depending on what the final design ends up looking like.

I was discussing with Deandra how we wanted to explain this -- excuse me, Ms. Cass how we wanted to explain this, and, for example, in corridor 2B if we built on the left side of it compared to the right, there would be different impacts, so we need to understand exactly what those corridors -- excuse me, what the actual route's going to be, and that will help inform what sort of monitoring and mitigation efforts we need to -- we need to impose upon that.

So I hope that answers the question on our best practice. And to reflect it's a little bit in the earlier stages to truly define what those impacts are going to be, but this process really outlines how we go

about that and when we'll have the final determinations.

MEMBER FONTES: Post C.O.D. on the gen-tie as you transition to O&M and have annual compliance requirements, how do you think about that in terms of best practice, and is that an environmental monitor that you would use both on the solar and the BESS as well as the gen-tie?

We've seen it done different ways. Obviously we're looking at that from the environmental perspective as it pertains to the jurisdictional responsibility that we have on a -- on a RACI matrix I imagine you have. And that for the court reporter is responsible, accountable, consulted, informed.

RACI matrix is typically used by developers. So looking for that as we transition from EPC to commercial operations date. Are you going to combine all of that under one or are you going to keep this gen-tie separate?

MR. ALMQUIST: I'm going to hand this question off to Ms. Cass to elaborate a little bit further on.

MS. CASS: Chairman and Member Fontes, similar to how we have a handoff transition process from development to construction, we also have the same thing as we go from construction to operations.

The same matrix that was prepared as we go into construction is updated to check the status and compliance of all of those things.

Because this originates from the permit requirements that we have, it is designed to include all stages including operational conditions. We double-checked to make sure that the construction conditions are actually complete and then identify what the operational conditions are such as there's any, you know, annual monitoring post-construction.

At this point, Clearway, we have our own internal process to track these things, and we have a database that the operational team uses so that it can keep track of the requirements and the time line for these as a fleet-wide option. Obviously, the most important way to do that is to have very hard milestones regarding the time line of these so that we can stay on top of it and comply quickly and appropriately.

MEMBER FONTES: Appreciate the background, but my question was more focused on do you use a third-party operator?

And when you do monitoring for environmental compliance, do you combine that with a total project to include gen-tie, BESS, and solar? So make sure you address that. That was the focus. But I

appreciate the background.

MS. CASS: Yes. As this -- this project will be handled by Clearway internal -- the solar, the battery, and the gen-tie portion of this facility will be handled collectively as one project within the Clearway and Chimney Canyon Solar entity, and we will not be managing them separately.

MR. ALMQUIST: Member Fontes, if I may, a third-party monitor would be involved during the operations of the project.

MEMBER FONTES: You guys got it. Thank you for capturing it for the record.

No further questions on my part, Mr. Chairman.

CHMN STAFFORD: Thank you.

BY MR. CROCKETT:

Q. Okay. Mr. Almquist, next topic. How does Chimney Canyon Solar propose or anticipate mitigating the impact of invasive species utilizing the access roads on the project site?

A. (Mr. Almquist) So, Chairman Stafford, Member Hill discussed this with our EPC team. We require that all vehicles and equipment are cleaned and washed off-site and inspected by a qualified biologist prior to entering the project.

All lay down in parking lots -- parking lot areas are capped with rock to prevent weed growth, invasive weed growth. And this is actually written into our EPC contract so if that trucks or equipment is turned away, we don't get the end owner delay that would ensue. So that's how we mitigate invasive species.

Your question we discussed a little bit about how it informs the access routes themselves and how they're constructed. The access routes themselves are like I alluded to earlier more so done based off the site characteristics, but in order to, you know, still address your question, these are the real measures that we take to prevent invasive species coming into the project.

MEMBER HILL: My follow-up is that my experience is that when you open up those corridors and you build a road, people will come. So I just wondered how accessible will the access roads be to the general public in this particular project?

Because that's what's going to create attractive nuisance and frankly bring in invasive species. So --

MR. ALMQUIST: So any of the access roads that we construct will be part of the project and won't be public. So there is any public roads, of course, that we wouldn't necessarily improve unless it's required for

the equipment to come through or if that was developed through a road use agreement or something with the County itself. But all the access roads, site access roads, are not accessible to the public.

MEMBER HILL: Great. Thanks.

BY MR. CROCKETT:

Q. Okay. And finally this was on my list, but we had talked about a response from the White Mountain Apache tribe Mr. Altaha. This is the May 21, 2025, letter that Ms. -- I believe Ms. Cass talked about.

We have marked this as Exhibit CC-26. I have not distributed it yet. I'm happy to do that if you'd like to talk about it. Otherwise, we will late file a copy of this letter from the White Mountain Apache Tribe.

CHMN STAFFORD: What's the date of that letter?

MR. CROCKETT: May 21, 2025. And, Chairman Stafford, let me just go ahead and read it. It's not very long. It's to Deandra Cass dated May 21, '25, regarding the Chimney Canyon Solar project Navajo County, Arizona.

"The White Mountain Apache Tribe historic preservation office appreciates receiving information on the project dated May 7, 2025. In regard to this, please refer to the following statements below: Thank you for

allowing the White Mountain Apache Tribe the opportunity to review and respond to the above proposed development of a sustainable energy production for communities south of Joseph City and Interstate 40 in Navajo County, Arizona. Please be advised we have reviewed the information provided and we have determined the proposed transmission line will have no adverse effect on the tribe's cultural heritage resources and/or historic properties."

I will add that "no adverse effect" is bolded and italicized in the letter.

"Thank you for the continued tribal engagement and consultation and collaboration in protecting and preserving places of cultural and historical importance. Sincerely, Mark Altaha" -- that's A-L-T-A-H-A -- White Mountain Apache Tribe historic preservation office.

So, Chairman Stafford, if it's okay with the committee, I will just late file this Exhibit CC-26.

CHMN STAFFORD: That's fine.

MR. CROCKETT: And I guess back to me. So we're in the homestretch here in terms of our evidentiary presentation.

Mr. Almquist, a few questions for you to finish up.

BY MR. CROCKETT:

Q. Did Chimney Canyon Solar receive a data request from the Arizona Corporation Commission Utilities Division Staff?

A. (Mr. Almquist) Yes, that's correct.

Q. Did Chimney Canyon respond to that data request?

A. (Mr. Almquist) Yes.

Q. There's been testimony that APS prepared a draft system impact study that includes the gen-tie project at least for phase 1.

Did Staff request a copy of that system impact study as a part of their data request?

A. (Mr. Almquist) Yes.

Q. Did the applicant provide a copy of the system impact study to Staff?

A. (Mr. Almquist) Yes, that's correct.

Q. And is a true and correct copy of that system impact study marked as Exhibit CC-18?

A. (Mr. Almquist) That's correct.

Q. And, Mr. Almquist, did Chairman Stafford also invite comments from Utilities Division Staff regarding the Chimney Canyon Solar gen-tie project?

A. (Mr. Almquist) Yes, that's correct in a letter dated on November 13 of 2025, which is also filed in the docket.

Q. Did Commission Staff provide a response in that letter from Chairman Stafford?

A. (Mr. Almquist) Yes. Also filed in the docket on December 10, 2025.

Q. Mr. Almquist, is Exhibit CC-17 a true and correct copy of the Staff's December 10, 2025, letter?

A. (Mr. Almquist) Yes.

Q. Would you for the record read Staff's conclusion on page 2 of that letter?

A. (Mr. Almquist) "Staff states the following: Based on Staff's review of the application the applicant's response to a Staff-issued data request, as well as the system impact study performed by APS, Staff believes the proposed 500kV project could improve the reliability and safety of the grid, and the delivery of power in Arizona provided that the identified upgrades are installed. Since a system impact study was not provided for the 345kV routes, Staff is unable to comment on the potential impacts to the grid. Should the line siting committee recommend approval of a CEC, Staff recommends that the line siting committee include a condition requiring the applicant be responsible for any future network upgrades necessary to interconnect the project if new concerns directly related to the project are identified."

Q. And I will note for the record that was actually page 3 of the Staff letter and not page 2.

Mr. Almquist, does Chimney Canyon Solar acknowledge that the project would be responsible for future network upgrades necessary to interconnect the project as determined by APS?

A. (Mr. Almquist) Yes. The applicant accepts financial responsibility for future network upgrades necessary for the project as will be determined by and coordinated with APS.

Q. Has Chimney Canyon Solar submitted proposed forms of certificates of environmental compatibility?

A. (Mr. Almquist) Indeed, yes, that was filed in docket corral on December 10 -- excuse me, December 9, 2025.

Q. Are the two proposed CECs identified as Exhibits CC-19 and CC-20?

A. (Mr. Almquist) Yes.

CHMN STAFFORD: Member Little, you had a question.

MEMBER LITTLE: I do. Thank you, Mr. Chairman.

Are the 345kV lines that Staff is referring to is that 2A and 2B or is -- I had understood that 2A and 2B would either be 345 or 500.

MR. ALMQUIST: Chairman Stafford, Member Little, so Staff is referring to the fact that the system impact study does not make mention of a 345kV. So the recommendation followed by Staff is in regards to what the interconnection project currently is. So the system impact study stage that we currently are in is regarding the first phase of the project which is indeed only 500kV.

Since we are not in the position to really speak to if the project will in the long-term interconnect into Sitgreaves which is the 345kV option --

MEMBER LITTLE: Okay.

MR. ALMQUIST: -- that is the reason Staff is not providing any comment on that matter.

MEMBER LITTLE: And I guess I'm a little confused about what the status of -- as far as the studies go, what the status is of those 345kV lines. Do you have a queue position for phase 2 or no queue position yet? You haven't talked to them yet? What's the status of that?

MR. ALMQUIST: So my best recollection, we indeed bid Phase 2 of the project into Sitgreaves in the 2025 APS RFP and didn't get shortlisted. And so the project would be evaluated in the upcoming RFP. Studies haven't progressed near as far along as phase 1 at this

point.

MEMBER LITTLE: So were you to be selected by either SRP or APS and were, say, APS and how do I put this -- and so then would your project -- the studies would then begin for phase 2 --

MR. ALMQUIST: In essence, correct. In the case that APS awards the project at Sitgreaves, studies would then progress pretty substantially after that point to determine further what the network upgrades would be that would move then into the facilities study and so on and so on.

But since the project does not have -- has not even reached a shortlist at the Sitgreaves substation it is -- I understand the concern, but it is a little unknown at this point until we have more interest from the utility specifically where the offtake's going to be delivered to.

MEMBER LITTLE: And what about the possibility if instead of using Sitgreaves you're actually able to put a second circuit on the pole line and go into Cholla?

Was that part of the study or was it just the phase -- single-circuit phase 1 500kV line that goes into Cholla that has been studied to this point?

MR. ALMQUIST: So the actual award doesn't

define necessarily if it's a single circuit or double circuit, but what is studied is 500kV delivering 375 megawatts into Cholla with the offtaker being SRP. That's the conditions of the system impact study.

Now, in the case the additional phase gets awarded at Cholla that will require a lot of extra diligence on top of that, and we hope that is the inevitable outcome, less gen-tie to construct and deliverability at one POI, but that wasn't the condition that it was studied on.

Because we were only selected for 375 megawatts to deliver into a 500kV bus that was the parameters of the system impact study.

MEMBER LITTLE: That answers my questions. Thank you.

CHMN STAFFORD: So phase 2 does not have a queue position for interconnection any place, then?

MR. ALMQUIST: Phase 2 to my recollection -- I would like to defer a little bit to our interconnection team to make sure. The Chimney Canyon project is ever evolving between those routes and POIs -- was indeed bid into the 2025 APS RFP at Sitgreaves to reflect --

CHMN STAFFORD: That's an RFP for the offtake; correct?

MR. ALMQUIST: Correct.

CHMN STAFFORD: But does it have a queue position for the interconnection queue?

Because a lot of times these projects come in and they're -- they're in the interconnection queue, but they don't have a contract for the offtake yet.

So I'm saying but this one the phase 2 is in the opposite position where it is not in the queue, but -- and it's trying to bid the offtake first before it gets into the interconnection queue. Is that -- is that my -- my understanding correct?

MR. ALMQUIST: So right now what we do have a queue position for, and I'm -- again, I outlined kind of the phase 1 offtake scenario. We do have a queue position for the entirety project -- of the project capacity at Cholla. We do not have one at Sitgreaves.

CHMN STAFFORD: Okay. Okay. So that's only the phase 1, though, the 375; right?

MR. ALMQUIST: So 375 is -- so we bid several different configurations into AP -- into SRP, and that's what was selected, but our queue position is for the full 750 at Cholla.

CHMN STAFFORD: Okay. So you have -- so the system impact study is for the full 750 at Cholla?

MR. ALMQUIST: Uh-huh.

CHMN STAFFORD: But you only have a contract for half of that offtake, then?

MR. ALMQUIST: That's the current status.

CHMN STAFFORD: Okay. Okay. So -- all right. So you had --

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: One second. So -- okay. So that makes -- so what's -- for that one you'd have to take -- SRP would have to take the offtake then for you to complete that interconnection with the double circuit for this Route 1; correct?

MR. ALMQUIST: That is the most optimal outcome. There is indeed a case to deliver to APS via Route 1. It would require a different queue position and a lot of transmission and technical challenges because it would be on one gen-tie like that.

But there is that option is still present to us.

CHMN STAFFORD: Okay. And then and so for Routes 2A or 2B do those -- does interconnection to Sitgreaves, does that have a queue position?

MR. ALMQUIST: I do not believe so, no.

CHMN STAFFORD: Okay. Okay. So I guess -- so I'm just going to talk through how this is going to work.

So if you do -- because you're bidding the next 375 into the future RFPs for the production. So if it does go to APS, then you need to get into their interconnection queue to connect at Sitgreaves; right?

MR. ALMQUIST: Correct.

CHMN STAFFORD: Okay. Just to make sure I understood what was going on here.

MR. ALMQUIST: And apologies for any confusion on that regard. It is an interesting particular project situation even for myself to digest.

CHMN STAFFORD: Right. Right. Because you're in a different situation than what we usually see because you have a contract for the offtake for half of the project, but that whole project is bid into the queue, but now you're going to have to do it -- if you're going to get awarded a different contract for the rest of the offtake, you're going to have to get a different queue position to connect at a different spot. I just want to make sure I -- it was all straight in my head here.

Member Little, did you have a follow-up question?

MEMBER LITTLE: I think I have it straight. Thank you.

MR. CROCKETT: Okay.

BY MR. CROCKETT:

Q. Okay. Mr. Almquist, regarding the form CECs that were filed in the docket, did they utilize the format of certificates that have been issued by the line siting committee in recent cases?

A. (Mr. Almquist) Yes.

Q. Is Exhibit CC-22 a copy of the proposed Exhibit A to be attached to the proposed CEC-255-A?

A. (Mr. Almquist) That's correct.

Q. Is Exhibit CC-23 a copy of the proposed Exhibit A to be attached to proposed CEC-255-B?

A. (Mr. Almquist) Correct.

Q. Mr. Almquist, are Exhibits CC-7A and CC-7B, which we've been discussing all day, are those true and correct copies of the PowerPoint presentation that we've been looking at?

A. (Mr. Almquist) That's correct. They are.

Q. Is Exhibit CC-21 a copy of the route tour itinerary and map had the committee members voted to take a physical tour of the project?

A. (Mr. Almquist) Yes.

Q. Do you have any concluding remarks regarding the gen-tie project or the application, either you or Ms. Cass?

A. (Mr. Almquist) I just want to say on behalf of

the witness panel thank you to Chairman Stafford and committee members. You know, we appreciate the thoughtful questions and understand that your job to evaluate these gen-tie corridors is difficult. There's a lot that goes into it. And so not to even mention that we're doing this during holiday time.

So thank you for your attention to the presentation, and we hope that you got all the answers that you needed.

CHMN STAFFORD: Thank you.

Member Little.

MEMBER LITTLE: I have some questions -- some kind of follow-up questions on things, cleanup questions I guess they are.

Is now the time?

CHMN STAFFORD: I think so.

MEMBER LITTLE: Okay. In the application in Terracon's report at the very beginning of the report, they are talking about an undocumented landfill. And it says, "The suspected undocumented landfill to the southeast of the site gen-tie corridor and the unknown contents represent a recognized environmental condition to the site."

I didn't hear any mention of that in our presentation.

MR. CROCKETT: Chairman Stafford, Member Little, are you referring to the Exhibit CC-25? The biological? Or are we -- what exhibit are you referring to?

MEMBER LITTLE: I'm referring to Exhibit B, the environmental report of the application.

MR. CROCKETT: Okay. Thank you.

MS. CASS: Chairman and Member Little, I can speak to that.

We included the phase 1 environmental site assessment as a sign of the due diligence that has been completed for this project. Because the requirements of the -- of the CEC process does not include talking about hazardous materials that might be on-site, it was not further described in either our application or our presentation.

We have viewed and noted the presence of that landfill as well as the size of it and its relation to the gen-tie corridor. It is our intent to span that and not impact it in any sort of way.

MEMBER LITTLE: So it's relatively small?

MS. CASS: Correct. I don't know what page it's on, but I believe there is actually a map of it further along in the report. And if you give me a few moments, I can actually direct you to that page.

MEMBER LITTLE: Okay. That would be good if you could.

I just wanted to put it on the record. You know, there's a lot of material here, so it was a little hard for me to follow what was done before, what was done current.

Also in the Terracon report in the application, there is a statement that says, "Subsequent to any geological site reconnaissance performed on the northern portion, we would recommend a preliminary exploration and pile load test program be performed to gain a better understanding of the potential cost impacts of the shallow bedrock and potentially high corrosivity that is anticipated on the site."

I didn't hear any mention of that either.

MS. CASS: Could you please clarify which document you're referring to.

MEMBER LITTLE: This is all under tab 3, and it's part of the Terracon report entitled, "Holbrook Subsidence Assessment."

MS. CASS: I will defer to Mr. Neely in just a bit here. But as part of regular development for our solar and our gen-tie process, we will conduct additional geotechnical investigations. What was conducted to date was considered more of a reconnaissance

and did not include borings or any other aspects of geotech such as pile load testing, test pits, or other types.

Mr. Neely, do you have anything to add?

MR. NEELY: No. No, you're right. We haven't done any formal exploration for the gen-tie lines at all along any of the corridors.

MEMBER LITTLE: Okay. Thank you. That -- I just wanted to have a response to that on the record because it was in the application.

And I have one -- I think just one further question, and that is what a final -- this is not exactly directly in our hula hoop, but what about fire coverage? The fire coverage for the project was mentioned in a couple of spots, but it was -- in both places it was with reference to fire departments that said, oh, we don't -- we're not responsible for that.

So I'm just wondering about fire coverage for the --

MR. CROCKETT: Chairman -- I'm sorry. Chairman Stafford, Member Little, Mr. Almquist is able to respond to that question.

MEMBER LITTLE: Thank you.

MR. ALMQUIST: Chairman Stafford, Member Little, what we have in place currently is a fire service

agreement with Navajo County. The project first I think executed the first fire service agreement in 2014 surely. We just renewed it here recently.

What that essentially entails is first a financial contribution to the fire department. Why is this the place -- this in case? To make sure that they have the resources they do need in order to respond. There are a lot of projects out there, and, you know, in my discussions with the chief at the fire department, Rusty DeSpain, there's concern. You know, they want to be prepared on how they're going to respond.

Secondly, what the fire service agreement entailed is annual training. The fire department as well as the applicant will be responsible for joint training, and this is largely guided by, one, our technology and best practices and, two, the practical knowledge that the fire department bring on how to access the site and how best to manage a crisis situation.

Some of the planning that comes -- which is also involved in that is the fire department will set an emergency response area on the site specifically, so in the case there is an emergency, they know exactly where to go and where to bring their resources. This includes, for example, a helicopter landing pad. It's a pretty robust strategy that's developed hand and fist with the

local fire department.

MEMBER LITTLE: Thank you. That's good to have on the record also. Thank you.

CHMN STAFFORD: Member Fant.

MEMBER LITTLE: Mr. Chairman, I think that's it.

CHMN STAFFORD: Thank you.

Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Two questions now actually.

I assume for your fire response they just isolate and allow fires on the battery storage to burn out on-site?

MR. ALMQUIST: (Nodded head.)

MEMBER FANT: Okay. One other question for Ms. Cass on the landfill. I assume that's just an old ranch landfill probably?

MS. CASS: That's correct. So I've identified the page that has the mapping of this. I believe it's page 60 of the approximately 1300-page PDF file of the application. It shows two -- two maps with one as a subset of the other, and it shows the location of this undocumented -- perfect -- shows the location of this undocumented landfill. This is not a municipal landfill. And instead it was something that was kind of

just found because of the historic use of this area as range land.

And as you can see here, it's a pretty small location that we will have no trouble avoiding.

MEMBER FANT: In your opinion -- oh, one last question.

In your opinion, will the presence of the landfill impact either construction or operation of the transmission line?

MS. CASS: No.

MEMBER FANT: Thanks.

CHMN STAFFORD: Mr. Crockett, I believe I had a couple outstanding questions about cultural resources.

MR. CROCKETT: Yes, you did, Chairman. Thank you for reminding me. I asked Dr. Huntley to initially respond to the question.

BY MR. CROCKETT:

Q. Dr. Huntley, I believe the Chairman was asking about the number of eligible sites on each of the route options as well as whether or not the State Historic Preservation Office agrees with the eligibility listing for those sites.

So would you please discusses that now?

A. (Dr. Huntley) Yes, I will.

And just point of clarification, the SHPO comments at this point do not specify whether they agree or disagree or concur or do not concur. They simply ask for more information to justify our interpretations.

And so what we have is on Route 1, we have one recommended eligible site. This is a newly discovered site, and the SHPO had no comments regarding this site's eligibility. For Route 2A we have nine eligible sites, all of which are new.

And on this line there were five we recommended as not eligible, and it's two of those that the SHPO has requested additional information for.

For Route 2B there are no sites neither previously documented nor new sites.

CHMN STAFFORD: Thank you.

MR. CROCKETT: And, Chairman Stafford, at this point I would move into evidence Exhibits CC-1 through CC-26.

MEMBER MERCER: Mr. Chairman.

CHMN STAFFORD: Yes, Member Mercer.

MEMBER MERCER: Before we move into something else, kind of like Member Little I just have some close-up questions.

For the benefit of the public and acknowledging that this committee has no jurisdiction

over the solar and the battery storage project, can you describe how this gen-tie line along with the solar and battery storage will contribute to the grid reliability in a post-coal environment like Navajo County?

MR. ALMQUIST: Chairman Stafford, Member Mercer, I can speak to that.

The project, especially in this area, really does contribute very positively to lay out the post-coal Cholla power plant environment that you mentioned. It's -- the reduction of that amount of power on the regional grid as a whole, it strains the entire grid.

You know, the grid was designed -- the Cholla power plant -- excuse my lack of history knowledge here -- has been around for quite some time. And that injected capacity. The infrastructure over the past few decades was really built around that injection capacity right there.

And so the loss of that just provides general strain across the grids. Because the power that's needed in Joseph City, Navajo County is still there, and it's having to get that dispatched from other sources.

So having not only solar but the battery storage portion has -- creates a huge improvement in

terms of reliability specifically at that point of interconnection where this power is really needed. As I mentioned, the grid has been developed over however many decades around that injection kind of being the norm.

So it takes more -- we like to discuss that 1 megawatt of coal does not equal 1 megawatt of solar generation, and so there's a -- there's a huge demand and need for these projects to deliver power there.

MEMBER MERCER: So that takes me to my next question.

In very general terms and -- do you have any idea how many of these projects like solar and battery storage projects will take to replace this legacy coal plant?

MR. ALMQUIST: It's a good question. And I think, of course, defers to what the average production capacity was of Cholla compared to what we expect across projects to deliver.

There is a rule of thumb. I would like to kind of maybe shore up my knowledge and get back with you on that in the next few minutes, but it will definitely take more than the original capacity that Cholla developed -- or, excuse me, that Cholla was generating.

But I will work on finding some of those figures and let you know exactly what our expectation is

on that.

MEMBER MERCER: That would be good. And the reason I'm asking this question is because I can see the impact that projects like this have in the environment, number one, and how huge this these projects are. I mean, the solar project is -- just goes forever and ever and ever up and down. And I just want to have an idea for the public so they know, so I know, so everybody's educated on this issue.

MR. ALMQUIST: Absolutely. I will work on the capacity to absolutely Cholla and also try to give you a ballpark understanding of the acreage requirement.

MEMBER MERCER: Thank you.

CHMN STAFFORD: Quick question.

Joseph City is served by APS; correct?

MR. CROCKETT: Chairman Stafford, that's my understanding, but I'll ask my witnesses if they have a different understanding.

MR. ALMQUIST: There is to a degree utility services from SRP at the Cholla Substation. To my understanding, though, you're correct APS just serves directly Joseph City.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: I wanted to follow up on

Member Mercer's inquiries about the acreage piece and the environmental impacts. And I just -- I want to make sure that we use these numbers in the right context.

I think -- I think there is some concern about renewable energy projects taking up more land. But when you look at the cumulative impacts of other firm technologies that are often compared to renewables, there is a land base impact. You're mining for coal. You have certain emissions associated with the production of electricity.

I think it's really hard to just pick one metric, a spatial metric to compare these things. So I just want to be sensitive. I'm happy to hear the numbers on how many acres of solar you need to replace so many megawatts of coal generation or other firm generation. But I really want to caution us about having a discussion to compare those kinds of things. Because I think the impacts -- I'm sure someone really smart has done this. But I just want to caution us in this group to compare generation that we don't have jurisdiction over to. So --

CHMN STAFFORD: All right. Mr. Crockett, the only witness we haven't really covered is CC-5. That was for -- the witness summary for Ms. Skulstad, which she was absent so she was replaced by Ms. Shamey.

Do you want to withdraw CC-5?

MR. CROCKETT: Yes, we'll withdraw CC-5.

CHMN STAFFORD: All right. And I've got copies of everything except for CC-26. If you could get a hard copy to myself and the court reporter. Today or tomorrow morning will be sufficient.

With that, Exhibits number CC-1 through 4 and CC-6 through 26 are admitted.

(Exhibits CC-1 through CC-4 and CC-6 through CC-26 were admitted.)

MR. CROCKETT: Thank you, Chairman Stafford.

And let me ask for your preference at this point.

We've obviously got the two proposed CECs which are relatively standard in their format. We do have also Exhibit As that we've submitted. Those are -- those are fairly elaborate exhibits, a little more lengthy than what I've typically seen in the past.

Do you want to discuss those now during the evidentiary portion of this or do you want to take those up when we get to talking through the CEC, the two proposed CECs?

CHMN STAFFORD: My suggestion is that we take a brief recess now. We've been going about 90

minutes. It's about that time. During the break, I can send out Chairman's 1 through 4 for the two CECs. And then when we get back, how about you give your closing before we start discussing the CECs?

MR. CROCKETT: Okay. But, again, if we have -- if the committee members have questions on the Exhibit A, we can -- we can handle that while you're discussing the -- you know, the CECs.

Are you comfortable with that?

CHMN STAFFORD: Right. I think once you give your closing we can start talking about the CECs.

MR. CROCKETT: Okay. Thank you.

CHMN STAFFORD: With that let's take a 10 to 15-minute recess.

(Recess from 4:36 p.m. to 4:59 p.m.)

CHMN STAFFORD: Let's go back on the record.

Mr. Crockett, I think we're ready for your closing.

MR. CROCKETT: Thank you, Chairman Stafford, Members of the Committee.

First off I'd like to thank you all for being here yesterday and today and part of tomorrow it looks like at this point. I appreciate your attention, your thoughtful preparation, and the questions that

you've presented. It's been, you know, a great learning experience for me on some of these questions, and I think it's been good to get the information on the record.

The applicant, Chimney Canyon Solar, LLC, as you have seen has done a lot of work on this project. There's been a lot of studies done with an eye toward making sure that this project is environmentally compatible with this area.

The generating units at the Cholla power plant, the first unit came online in 1962 with -- subsequent units 2, 3, and 4 coming online in 1978, 1980, and 1981. So this power plant has been around for decades producing energy in the northeastern part of Arizona, and it's been an important part of our energy production in Arizona.

As these energy units have been retired there's been a great need to replace that energy with clean, renewable energy both photovoltaic and wind energy in this area, which is uniquely suited for wind projects.

And so we've put a lot of thought and effort into this project and believe it's a well-designed project that will produce great benefits for this area and for the state of Arizona.

In my opening statement, I made some predictions here about what the evidence would show, and

I said that the Chimney Canyon Solar gen-tie project supports public -- important public interest benefits consistent with the factors in A.R.S. Section 40-365.06. And I went through these, and I'll repeat them again here.

Number one, the project optimizes land use and minimizes environmental impact. The gen-tie routes have been selected to avoid sensitive sites, reduce land disturbance and comply with applicable siting and permitting requirements in an area with significant existing and planned utility infrastructure.

Two, this enables grid access for renewable resources. The gen-tie lines provide the physical and operational link between the solar and BESS facilities and the transmission system allowing clean energy to be delivered to load centers.

Three, this project improves system reliability and resilience. The gen-tie lines enhance grid stability by integrating dispatchable storage and providing redundancy in transmission pathways.

And, four, this project advances statewide sustainability goals. The project aligns with the Arizona Corporation Commission's integrated resource planning objectives by diversifying Arizona's energy mix and reducing carbon intensity.

The application filed by Chimney Canyon Solar includes all of the information and studies required by A.R.S. Title 40, Chapter 2, Article 6.2 and Arizona Administrative Code Title 14, Chapter 3, Article 2. And specifically the application includes all of the information and evaluations and documentation relevant to the project that's outlined in Arizona Administrative Code Rule R-14-3-219 Exhibit A.

The public outreach in this project was robust and extensive and I would submit effective. We've -- there's been many ways for the public to participate in this project. We've had no intervenors. We had one public commenter, someone that is an owner of land that's subject to this project, and she spoke in favor of the project and provided I think additional reasons for the committee to approve this project.

The project is consistent, as I said, with A.R.S. 40, Section 360.06 and the factors that you consider as a line siting committee. And you've done your -- you've done your job well the last couple of days. You've asked a lot of good questions where there was information missing from the record. We've supplemented that information. And I think that you can feel comfortable voting to approve the CECs after we've been able to go through them.

As I indicated, we've submitted proposed CECs, a CEC-255-A that would be retained by the applicant and a CEC-255-B that would be transferred to APS for those portions of the gen-tie that APS will own -- will construct, own, and operate from the point of change of ownership to the interconnection at the APS Cholla Substation or the APS Sitgreaves Switchyard.

We've provided exhibits to the -- an Exhibit A to those CECs, which is detailed. It's more detailed than the exhibits that I've been accustomed in the past. We've attempted to provide a lot of detail regarding the dimensions of the corridors that we're seeking.

We recognize that these corridors are -- are relatively large for this project, but we think that we've presented compelling evidence why the corridors need to be the size that they are. There are cultural resources in this area. There's geologic constraints in this area that necessitate the need for flexibility for the applicant as they construct this project so that they can make sure that they construct it in a way that is the most environmentally compatible with the area. And that's certainly their intent to do. They've made a number of commitments on the record in this proceeding regarding how this project will move forward and what

they will do to protect the environment and make sure that they address all of the issues that have come up.

I will note, again, that while the corridors are wide, that the right-of-way we're requesting is relatively small, 150 feet wide. And so we will -- we will obviously honor that. We will utilize the fewest number of structures that we can, consistent with sound engineering for the project.

And as we've heard in the testimony, the last couple of days, we will certainly be using Route 1 of the -- proposed Route 1. We're asking for you to also approve Routes 2A and 2B with the corridors that we've requested there so that phase 2 of this project will have a path to the Sitgreaves Switchyard if that is where we are ultimately able to interconnect.

As I mentioned, again, earlier the -- these rights -- or these corridors are not exclusive, and we certainly have worked with the landowner, and the landowner's been an integral part of making sure that those projects coexist with one another and that everyone that needs to get to a substation is able to do that. And so we commit to continue to work with the landowner and with the other developers in the area to make sure that all of these projects coexist and that we can get the clean renewable energy to where we need it to be.

So with that, we would ask that you after reviewing these proposed CECs and making any changes or edits that you believe are necessary that you approve CEC-255-A and CEC-255-B.

Thank you.

CHMN STAFFORD: Thank you, Mr. Crockett.

The members should have Chairman's 2 and 4, which are the PDF version of CEC-255-A and B on the tablets.

We're not going to start voting on them this evening. I just wanted to have members look at them and let the applicant know if they're going to have any suggested language.

I did -- I want to point out in the CEC-255-A I did add Condition 17 for the applicant to provide Commission Staff with a copy of all interconnection agreements for the solar array and the BESS subject to the existing protective agreement with Commission Staff and that they will comply with all requirements contained in those agreements because they're going to have one for the initial 375 and then another for the additional 375. That's my understanding.

Is that correct?

MR. ALMQUIST: Yes, that's correct.

CHMN STAFFORD: Okay. Thank you.

Member Hill.

MEMBER HILL: Can we ask questions about these drafts?

CHMN STAFFORD: Yes. That's what we're --

MEMBER HILL: Okay.

CHMN STAFFORD: We're going to just chat them up now so we're ready to go in the morning at 9 a.m. sharp.

MEMBER HILL: I'm great at chatting it up, so --

Condition Number 5, I wasn't sure where the applicant landed on the Arizona Game and Fish recommendations, whether or not they wanted to include language about the letters from Arizona Game and Fish as applicable and feasible or whether they wanted to amend Exhibit CC-16.

MR. CROCKETT: I'm sorry, I was sneezing. I apologize, Member Hill.

The options were modifying language in Condition 5 or amending Exhibit CC-16.

MEMBER HILL: Yeah, that was my recollection.

MR. CROCKETT: And but -- and so amending Exhibit CC-16 to incorporate all of the fish and game recommendations is that what you're suggesting?

MEMBER HILL: The ones that we talked about so that we have on the record -- I realize that you have best management practices. You walked us through that. But I want to make -- I don't think there was anything that Game and Fish requested around preconstruction construction-related things that couldn't be added to the list. So I was -- I was expecting that there would be an addition either to Exhibit CC-16 or Member Little suggested that we reference the letters from Game and Fish and say -- let me look up the language that she mentioned.

MS. CASS: If I may, Member Hill.

MEMBER HILL: I think maybe a recommendation that kind of incorporates what Member Little was saying is maybe we can revise the language for Condition 5 to reference the latest Arizona Game and Fish department letter as further -- so we'll reference that, but then also say as also clarified in the, you know, response matrix in Exhibit CC-16, and therefore we're referencing both documents, and it doesn't require updating one of the exhibits at this point.

CHMN STAFFORD: And quick follow-up.

Where is the latest Game and Fish letter in the record?

MS. CASS: It is in multiple locations. I

believe the most recent submittal of that would be in the updated scoping, which is CC-15, and we'll be able to find the appendix within that to reference.

MR. CROCKETT: And Chairman Stafford, just it is Exhibit CC-15. It is Appendix G, Arizona Game and Fish department communications. And there are both letters referenced in there, the July 8 letter and the June 23, 2025, letter, and I just ask Ms. Cass to confirm I think that the relevant letter here at the June 23, 2025, letter because that basically updated the year -- the letter from fish and game a year earlier as the project scope was expanded a little bit. So --

MS. CASS: That is correct.

CHMN STAFFORD: All right. And then I guess another option would be to -- my concern with that is that's -- my recollection of Exhibit 15 is like 170 pages long.

Does that sound about right?

MR. CROCKETT: And, Chairman, it does sound about right. Yeah, it's a fairly lengthy exhibit. There was a lot of public outreach. But we could -- we could potentially late file a copy of this as a separate standalone exhibit, the fish and game letter. It would be CC-27.

CHMN STAFFORD: Or we could just attach the

letter as an Exhibit B to the certificate itself. We've done before in other matters, but they just -- it was written -- they took -- they combined several different things and put them into an Exhibit B that was a list of mitigation measures they were -- they would agree to undertake, and that was referenced as an Exhibit B to the certificate itself.

MR. CROCKETT: And I guess our concern with the fish and game letter is it's broader than just the gen-tie project, and is that -- Ms. Cass, is that right?

MS. CASS: Yes. Two items. One, it's broader than the gen-tie project; and, two, our response matrix does -- does still address many of the recommendations that are in there, and we do want those responses to be formally accounted for.

MR. CROCKETT: And that -- and Chairman Stafford --

MEMBER LITTLE: Mr. Chairman.

CHMN STAFFORD: Hold on one second.

MR. CROCKETT: That is because the fish and game have basically signed off on that from our -- you know, from our position in their e-mail response where they indicated that they'd reviewed the matrix and they didn't have any further comments.

So, you know, one thing we'd talked about

was language that we would comply with the requirements of fish and game as those are laid out in the -- as the company has committed to in the matrix, Exhibit CC-16 and such -- you know, and such other recommendations in the fish and game letter that are specifically applicable to this project. And we can -- we can overnight maybe come up with language to modify Condition 5 that we can present to you tomorrow.

CHMN STAFFORD: Member Little.

MEMBER LITTLE: I would just suggest -- thank you, Mr. Chairman.

I would just suggest that we change the following, the last sentence of 5 to say, "The applicant commits to follow the mitigation measures -- lines described in hearing -- or in the AGF and D letter dated whatever it's dated, found wherever it's found, as applicable and feasible and as clarified in hearing Exhibit CC-16."

That would be my suggestion.

MR. CROCKETT: And I see a nodding --

MEMBER LITTLE: They've got -- then we've got the words as it applies to the transmission line. We've got the CC-16 in there, and we've got the letter in there.

MR. CROCKETT: I think that would -- I

think that would work from the applicant's perspective.

MS. CASS: Yes, that is correct. We -- I think we did lose you for just a little bit as you were reading off your sentence.

Do you mind reading it off again?

MEMBER LITTLE: I didn't write it down. It's in my head.

MEMBER HILL: I think she froze again.

CHMN STAFFORD: You froze again, Member Little.

MEMBER LITTLE: Sorry. "The applicant commits to follow the mitigation measures that apply to the transmission line as described in the AGF and D letter dated blank, found blank, as applicable and feasible, and as further clarified in hearing Exhibit CC-16."

MS. CASS: Thank you.

CHMN STAFFORD: And you can just say project and not transmission line because that's how the -- it's how it's --

MEMBER LITTLE: Right.

CHMN STAFFORD: The project is just the transmission line for purposes of the CEC.

MEMBER LITTLE: Good. Thank you.

MEMBER HILL: Mr. Chair.

CHMN STAFFORD: Yes, Member Hill.

MEMBER HILL: A question for Member Little. Member Little, is that your effort to -- to make sure that the revegetation, the invasive species, the construction practices are all part of this or -- the date of the letter matters, and so that's why I'm kind of curious whether you were trying to capture all of those things.

MEMBER LITTLE: I was trying to capture all of those things. Are all of those things not in that second letter?

MEMBER HILL: Well, there's -- you guys want to -- I assume the applicant wants to use letter 3 and the third letter; is that right?

MEMBER LITTLE: There isn't a third letter. It's the second letter; right?

MS. CASS: Correct. There are only two letters from the department.

MEMBER HILL: I was thinking about the e-mail being a letter that -- okay.

MEMBER LITTLE: That would --

MEMBER HILL: Okay. So you're talking about the June 23 letter?

MS. CASS: Correct.

MEMBER HILL: Okay.

MR. CROCKETT: And I -- and, Member Hill, Chairman Stafford, I believe that's what Member Little is talking about is that most recent from Arizona Game and Fish that's the more extensive that includes, you know, a number of things. That's dated June 23, 2025.

That letter -- I'm getting a thumbs-up from Member Hill. That letter super -- well, I don't know if it superseded, but it was a subsequent letter to the original letter because the scope of the project had increased a little bit.

Is that right, Ms. Cass?

MS. CASS: Yes, that is correct.

MR. CROCKETT: And so that's --

MEMBER LITTLE: I --

CHMN STAFFORD: Member Little.

MEMBER LITTLE: I am in agreement with all of that. I still have some concern over the fact that 2A and 2B were only a desktop analysis for the biological and water and everything else. And I'm not quite sure how to handle that.

MEMBER HILL: So I had some other thoughts on that.

MEMBER LITTLE: Okay.

MEMBER HILL: I too want to make sure that as those surveys come forward that they -- you offer

further consultation with Game and Fish. I know Game and Fish said they don't need any more consultation, but that was based on the studies that they've already received. The new studies in my mind present kind of a different discussion or light in light -- my thought is that when those studies are done, they should be provided to Game and Fish for additional comment is my suggestion there if you guys are comfortable with that.

MR. CROCKETT: I'm seeing nodding heads from the other side of the room.

So, Chairman Stafford, Member Hill, would that be -- would that be an additional sentence to Condition 5 that says that we will provide those -- that we will provide any additional studies with regard to should we reference Route 2A and 2B?

MEMBER HILL: Yeah, I think that's great.

MR. CROCKETT: Okay. And that we'll provide those to Arizona Game and Fish and that we'll follow up with them in consultation with them.

MEMBER HILL: Give them an opportunity to provide additional comments or feedback.

MR. CROCKETT: Okay. All right.

MEMBER HILL: I don't want to suggest like it has to be full consultation because they may look at this and say, okay, we're good with this.

CHMN STAFFORD: What are you doing here?

MEMBER HILL: But because that was not -- those studies that were forthcoming were not part of the original consultation. I just want to make sure that they get the attention.

And then the last thing if I can move on in this section is we discussed bird diverters on the Little Colorado River crossing. And I wanted to open that discussion up.

MS. CASS: Before we move on, may I have a small recommendation to the previous bit --

MEMBER HILL: Please.

MS. CASS: -- about sharing updated studies? Can we just clarify that that would be biological studies?

MEMBER HILL: Yes. I don't think they're particularly interested in some of the other studies that you're doing. Just the biological ones is fine.

MS. CASS: Okay. Thank you.

CHMN STAFFORD: And then the bird diverters, I seem to recall testimony of Mr. Almquist saying that of all the other lines that cross the Little Colorado in that area they do not have bird diverters.

MR. ALMQUIST: Chairman Stafford, if I can clarify, I do want to make sure I understand and

represent the situation correctly. We've been on-site many times. In total frankness we were not looking for bird diverters, but I reviewed the site photos that we do have, and to my understanding there's not bird diverters. That's really all I can speak to the matter.

CHMN STAFFORD: Okay. I mean, because it's the standards that we have in -- it's the avian protection to power lines and reducing avian collisions with power lines manuals. Those are the guidelines which require bird diverters in certain circumstances, wouldn't it?

MR. ALMQUIST: That's my understanding, yes.

CHMN STAFFORD: Right. I think sometimes we've said, okay, well, you need to put them on anyway pending them, but --

MEMBER HILL: Hold on. I feel like there was something in the Game and Fish letter that acknowledged that that wasn't clear, so forgive me.

MS. CASS: On --

MEMBER HILL: Okay. So the APLIC gives you kind of two alternatives. You can design so that power lines have enough space between them or to reduce the likelihood of bird electrocution you can install bird flight diverters. So APLIC gives you a couple of

different options.

I think as recently as maybe three or four cases ago, although it's cloudy, on the Little Colorado we did ask for bird diverters, so --

CHMN STAFFORD: Yes.

MEMBER HILL: So I want to suggest that the crossing at the Little Colorado should have bird diverters.

MS. CASS: Are you saying that you would want -- the -- our project will be in compliance with the clearing and spacing guidelines as defined in the APLIC standards already.

Are you asking for the bird diverters in addition to that?

MEMBER HILL: I think I'm having concerns. So I'm visualizing this. I'm seeing many lines crossing the river. I'm seeing many lines at different heights crossing the river.

I think at some point it is a place of congestion along that river where -- and I talked about this -- even in several cases ago we were collocating the third line somewhere -- that it's making it really challenging for birds to navigate through that area.

And so if somebody was putting bird diverters on there, I think it would just help birds move

more easily through that or just know to avoid that area frankly. And so that has been my concern is in these congested areas, it is really hard for bird species and probably bats to kind of maneuver through all of these different lines at different heights with different towers.

And the cadence of the towers are all different and the lines are sagging in different ways, and I just kind of am having trouble with that, and that's why I'm asking for some additional visual bird diverter-type apparatuses to kind of just say stay away from this area even though the Little Colorado is probably an attractive place to be.

MR. CROCKETT: And, Chairman Stafford, Member Hill, I'm not very knowledgeable on bird diverters.

Is that a standard term?

Are there different types of bird diverters?

MEMBER HILL: There are different types of bird diverters. I'm not going to be specific about it. All of them do basically the same thing, but there are different companies, different designs, all of those kinds of things.

MR. CROCKETT: Is this something we take

away tonight and think about and talk --

MEMBER HILL: Absolutely.

MR. CROCKETT: -- and discuss amongst ourselves?

MEMBER HILL: Yes.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

You know, bird diverters tend to be for migratory waterfowl, bigger, slower birds that can't turn very well. Songbirds tend to be in the lower midair column, so they're under the -- under the transmission lines. Not always. And they tend to fly only in daytime anyway and roost at night. Migratory waterfowl, of course, fly at night too.

So I'll just point that out.

CHMN STAFFORD: Member Drago.

MEMBER DRAGO: Thanks, Mr. Chairman.

Ms. Cass, for the clarity on the record, we have a request for bird diverters and you had referenced something that I know nothing about. What you referenced, does that require bird diverters or no?

MS. CASS: No. The APLIC standards, which are published and publicly available, require considering the usage of bird diverters in areas. And for areas -- for segments where the spacing between poles is not

sufficient to prevent electrocution that is where they require those bird diverters.

MEMBER DRAGO: And what we're trying to do is regardless of that criteria we have a request on the table from Member Hill to place them on there. Thanks.

CHMN STAFFORD: Yeah, because there's been a couple of the projects where they cross the Little Colorado or the San Pedro where they've been required to put bird diverters on whether or not the APLIC standards required them. I think they felt it was necessary to mitigate the impacts of the -- well, almost, yeah, the San Pedro and the Little Colorado.

But it wasn't the Little Colorado next to the Cholla plant, though. That's the major difference between those and this case I think.

Member Fontes.

MEMBER FONTES: Thank you, Mr. Chairman.

Mr. Crockett, when you look at that, look at what the other utilities do and the other projects. I'm not used to seeing bird diverters for a small project gen-tie like this. I'm typically used to seeing it for 345kV and above for long-haul transmission as described by Member Fant. But this one, that would not be something that I would expect to see, but I'll let you research that and get back to us.

MR. CROCKETT: Chairman Stafford, Member Fontes, thank you for that comment. And I had a follow-up question for Member Hill not knowing myself much about bird diverters.

But would, you know, a requirement to use bird diverters, do they attach to the structure?

Do they attach to the conductor?

How far in each direction at the river crossing? Do we have any of that type of detail?

MEMBER HILL: I would not prescribe that because I don't know the tower distances or the height of any of the wires associated with it. There are best practices around that. I wouldn't prescribe that to you.

I would -- I would say that bird diverters are probably the more important thing to reduce birds being attracted to that area and the wetland complex that's there.

CHMN STAFFORD: Well, they're on the conductors. My recollection of the testimony from the prior case is it's a -- it's a device put on the conductors that -- you know, that birds can see more readily than the line, the conductor itself, and thus are able to avoid it.

MR. CROCKETT: Well, we'll take that back this evening and talk about it and come back with a

response in the morning.

MEMBER HILL: Great.

CHMN STAFFORD: Member Fant.

MEMBER FANT: Thank you, Mr. Chair.

Mr. Crockett, yeah, the bird diverters are like bling. They're like bird bling. And they're meant to prevent the bird from hitting the line and injuring itself. Electrocution is not an issue, especially with songbirds.

It's a bigger issue with big migratory waterfowl or eagles or hawks who are sitting on a structure and, you know, spread out their wings and accidentally touch a line and make two contacts and ground themselves. So they're there to prevent birds from physically flying into the conductors.

CHMN STAFFORD: The only other thing I might suggest was that when we talk about the routes and corridor. I added that what the size of the facilities that are connecting via the line are in the description because that makes it easier for me to look it up later, so I can look at the certificate not to go to the application.

The only other thought is, well, do we want to make it the language a little more plain that -- because it says that if you look at the project

description under routes and corridor after you lay out the Route 1, 2A, 2B, it says only one of the two southern routes may be constructed.

And it says there's a potential that neither Route 2A nor 2B will be constructed if all generator power can be delivered via Route 1 into the existing Cholla -- APS Cholla Substation. But if that's the case, then it would be a double-circuit 500kV line; correct?

MR. ALMQUIST: Chairman Stafford, that is one of the likely outcomes. There is an outcome that it still remains a single circuit. And that's like I mentioned earlier a little bit to be determined at this point. But they're -- both outcomes are plausible, a single circuit or a double circuit into Cholla.

CHMN STAFFORD: Right. I think that could be called out for better clarity because if you look at the beginning of it, it says that the project consists of to up to single-circuit 500 or 345kV lines rated for minimum 750 megawatts.

So I think that -- and then if it's the two -- 2A and 2B that could be 345 but not Route 1?

MR. ALMQUIST: Chairman Stafford, that's correct.

CHMN STAFFORD: Okay. And then I guess

what's the voltage on the Sitgreaves Switchyard? Is that 345?

MR. CROCKETT: Chairman Stafford, yes.

MR. ALMQUIST: Chairman Stafford, if I may elaborate, there actually is terminating points of 500kV at the Sitgreaves Switchyard because there is the -- and excuse my forgetfulness here, but there is a 500kV line traveling south to Sitgreaves Switchyard. We'd be bidding into the 345kV bus, though.

So for all intents and purposes 2A, 2B for relevancy to the project would be 345kV.

CHMN STAFFORD: Say that again. So there's -- it's a switchyard but it has 500 and 345kV?

MR. ALMQUIST: That's correct. So that -- that line, which, again, I can grab the exact name for you, does interconnect to the switchyard to some capacity. I guess it's being constructed now. And I can get a statement prepared for you by our interconnection team on the Clearway side to further define that.

But the way our project would interconnect is 345kV.

CHMN STAFFORD: So you wouldn't be doing 500kV for 2A or 2B then?

MR. ALMQUIST: Correct.

CHMN STAFFORD: I think if you guys would

wordsmith that a little bit to make that more clear, I think that that would be better. I mean, it's like when the Commission reads this, they're not going what's going on here? What did you guys approve?

MR. CROCKETT: And, Chairman Stafford, we'll have to look at that. I'm just looking at the CEC for 206-2, and it describes -- it says -- it describes one 345kV switching station. And so I don't -- I think we might need to clarify are you confident in that, Mr. Almquist?

MR. ALMQUIST: I'm confident in discussions that we've had internally regarding my statement. I'm actually reaching out to our team now on that and hopefully can provide a little bit more clarity.

MR. CROCKETT: That's one we'll come back to you tomorrow on, Chairman.

CHMN STAFFORD: Excellent. And then I'm circling back to see if Member Little has any comments about this Condition 17.

Now, I added 17 to A but not B. It didn't seem to be necessary to have both you and APS provide the same interconnection agreements to Staff.

Member Little, thoughts?

MEMBER LITTLE: Thank you, Mr. Chairman.

First of all, I concur with what you were

talking about before. When I read the proposed CEC, I was very confused. It said two of the following three. And I thought that it was possible that 2A or 2B would not be constructed even with both phases, so that needs to be cleared up.

And I was happy with the way you handled 17 until I discovered that they haven't even looked at the 345kV lines yet. And there needs to be language in there that requires that they provide the studies to Staff and all of the typical stuff that we have when are -- when the studies are not complete.

CHMN STAFFORD: So add some specificity about if they go with options 2A or 2B, they need to provide the system impact studies for that for the 345 project because my recollection, Mr. Almquist, is because you've had -- what's in your interconnection queue is the full 750 to interconnect at Cholla through Route 1; correct?

MR. ALMQUIST: That's correct.

CHMN STAFFORD: Okay.

MEMBER LITTLE: I thought that it was only 375 to connect at --

CHMN STAFFORD: That's -- that's what --

MEMBER LITTLE: -- 375 megawatts connect at Cholla, but nothing else had been studied.

CHMN STAFFORD: No, the study was for 750 megawatts to connect to Cholla. They've only got a contract in place for SRP to take 350 megawatts of power delivered at Cholla. That's my recollection of the testimony.

MEMBER LITTLE: But the study was for the full 700 megawatts to be delivered at Cholla.

Is that what the study was for?

I'm asking for clarification on that.

MR. ALMQUIST: Chairman Stafford, Member Little, that's correct. When we provide the -- all the interconnection documents, we'll have these prepared for you tomorrow to answer any additional questions on it and provide further clarity.

MEMBER LITTLE: Okay. Yeah, that needs to be clear, that if 2A and 2B are used, that's -- you know, that's a whole different voltage level and all kinds of things that will affect the system impact.

CHMN STAFFORD: Right. And there hasn't been a system impact study for that yet because that's not in the queue yet because you may --

MEMBER LITTLE: I understand.

CHMN STAFFORD: -- it may not be necessary. Based on if they get the output award in the RFP, then they can just fill out the rest of the interconnection at

Cholla, and it wouldn't require any more interconnection studies; right?

MR. ALMQUIST: Chairman Stafford, that's correct.

CHMN STAFFORD: Okay. Thank you.

MEMBER LITTLE: I'm happy.

CHMN STAFFORD: All right. Anything further from members?

I think we're --

MR. CROCKETT: Chairman Stafford, if I could just follow up on one. I'm looking at 17. I'm not sure we had a protective agreement with Staff in this case because the study was not a confidential document, so --

CHMN STAFFORD: But --

MEMBER LITTLE: Good point.

CHMN STAFFORD: I guess we can remove the word "existing" because when you do interconnection agreement, you won't -- you will want to have it be confidential, will you not?

MR. CROCKETT: Yeah, I think that's if we're filing -- well, we'll talk about this one and let you know if we need to make any edits to what you're proposing here.

CHMN STAFFORD: Okay.

And then I guess I think I want to have this -- this isn't tracking the changes. It's just a final thing, so it's not as obvious what I did to it.

MR. CROCKETT: Chairman Stafford, was that the only change you made was to add Condition 17?

CHMN STAFFORD: No, I added language in the beginning project description that talked about the project would interconnect at approximately 750 -- okay -- yeah, MWac solar powered generating facility and an associated BESS.

And then I think I added -- so that is referred to those in 17. I think -- I don't think you had the voltage in it originally -- I mean, the size of the -- did you? I can't --

MS. SHAMEY: Chairman Stafford to Peaks Audio if you'd like to show my screen I have a tracked changes copy.

CHMN STAFFORD: Okay. Yeah, that would help because that will show what I did. I only added the 17 in the new Condition 17 in A. So 17A and B are different.

MEMBER DRAGO: I see.

CHMN STAFFORD: Okay. I guess I didn't change that. I didn't change that stuff in the project description? I could have sworn I did.

MR. CROCKETT: Back up just a little bit. Right? Is it after the -- is it above the option 1, 2, and 3?

CHMN STAFFORD: Oh, no, that's right. I was going to change that around to make it a recurring term, but then I just went and used what you put in there already. I didn't insert anything in that part.

Because in 17, instead of having it referred to solar facility and BESS, I just used a -- I didn't call it something else. I was going to put the name in there for it, but I did not. I started to and changed my mind.

All right. Were there any other amendments to the CEC -- and then B is the same except without the additional Condition 17 about the system impact studies or the interconnection agreements because it didn't seem to make sense to require the applicant and/or APS to submit the same study twice.

MR. CROCKETT: Yeah.

CHMN STAFFORD: And then I would ask the members to look at -- before we start back tomorrow, take a look at their Exhibits A for both the certificates that shows the difference routes, the potential overlap of the point of change of ownership.

MR. CROCKETT: And, Chairman Stafford, if I

could just make clear I'll ask Ms. Cass to use her pointer here, but I want to point out for you the two areas of overlap. Let's start on Route 1. And is that the one that Member Fontes can see?

Is that the right cursor?

MEMBER FONTES: Yes, I can see that. Thank you.

MR. CROCKETT: All right. So the way we've laid this out is that is an area that would fall under both CECs A and B because we don't know exactly yet where the POCO is going to go, so that would provide us flexibility to move within that area.

And then down at the southern end at the Sitgreaves Switchyard again we have this area that would be included in both CECs to allow, again, to move the POCO there.

CHMN STAFFORD: Do you have the corridor widths called out?

I'm not seeing that.

MR. CROCKETT: We do on the -- oh, I guess we don't on --

MS. CASS: Let me go to the next page please.

CHMN STAFFORD: Is the next -- because there's, like, four pages to each one.

MR. CROCKETT: There we go.

CHMN STAFFORD: Okay. There we go. That's what I was looking for. All right.

MR. CROCKETT: And, again, just for the committee's information, the line where we're showing the gen-tie, that is -- that's an estimate of where we think the gen-tie's going to go, but it could move anywhere from side to side within the approved corridor.

MS. CASS: Due to the relatively large length of this line and the availability of this corridor, we provided a map set to be included in Exhibit A. The first one is an overview of the entirety of the requested route for CEC-A. And then the following four pages zoom in on each section and provide the detailed dimensions along the entire length.

So this is map 2 of 5. And then if we can scroll down, you can see the additional dimensions for the rest of the length.

MR. CROCKETT: And the Route 2A and 2B are called out in the legend. And then we've got sort of the double cross-hatching is the area of overlap between the two CECs.

CHMN STAFFORD: And then the Exhibit A for -- the B is just the nubs on the end that APS would end up owning?

MS. CASS: That is correct.

Could we go to the other Exhibit A, please.

So we reduced this to only include the portions that are applicable to CEC-B. And similarly we had on overview map that shows the entire -- both portions at once. And then we have the following next two pages which provide the dimensions for each area.

CHMN STAFFORD: All right. Can you go back to the first page of A for both of them? Go --

What would it take to label the existing transmission? You've got it on the placemat.

MS. CASS: We can add that information to this map pretty -- yeah, we can add that.

CHMN STAFFORD: Anybody have --

MEMBER FONTES: Mr. Chairman.

CHMN STAFFORD: Yes, Member Fontes.

MEMBER FONTES: The standard notation that we've seen other developers use is the name of the utility that owns it like APS slash and what is the voltage.

I have another suggestion. We have a phase 1 and a phase 2 here. And we may have an additional circuit.

Can we note that in some way in the legend?

CHMN STAFFORD: How do you mean?

MEMBER FONTES: I'd have to go back to the description. I don't have that. I'm just looking at the map. Just so that the -- for the applicant's consideration it's always useful to have your description match the map, so I guess, Mr. Chairman, my ask would be have them double-check that tonight.

CHMN STAFFORD: Yeah, I think they were going to --

MEMBER FONTES: Legend notes.

CHMN STAFFORD: Yeah, I don't know about legend notes, but we had discussed having them amend the project description and then Condition 17 about what additional studies would be happening depending on how they end up interconnecting for the full amount of the solar and storage, so I think that when they come back tomorrow morning, they'll have some language that clarifies that up.

I think -- and for the map we're approving the corridor. I guess --

MEMBER FONTES: And so what I'm looking at for the applicant to do is just read the description that they have in the draft CEC and then just double-check it against this map to make sure that as you go for the re -- the visual interpretation of the map that it matches that narrative description as we've seen what

other applicants do. It's very useful for the public.

CHMN STAFFORD: Right. And I guess because if they remove the dotted line in the middle and just approve the corridor, then it would be okay for Route 1. It's one or two lines are going to go in that corridor. That could be -- well, you're probably not going to build two lines. It's going to be a single or double circuit, though; right?

MS. CASS: Correct.

CHMN STAFFORD: I don't know that the picture has to show, but that as long as it's called out clearly in the description that, you know -- I guess you could -- and it says gen-tie Route 1 in the legend. You could say single or double circuit.

Would that address what your concerns are, Member Fontes?

MEMBER FONTES: I think so. Just so it matches. And there's no -- there's no right answer. We've seen it in the legend. We've seen a callout on the map, Mr. Chairman, as you're aware, but I'd look for the applicant to come up with a solution to -- just for the public and for the final CEC.

MS. CASS: I think how we can try and address this concern in the project description we can -- we currently have the routes and corridors listed

Route 1, Route 2A and Route 2B with a location description of them. Maybe we can add on to this to expand the single double circuit and the voltage within the same area.

And then it would be easy to see how routes 1, 2A and 2B match up to the map, and then the description will provide that extra information by route.

CHMN STAFFORD: Thank you. That sounds like a great idea.

MR. CROCKETT: And so, Ms. Cass, you're suggesting that would appear here where we've got Route 1, 2A and 2B?

It would be -- we'd expand those paragraphs where we're describing the route?

MS. CASS: Correct.

MR. CROCKETT: Chairman Stafford, Member Fontes, does that seem to make sense to you?

CHMN STAFFORD: I'm getting a thumbs-up from Member Fontes.

MR. CROCKETT: Okay. Thank you.

CHMN STAFFORD: Member Comstock.

MEMBER COMSTOCK: Mr. Chairman, thank you.

Considering number 3 in Chairman's Exhibit 2, excuse me, I don't want to ignore Mr. Neely's presentation today about geological structure in the

area. I don't see -- because it's new to me I don't see it referenced anywhere where that consideration needs to be applied unless you feel that it's covered under these conditions.

CHMN STAFFORD: Mr. Crockett?

MR. CROCKETT: Chairman Stafford, Member Comstock, I think it is covered under these conditions. It's clear that we need to apply -- we're talking about Condition 3; is that correct?

MEMBER COMSTOCK: That's what I'm looking at is the -- it seems like the logical place to consider geological issues that may be in the right-of-way or in the application. So, I mean, but if the fissures aren't considered or subsidence isn't considered, I want to make sure we're adding that. And it's the first time I've seen it in a presentation so that's why that I don't know that it's in the CEC. I just want to make sure that it is.

MR. CROCKETT: Well, from my perspective, the language that says, "Applicant shall comply with all existing applicable air and water pollution control standards and regulations and with existing applicable statutes, ordinances, master plans, and regulations of any governmental body," and then it calls out a number of things. I don't think that there's any -- I'm just

thinking about whether there's any specific condition or requirement that applies to a subsidence area or a fissure.

I think it's more in the planning of the project that we're going to -- we're going to engineer around those -- those features. And so, you know, I think this language tends to stay the same from CEC to CEC.

So I guess my request would be that we not change the language to provide some kind of requirement with regard to subsidence or fissures. I'm not -- I'm not exactly sure what that condition would look like.

CHMN STAFFORD: Let's ask Mr. Neely.

I mean, to me it seems like it's more a matter of construction standards than regulatory standards.

MR. NEELY: So I'm not sure I understand the question.

Can you help me?

CHMN STAFFORD: It's -- I guess Member Comstock is suggesting do we need a -- do we add a condition that addresses how the applicant will deal with the geological formations or the subsidence or I guess it's fissures, whatever it was.

What's the standard for dealing with those?

My assumption was that it was going to be a construction standard, not a regulatory standard of how you can place the pole to make sure it's fit to purpose for the soil it's in.

MR. NEELY: Okay. So as far as I'm aware, we're not restricted by any code standards for where the tower can be located. Our client comes to us and tells us, "Hey, I need it located XYZ. What do I need to do to make that happen?"

So I'm not aware of any code standards, regulations that typically restrict us from locating the tower or -- we don't locate the alignment, but where we would assess locating the tower foundations.

Is that --

CHMN STAFFORD: But then what is --

MR. NEELY: -- what you're after?

CHMN STAFFORD: I guess then what was the standard to which you engineer the tower foundations to deal with the geological issues?

Say you had to put one in the subsidence area, is it engineering standards that dictate what you need to do?

MR. NEELY: Oh, the safety of the public. That's the standard I'm held to. That's my PE, my professional engineer. I have to design things with

regard to the safety of the public. That's my bottom line regulatory standard if you want to call it that. Yes.

MR. CROCKETT: And, Chairman Stafford, if I could follow-up with Mr. Neely on that. I mean, the objective is to engineer around these areas for this project, correct, not that you'd be putting a structure in the area of subsidence but that you would identify those areas of fissures and subsidence so that you could design the gen-tie to avoid those areas; is that right?

MR. NEELY: That would be the preference.

MR. CROCKETT: And so there's not an applicable -- other than just the general safety of constructing a line in a way that's soundly engineered, I'm not sure what the condition would look like. The other comment I would have is these conditions when they get added to a CEC tend to get picked up in future CECs as well.

And, you know, we made a presentation on geology. I've not seen that in other presentations, but I think that there's still -- that still could be relevant in other cases, and we happened to present on it because of some of the unique characteristics in this area.

But, again, I think that the language is

broad enough in the -- in the CEC certainly to the extent there were any kind of code requirement or statute or ordinance. It already indicates that we would comply with those in this Condition 3.

MEMBER COMSTOCK: Thank you for allowing the discussion. I appreciate that. I just wanted to make sure that -- it was a unique part of the presentation. I waned to make sure it was considered. It sounds like it's going to be. And I hope that that happens. Thank you.

CHMN STAFFORD: Anything further from members?

I think the applicant has its homework. I think we can recess until nine a.m. tomorrow morning at which point we will begin to debate and vote on the CEC.

We stand in recess.

(Proceedings recessed at 5:57 p.m.)

STATE OF ARIZONA)
)
COUNTY OF MARICOPA)

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