

EXHIBIT H

EXHIBIT H – LAND USE

As stated in Exhibit H of Exhibit 1 to the Rules of Practice and Procedure Before Power Plant and Transmission Line Siting Committee:

“To the extent applicant is able to determine, state the existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed site or route.”

The following sub-exhibits include information responsive to Exhibit H.

Exhibit H-1	Existing Plan Analysis for the Nogales Interconnection Project
Exhibit H-2	Existing Plan Analysis for the Nogales Tap to Kantor Upgrade Project

Pursuant to Footnote 1 of Exhibit 1 to the Rules of Practice and Procedure Before Power Plant and Line Siting Committee, Applicants refer the Committee to the following studies for additional analysis regarding land use plans and policies applicable to areas in the vicinity of the CEC Transmission Facilities:

- Exhibits A-3(a)-(d): Land Use and Jurisdiction Maps for the Nogales Interconnection Project
- Exhibits A-3(e)-(g): Land Use and Jurisdiction Maps for the Nogales Tap to Kantor Upgrade Project
- Exhibit B-1(a): PP EA (Section 3.1)
- Exhibit B-1(b): DOE Draft EA (Sections 3.6, 4.6, and 4.16.4.5)

Exhibit H-1 – Existing Plan Analysis for the Nogales Interconnection Project

I. INTRODUCTION

The Nogales Interconnection Project is proposed to be located primarily on private land parcels, as well as small parcels owned by the City of Nogales along Mariposa Wash and the border of the Coronado National Forest. Although the project will also span two state highways, State Route 189 (“SR 189”) and Interstate 19 (“I-19”), no poles will be sited in Arizona Department of Transportation (“ADOT”) right-of-way. Similarly, the project is proposed to span a 60-foot-wide strip of land parallel and adjacent to the U.S.-Mexico border, known as the Roosevelt Easement, but will not include pole structures in this area.

Land use in the vicinity of the project is mapped in Exhibits A-3(a) through A-3(d), and further discussed in the PP EA and the DOE Draft EA (Exhibits B-1(a) and B-1(b)). The PP EA details land use specific to an approximately 250-foot-wide area centered in the route segments and the Gateway substation area, while the DOE Draft EA analyzes land use and land cover within a one-mile buffer of the route segment variations.

II. EXISTING LAND USE

A. General Land Use

Existing land use within one mile of the route segment variations is a mix of ownership of public lands, undeveloped private land, general commercial, light industrial, and multifamily residential. Generally, the eastern portion of this area is more developed, with open, undeveloped desert within the western portion adjacent and parallel to the City of Nogales border with the Coronado National Forest. Approximately 71% of the land cover within one mile of the route segment variations is classified as “shrub/scrub,” indicating that the area is dominated by shrubs less than five meters tall. Because most land in the vicinity of the project is undeveloped, the project would avoid direct conflicts with residences, educational facilities, houses of worship, and other sensitive land uses. This includes route segment variations that run adjacent to medium- and high-intensity developed areas.

B. Residential Land Use

Existing residences in the vicinity of the project are concentrated in two general areas: near the existing Valencia Substation and generally east and northeast of the proposed Gateway Substation. The majority of the existing residences are multifamily housing units and consist of apartments and condominiums. Of the seven multifamily residential developments identified near the project, two are condominiums (Villa San Simone Subdivision and Villa Mariposa Subdivision between West Mariposa Road and North Mastick Way, near the existing Valencia Substation), four are apartment complexes (Loma Mariposa Apartments, Santa Rita Apartments, Santa Carolina Apartments, and Villa Paraiso Apartments, generally northeast of the proposed Gateway Substation just north of SR 189), and one is a manufactured home community (Mariposa Manor, east of the proposed Gateway Substation and just south of SR 189).

C. Business Land Use

Retail and service-based businesses in the vicinity of the project are located closer to the eastern portion, generally around Grand Avenue and the existing Valencia Substation. These businesses include medical offices, such as general practitioners, dentists, and optometrists; retail stores, such as Wal-Mart and Home Depot; a strip mall; and pharmacies, motels, office buildings, and restaurants. The western portion of the project is located in a business environment that is more industrial in nature and contains facilities for manufacturing, freight shipping, and construction supply. These businesses include the United Parcel Service, BorderPro, Swift, Reynolds Logistics, and Arizona Forwarding Co. In addition to private businesses, the U.S. Border Patrol's Nogales Station is adjacent to Route Segment Variation 10.

D. Livestock Facilities

Both private and government livestock facilities are located in the vicinity of the western portion of the project, adjacent to currently undeveloped land. Of the three identified facilities, one is used by the U.S. Customs and Border Protection ("CBP"), another is used by the U.S. Department of Agriculture ("USDA"), and the third is privately owned and most likely used for commercial purposes.

III. LAND USE PLANS

Potentially relevant projects, plans, and programs that have occurred or could occur during the same time as construction of the Nogales Interconnection Project were

identified by contacting local authorities, county agencies, and state and federal agencies in the vicinity of the project and requesting information on past, present, and proposed future land alteration and development activities.

A. Local and County Government Land Use Plans, Policies, and Zoning

The Nogales Interconnection Project (including all alternative routes) will be located entirely within the City of Nogales' Designated Growth Area, as identified by the General Plan (City of Nogales 2011a). The General Plan includes a "Guiding Principle" for infrastructure/communication to "provide the adequate infrastructure and communication technology needed to serve current and future populations" (City of Nogales 2011a:8). Although transmission lines and substations are not included specifically as an Element of the General Plan, the Growth Areas and Land Use Elements include Goals and Policies for commercial and industrial development and provide implementation measures to direct commercial and industrial development to areas compatible with the General Plan Land Uses.

Applicable guidance regarding infrastructure development from the City of Nogales General Plan Land Use Element Goals and Policies include:

- Goal 3: Locate commercial and industrial development and industrial parks in areas suited for such development. Policy 1: Require that commercial and industrial development and industrial parks comply with all applicable requirements of this General Plan.
- Goal 7: Balance public infrastructure and community facilities projects with land use planning and economic development efforts. Policy 1: Coordinate and anticipate infrastructure and community facilities needs and updates with existing and planned development to support economic development efforts. (City of Nogales 2011b)

Although the project is also wholly located within Santa Cruz County, the City of Nogales is outside of the area of jurisdiction of, and therefore not subject to, the Santa Cruz County Comprehensive Plan. A.R.S. §§ 11-801(2), 11-802.

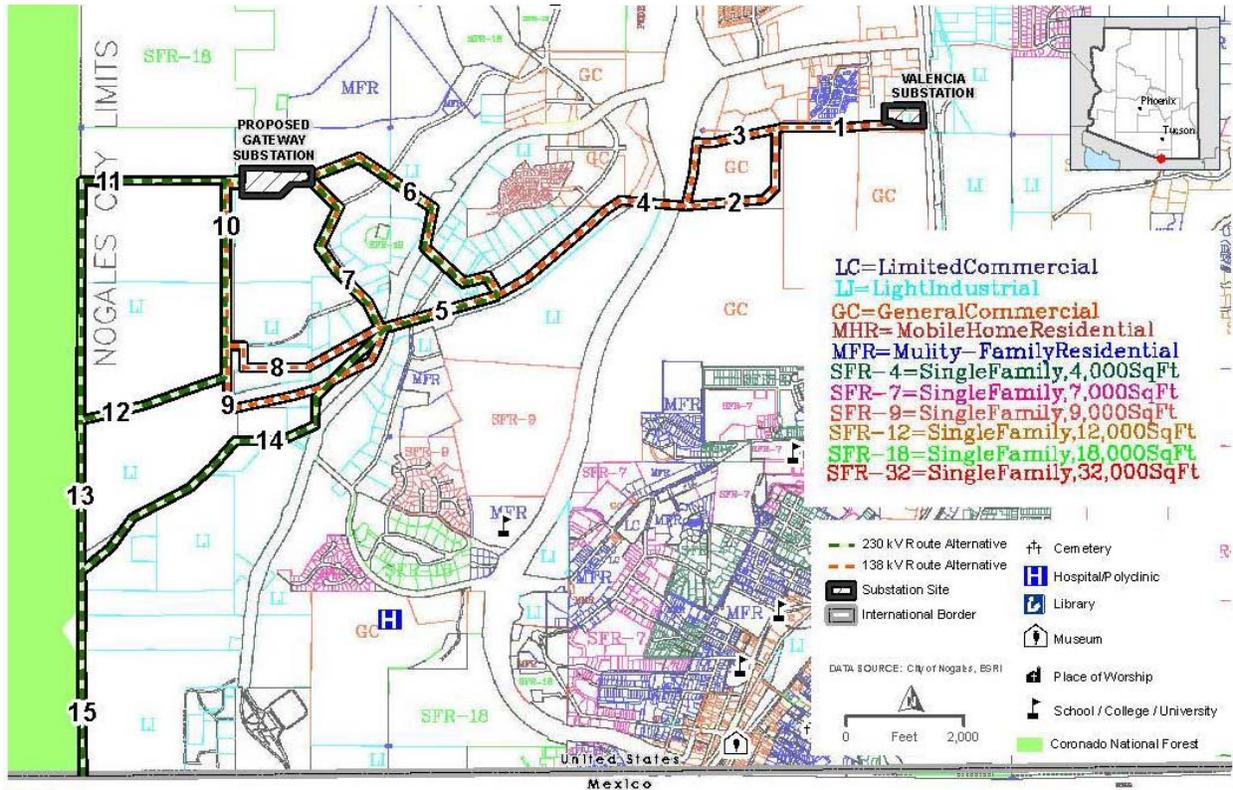
The City of Nogales and the Santa Cruz County Flood Control District are in the early stages of developing a floodplain master plan to control flooding in areas around the Ephraim, Nogales, and Mariposa Washes. These plans, while not yet funded,

include proposed impoundments and flood control activities in the study area, and at least one preliminary impoundment may be crossed by the project.

Permitted land uses in the vicinity of the project are regulated at the local level by the City of Nogales zoning regulations. The central portion of the project area is transportation-related commercial and industrial along the SR 189 corridor. The portion of the project area east of I-19 is primarily zoned for general commercial use, with the exception of one multifamily residential development on the southwestern side of Mariposa Road and Mastick Way. The area south of the residential development is an existing utility corridor. The land immediately west of I-19 is also zoned for general commercial use and then transitions to light industrial use (City of Nogales 2011b). The light industrial use-zoned areas include both existing industrial development and, farther west, a planned industrial park that would occur on existing undeveloped land adjacent to the Coronado National Forest. Both the existing Valencia Substation and the proposed Gateway Substation site are zoned light industrial.

As specified in the City's Zoning Code, utility structures and facilities related to the transmission of power or communications are considered permitted conditional uses and must be approved by the City's Planning and Zoning Commission. The City of Nogales previously issued a conditional use permit ("CUP") approving development of a substation at the site of the proposed Gateway Substation. The CUP has since expired and Applicants intend to reapply for the permit. A map of City zoning within the vicinity of the project is included below in Figure H-1(a).

Figure H-1(a) City Zoning in the Vicinity of the Nogales Interconnection Project



*Route Segment Variation 8 was removed from the analysis.

B. State Land Use Plans

Arizona Department of Transportation (“ADOT”) reviewed the plans for the Nogales Interconnection Project, considered in the context of future transportation facilities and existing facility improvements. The State Route 189, International Border to Grand Avenue project is identifying alternatives for SR 189 between the point of entry and Grand Avenue, a distance of approximately 3 miles, to increase roadway capacity and improve access control along SR 189.

The State Route 189, International Border to Grand Avenue project is necessary to address current and forecast growth in traffic (especially truck, commercial vehicle, and bus traffic) related to the recent expansion of the Mariposa point of entry (completed in late 2014), the designation of the SR 189 corridor as the southernmost segment of the proposed new Interstate 11 corridor within the CANAMEX International Trade Zone, and anticipated industrial development expansion along the SR 189 corridor.

Otherwise, transportation projects near the Nogales Interconnection Project generally consist of routine roadway maintenance activities such as road and highway resurfacing, asphalt surface treatment, bridge repair, bituminous overlay, milling and overlay, concrete paving, railroad crossings, and pedestrian bike trail improvements.

C. Federal Land Use Plans

Based on discussions with CBP during a meeting on September 17, 2015, CBP may use any new access roads developed for the Nogales Interconnection Project for its operations.

D. Private Land Use Plans

Reasonably foreseeable development includes new industrial warehouses and commercial properties similar to what can currently be found in the area. No reasonably foreseeable energy projects were identified in the area.

IV. LAND USE IMPACTS

A. Land Ownership

Many of the impacts to land use and recreation are common to all of the alternative routes. Generally, Nogales Transmission would need to acquire easements on private lands for the approved ROW. However, there would be no change to land status. No condemnations for the proposed project would be anticipated. Nogales Transmission would work with all owners and managers of existing built structures. Nogales Transmission would conduct negotiations with all landowners for the purpose of acquiring legal access across private lands.

B. Impacts to Existing Land Use

1. General Land Use

During construction, the Nogales Interconnection Project would have short-term indirect impacts on land use, including the potential to disrupt residential, recreational, commercial, or light industrial uses in site-specific locations as a result of the delivery of construction materials and workers in the area. The effects of construction vehicles on land use are expected to be relatively minimal, because construction efforts would be dispersed, and the linear-nature of transmission line construction would not result in intense, concentrated activities, except at the Gateway Substation. The number of

construction vehicles at any one location would not add noticeably to the number of vehicles typically on any given section of roadway. Temporary impacts to land cover could include temporary conversion of shrub/scrub land cover to grassland or barren land within the ROW.

The project would have minimal, long-term, direct and indirect impacts on existing land uses. Where the transmission lines would be located within existing utility corridors, and/or within commercial and light industrial areas, the project would be compatible with current land uses. Construction of the proposed Gateway Substation would affect land use in its vicinity in the short-term, but the impact would not be significant, since the Gateway Substation site is already established in an area zoned for light industrial use; the site is bladed and is used by TEP for equipment storage; and the site would be converted from disturbed, undeveloped land to developed land.

Operation, maintenance, and emergency repairs for all of the alternative routes would have no effect on land use in the vicinity of the project, except for those impacts as described below, and short-term, intermittent nuisance impacts to the residential areas resulting from maintenance or repair equipment. When periodic inspections of the proposed transmission line ROW would be conducted using passive methods, these methods would not affect land uses. The effects of any emergency repairs would be similar to those described for construction, albeit for a shorter duration and within a smaller footprint.

Applicants will not locate any structures, facilities, or physical occupancy of any kind within the Roosevelt Easement during construction, operation, maintenance, or emergency procedures. The conductors would span the existing fence at the international border, as well as the Roosevelt Easement. During operation and maintenance, as well as any emergency procedures, all structures, facilities, or physical occupancy of any kind would be located at least 60 feet north of the international border with Mexico. Construction, operation, maintenance, and emergency procedures planned adjacent to the Roosevelt Easement would be coordinated in advance with the CBP and any other applicable agency.

The project would not interfere with any known pipelines, other transmission facilities, or electrical generation facilities, nor would any significant cumulative effects result.

2. Residential and Business Land Use

One residential area, the Villa San Simone subdivision, is located directly adjacent to the proposed ROW for all alternative routes. Access to the northeast portion of the project would not occur through this subdivision. Six other residential areas are located near route segment variations but not directly adjacent to the project area. Private landowners in residential areas may experience short-term nuisance impacts during construction related to noise, dust, or heavy equipment, as well as temporary impacts to traffic congestion or temporary road closures. The short-term impacts would be intermittent and cease at the conclusion of project construction.

Existing businesses adjacent to the project may experience short-term impacts related to construction such as noise and traffic congestion or temporary road closures, with industrial-type businesses anticipated to experience these impacts to a lesser degree than commercial businesses. These impacts are not anticipated to result in loss of revenue or closure of businesses.

The project is not anticipated to result in effects on existing residences and businesses in the vicinity of the project during operation and maintenance. Access to the existing residences and businesses would not change as a result of the project, as the proposed transmission line would be constructed around the existing built environment and would not require the demolition or relocation of existing buildings or roads. Additionally, the project would not result in a change in existing zoning or land use, as discussed below.

3. Livestock Facilities

Construction of the project and associated new and upgraded access roads could result in temporary, short-term impacts to livestock facilities in the vicinity of the project, such as noise, vibration, and dust. Operation and maintenance of the project could disturb the livestock during repair of the transmission line facilities or during vegetation management activities, though the impacts would be short-term and temporary, only occurring while maintenance is being performed. Impacts from operation of the proposed project could include that of electromagnetic fields. Several studies have been conducted on the possible effects of EMF on the health, behavior, and productivity of wild or domestic animals, including cattle (Angell et al. 1990; Burchard et al. 1996; Burchard et al. 1998; Lee et al. 1996; Reimers et al. 2000; Rodriguez et al. 2003; Rodriguez et al. 2004; Stormshak et al. 1992; Thompson et al. 1995). The research does not suggest that electric or magnetic fields result in significant adverse effects on the

health, behavior, or productivity of domestic livestock such as cattle, or other mammals such as deer or elk (Amstutz and Miller 1980; Busby et al. 1974; Goodwin 1975; Mahmoud and Zimmerman 1983, 1984; Picton et al. 1985; Rogers et al. 1982; Ware 1974; Williams and Beiler 1979). The project would not be anticipated to result in long-term impacts to livestock or the facilities used to house them, as the proposed project transmission line ROW would be located adjacent to existing facilities and transmit power at a lower voltage than those tested in cited research and determined to not result in significant effects on the health or behavior of the study animals.

C. Impacts to Land Use Plans, Policies, Zoning, and Ordinances

A review of the City of Nogales' General Plan indicated that none of the alternative routes would conflict with the goals or objectives if implemented and all of the alternative routes would be compatible with its policies. Furthermore, no direct impacts from the project would conflict with the Forest Plan applicable to the neighboring Coronado National Forest.

The transmission line facilities proposed adjacent to the residential area near the existing Valencia Substation (i.e., the Villa San Simone subdivision) would be constructed within an existing UNSE utility corridor. Existing zoning regulations are already in place; therefore, the project would not require any rezoning or land reclassification. Similarly, the transmission line facilities proposed adjacent to general commercial and light industrial areas would not require any rezoning or land classification changes. The transmission line facilities proposed in the currently undeveloped areas west and south of the proposed Gateway Substation would occur on lands currently zoned for light industrial use and slated for future development of the planned industrial park. The location of the project within this area was planned to limit the restriction of planned future development of the parcels, at the request of the landowner/developer, by siting the western edge of the proposed ROW exactly on the boundary between private and CNF land (zero feet) (i.e., the ROW being located at the western edge of the parcels would be more preferable than bisecting the center of the parcels). The project would not result in impacts to federally or state established, designated, or reasonably foreseeable planned land uses.

V. CONCLUSION

In summary, construction, operation, and maintenance of the project is anticipated to be consistent with applicable land use plans and policies. The project

would have minimal long-term, direct and indirect impacts on existing land use or land use development proposals.

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Exhibit H-2 – Existing Plan Analysis for the Nogales Tap to Kantor Upgrade Project

I. INTRODUCTION

The Nogales Tap to Kantor Upgrade Project is proposed to be located primarily along a 27.5-mile segment of an existing 138-kV transmission line that serves Santa Cruz County. The majority of lands within the vicinity of the proposed project are either held in public trust and administered by the Arizona State Land Department (“ASLD”) or are privately held. Depending on the approved route, relocating some of the transmission infrastructure outside the existing alignment may be necessary.

Existing land use in the vicinity of the project is mapped in Exhibits A-3(e) through A-3(f). The study area for this sub-exhibit includes the proposed upgrade project locations and those areas within one mile of those locations where land use could be directly or indirectly affected by the proposed project. The data for this sub-exhibit were gathered through aerial photograph interpretation, field verification, and review of various documents including general plans and maps, zoning/land development codes, master plans, and jurisdictional websites.

II. EXISTING LAND USE

A. General Land Use

Existing land use within one mile of the route segment variations includes residential, business, public and quasi-public, and undeveloped state land used primarily for research and grazing.

B. Residential Land Use

Residential use is one of the primary land uses in the study area. Residential development within one mile of the route segment variations primarily includes low-density housing (0-1 dwelling units per acre) and medium-density housing (4-6 dwelling units per acre).

There are several residential communities known as colonias within the study area. A “colonia” is defined as a community that (A) is in the state of Arizona, California, New Mexico or Texas; (B) is within 150 miles of the United States-Mexico

border, except for any metropolitan area exceeding one million people; (C) on the basis of objective criteria, lacks adequate sewage systems and lacks decent, safe, and sanitary housing; and (D) was in existence as a colonia before November 28, 1990 (*See National Affordable Housing Act of 1990.*). Colonias within the study area include all or parts of the following communities or subdivisions: Town of Sahuarita and Avra Valley Water Cooperative - Elephant Head.

C. Public and Quasi-Public Land Use

The public and quasi-public land uses in the study area are limited to correctional institutions, including the following:

- Arizona State Prison Complex – Tucson, on the west side of Wilmot Road, approximately three miles south of I-10.
- City of Tucson Public Safety Training Academy, on the east side of Wilmot Road, approximately three miles south of I-10.
- Federal Correctional Institution Tucson, on the east side of Wilmot Road, approximately one and one-half miles south of I-10.
- Pima County Regional Training Center, on the east side of Rita Road, approximately three-quarters mile south of I-10.
- United States Penitentiary – Tucson, on the west side of Wilmot Road, approximately two and one-half miles south of I-10.

D. Livestock Facilities

Livestock grazing occurs throughout the project study area, primarily on open rangelands administered by the ASLD. Additionally, there is one grazing allotment managed by the federal Bureau of Land Management (“BLM”) within the study area. Livestock were observed grazing throughout the study area.

E. Linear Facilities and Utilities

Linear facilities within the project study area consist of utility transmission and distribution lines and ground transportation features. Utilities inventoried include electrical transmission lines, electrical substations, major pipelines, fiber optic lines, communication lines, wells, major canals, and major roads.

1. Utilities

Transmission lines include lattice tower, steel monopole, and wood-pole electrical transmission lines having a capacity of 69kV or greater. In addition to the Vail-Valencia 138kV Transmission Line, a portion of which is proposed to be upgraded in this application, electrical transmission lines within the study area are operated by Tuscon Electric Power (“TEP”) and the Western Area Power Administration (“WAPA”). TEP transmission lines include a double-circuit 138 kV line parallel to Old Vail Connection Road; and a 138 kV line parallel to Wilmot Road and north of Old Vail Connection Road. Other high voltage electrical transmission lines in the study area include WAPA’s 115 kV transmission line, which generally runs east-west just south of the Vail Substation. Existing electrical substations are located within the study area, including the Nogales Tap and Kantor Substations.

Several public and private wells are also located within the study area, primarily associated with residential and agricultural areas. Water and wastewater pipelines are also found throughout the study area, generally within or adjacent to roads in developed areas.

2. Transportation

Surface transportation features in the study area include I-19 and I-10, as well as city and county jurisdictional roads and one railroad. Major roadways within the study area include Wilmot Road, Sahuarita Road, and Mt. Hopkins Road.

F. Open/Undeveloped

Open/undeveloped areas generally consist of natural desert areas, but may also include areas that have been razed for development and then abandoned, or areas that were formally used for agriculture but are now abandoned. Large areas of undeveloped natural desert land are found within the project study area on the west side of Wilmot Road and between Sahuarita Road and the Kantor Substation.

III. LAND USE PLANS

Planned land use information was obtained from general or comprehensive plans adopted by federal, state, county, and municipal agencies. The primary purpose of general and comprehensive plans is defined in state law: “The comprehensive plan shall be developed to conserve the natural resources of the county (city), to ensure efficient expenditure of public funds, and to promote the health, safety, convenience,

and general welfare of the public.” The Comprehensive Plan serves as a guide for decisions by the Planning and Zoning Commission and Board of Supervisors concerning growth and development, while also serving as a guide for the private sector in making informed investment decisions.

The planning efforts and information available for the State of Arizona, Pima County, Santa Cruz County, and the City of Tucson describe short and long-term goals and expectations but vary substantially in complexity and level of accuracy. Comprehensive plans may designate specific corridors for siting major linear utilities, such as electrical transmission lines and natural gas or petroleum pipelines. The current applicable county and city comprehensive plans do not designate such corridors.

A. Local and County Government Land Use Plans, Policies, and Zoning

Permitted land uses in the study area are regulated at the local level by zoning regulations. Zoning, including overlay zones, was inventoried and mapped for all municipalities and counties within the study area, which includes all areas where land could be directly or indirectly affected by the proposed project, including Pima and Santa Cruz counties and the City of Tucson.

1. Pima County

Within the study area, Pima County is currently primarily zoned RH (Rural Homestead). Scattered along the east and west sides of Wilmot Rd. are GR-1 (Rural Residential) zones.

The Pima County Comprehensive Plan Update was adopted by the Pima County Board of Supervisors in 2001, and includes the designation of desired land use intensities to plan for growth in Pima County. The designation of land use intensities on the Land Use Plan and incorporation of the legend into the Zoning Code (Section 18.89.060) provides a mechanism to assure that rezoning approvals are consistent with the long-range land use plan. Rezoning and specific plans (Sections 18.91.040C and 18.90.030H, respectively) must comply with the Land Use Plan. The land use designations for Pima County that are within the study area include:

Residential

- Low Intensity Rural – less than 0.3R/1 Ac.
- Medium Intensity Rural – less than 4 R/3 Ac.
- Low Intensity Urban 0.3 – 0.3 R/AC; or 0.7 R/ Ac with 50 percent open space; or 1.2 R/AC with 65 percent open space.

- Medium Intensity Urban – less than 13 R/Ac.
- Planned Development Community - Minimum density / Maximum density: as requested.
- Resource Sensitive - Maximum density: 0.3 R/AC.

The Sonoran Desert Conservation Plan (“SDCP”) was incorporated as part of the Pima County Comprehensive Plan in 1999. The primary purpose of the SDCP is to “ensure the long-term survival of the full spectrum of plants and animals that are indigenous to Pima County through maintaining or improving the habitat conditions and ecosystem functions necessary for their survival” (Pima County 2005). The SDCP addresses natural and cultural resource protection and incorporates a Conservation Lands System (“CLS”) that categorizes future land use in all unincorporated lands in the planning area. The primary focus of the CLS is to protect biodiversity and provide use consistent with the conservation goals of the SDCP. The land use categories in the CLS that are found in the project study area are: Biological Core Management Areas (“BCMA”), Multiple Use Management Areas (“MUMA”), and Important Riparian Areas (“IRA”).

The SDCP identifies BCMAAs as “areas of very high biological importance distinguished by high potential habitat for five or more priority vulnerable species and special elements (e.g., caves, perennial streams, cottonwood-willow forests).” Management of these lands is focused on conservation, restoration, and enhancement. The SDCP identifies a MUMA as an area “generally defined by the occurrence of high potential habitat for three or more priority vulnerable species and special elements.” Management of these areas is focused on a balance between compatible uses and conservation, restoration, and enhancement. The SDCP identifies an IRA as an area “defined by mesoriparian and xeroriparian vegetation, high (relative to adjacent uplands) water availability, denser vegetation, and high biological productivity.” IRAs also provide wildlife movement corridors. These are regional scale areas.

One major development has been proposed within the study area in Pima County. Verano, a proposed master planned community to be located west of Wilmot Road, just south of the State Prison, includes 9,900 residential units on 3,200 acres. The specific plan has been approved by the County, originally under the name of Swan Southlands. The developer, Diamond Ventures, is currently conducting preliminary work to submit plat information to the county.

2. Santa Cruz County

The areas in Santa Cruz County that are in the project study area are currently zoned GR (General Rural). All lands in Santa Cruz County within study area are under the jurisdiction of ASLD.

The Santa Cruz County Comprehensive Plan was adopted in 2004. The purpose of the Plan is to guide future actions of the Planning and Zoning Commission and the Board of Supervisors. Implementation of specific policies outlined in the Plan is subject to the discretion of the Board of Supervisors on a case-by-case basis, and may be influenced by fiscal realities and other constraints. Therefore, the Plan states that no policy goal specified in the Plan is to be construed as a mandate on the Board of Supervisors, and the use of the term “will” does not imply the County must adopt such policy. The land use designations for Santa Cruz County that are within the study area are described below.

Residential

- Ranch – very low density residential, less than 1 Dwelling Unit (“Du”)/40 Acres (“Ac”) – 1 Du/4 Ac.
- Low Density Residential – less than 1 Du/Ac.

Other

- State Trust – uses are established in accordance with applicable law and regulation of the ASLD.

No proposed developments in the study area were identified in Santa Cruz County.

3. City of Tucson

City of Tucson zoning within the study area is currently entirely RH (Rural Homestead).

The City of Tucson adopted its General Plan in December 2013. Plan Tucson presents a series of policies and recommendations for Tucson. The policies establish a basic direction and approach to guide the future growth and development of Tucson. The policies also provide guidance for the preparation of more detailed environmental, land use, and transportation proposals; the refinement of community facility and service plans; and the development or amendment of sub regional, area, neighborhood,

and other specific plans. The land use designations for the City of Tucson within the project study area include:

Residential

- Low Intensity Rural - less than 1 Du/3 Ac.
- Medium Intensity Rural - less than 4 Du/3 Ac.
- Medium/High Intensity Urban - less than 24 Du/ Ac.

No proposed developments in the study area were identified in the City of Tucson.

B. State Land Use Plans

A majority of the project study area consists of undeveloped tracts of land administered by the ASLD. ASLD leases these tracts for a variety of purposes, including livestock grazing, to generate revenues for state-funded programs and infrastructure such as schools, medical and emergency services, and highways. An 80 square-mile tract of state land, known as the Santa Rita Experimental Range, has been leased by ASLD to the University of Arizona since 1902 for the study of sustainable grazing practices. Excluding the Santa Rita Experimental Range, the majority of State land in the study area is currently leased for grazing.

The existing transmission line crosses the Santa Rita Experimental Range as well as other tracts of undeveloped State land within Pima and Santa Cruz counties. The State of Arizona does not have a comprehensive management plan for lands in the study area. No change in the state land use is expected in the near future.

UNSE met with ASLD on February 15, 2017, prior to submitting an application for a right-of-way grant of the state lands that are part of the applicant's Preferred Route - Alternative 1. At this meeting, ASLD indicated a preference for the project to remain on the east side of Wilmot Road, so as not to further encumber state lands and so that they would be available for long-range development opportunities.

C. Federal Land Use Plans

Within one mile of the proposed project alternative alignments, federally owned or controlled lands are limited to a few scattered parcels under the jurisdiction of the BLM. One of the BLM parcels is located at the site of WAPA's Nogales Tap and a

second is located about one mile east of the existing transmission line near Sahuarita Road.

D. Private Land Use Plans

Reasonably foreseeable development includes rural residential housing, similar to what can currently be found in the area.

IV. LAND USE IMPACTS

A. Land Ownership

Land ownership along the majority of the proposed alternative alignments would remain the same, except in areas where UNSE determines the need to obtain the right-of-way in fee. UNSE would obtain right-of-way easements and/or leases where needed. Current land ownership and jurisdiction is depicted on maps in Exhibit A-1 of this Application.

B. Impacts to Existing Land Use

The proposed project alternative alignments are located within existing UNSE rights-of-way or on undeveloped State and private lands. Therefore, few direct impacts to existing residential, commercial, or industrial uses are expected. Indirect land use impacts resulting from project implementation may result from obstruction of access to a land parcel or use, or otherwise limiting the use or integrity of an existing or planned land use. Minimal, indirect impacts may result to adjacent land uses from noise and visual intrusions during construction and where the proposed alignments are located within a new utility corridor.

There are areas along Wilmot Road where residential land uses have encroached upon UNSE's facilities, or where there is not enough space to safely reconstruct and operate a 138-kV transmission line, particularly for Alternative 3. In these areas, potential direct impacts may occur to residences or out-structures. No residences or businesses would be displaced, and no established residential or mixed-use subdivision or area would be physically divided as a result of any the construction of any of the proposed project alternative alignments.

Private landowners in residential areas may experience short-term nuisance impacts during construction related to noise, dust, or heavy equipment, as well as temporary impacts to traffic congestion or temporary road closures. During

construction, the Nogales Tap to Kantor Upgrade Project would have short-term indirect impacts on land use, including the potential to disrupt residential uses in site-specific locations as a result of the delivery of construction materials and workers in the area. The effects of construction vehicles on land use are expected to be relatively minimal, because construction efforts would be dispersed, and the linear-nature of transmission line construction would not result in intense, concentrated activities. The number of construction vehicles at any one location would not add noticeably to the number of vehicles typically on any given section of roadway. Temporary impacts to land cover could include temporary conversion of shrub/scrub land cover to grassland or barren land within the ROW. The short-term impacts would be intermittent and cease at the conclusion of project construction.

The project would have minimal, long-term, direct and indirect impacts on existing land uses. Where the transmission line would be located within the existing utility corridor, the project would be compatible with current land uses.

Except in the limited cases of encroachment described above, the project is not anticipated to result in effects on existing residences in the vicinity of the project during operation and maintenance. Access to the existing residences would not change as a result of the project, as the proposed transmission line would be constructed around the existing built environment and would not require the demolition or relocation of existing buildings or roads. Additionally, the project would not result in a change in existing zoning or land use.

Operation, maintenance, and emergency repairs for all of the alternative routes would have no effect on land use in the study area, and short-term, intermittent nuisance impacts to the residential areas resulting from maintenance or repair equipment. When periodic inspections of the proposed transmission line ROW would be conducted using passive methods, these methods would not affect land uses. The effects of any emergency repairs would be similar to those described for construction, albeit for a shorter duration and within a smaller footprint.

The project would not interfere with any known pipelines, other transmission facilities, or electrical generation facilities.

C. Impacts to Land Use Plans, Policies, Zoning, and Ordinances

Impacts to planned land uses are generally considered to be substantial if the construction, operation, maintenance, or abandonment of the proposed facilities would:

1) conflict with applicable land use plans, policies, goals, or regulations of an agency with jurisdiction over lands affected by the proposed project facilities or 2) substantially change the land use patterns or trends within the project vicinity.

Because the vast majority of project alternative alignments are located along transportation routes, existing utility corridors, or on undeveloped private and State lands, minimal impacts to planned residential, commercial, or industrial uses would be expected. The county and community Comprehensive and General Plans do not designate utility corridors. Even so, the proposed project is generally consistent with the Plans and would not require amendments to those plans. As a result, impacts to planned land use are expected to be minimal.

Impacts to the SDCP are anticipated and would be mitigated through coordination with Pima County and the ASLD.

V. CONCLUSION

In summary, construction, operation, and maintenance of any of the proposed alternative alignments is expected to be consistent with applicable land use plans and policies. The project would have minimal long-term, direct and indirect impacts on existing land use or land use development proposals.