

PUBLIC HEARING  
BEFORE THE UTAH FACILITY REVIEW BOARD

May 11, 2010  
4:00 p.m. to 7:00 p.m.

Tooele County Convention Center  
2930 W. Highway 112  
Tooele, Utah

UTAH FACILITY REVIEW BOARD

Ted Boyer, Chairman  
 Ron Allen, Commissioner  
 Ric Campbell, Commissioner  
 Joe Johnson, Mayor  
 Monette Hurtado, Assistant County Attorney

INDEX

SPEAKER	PAGE
Mayor Patrick Dunlavy, Tooele City.....	8
Scott Wardle.....	13
Jerry Hurt.....	18
Joy Clegg.....	24
Mayor Brent Marshall, Grantsville City.....	37
Ross Hudson.....	41
Glenn Terry.....	48
Troy Tate.....	55
Chris Belton.....	58
Jeff England.....	63
Pete Grimm.....	66
Lee Brown.....	72
Brad Pratt.....	78
Kaye Pratt.....	82
Edward Grimm.....	88
Mike Wells.....	93
John Hansen.....	96
Darrin Smith.....	100
Rep. Rhonda Menlove.....	105
Leland Hogan.....	109
Mike Trujillo.....	111
Peter Wilson.....	112
Marcie Bilton.....	113
Jim Webber.....	116

## P R O C E E D I N G S

1  
2 CHAIRMAN BOYER: I'd like to introduce  
3 ourselves, five of the members of the Utah  
4 Utility/Facility Review Board, and the parties have  
5 applied to us to -- to resolve an issue on the siting  
6 of a proposed transmission line through your valley,  
7 as you know. We're recording this, the proceedings  
8 tonight, so those of you who testify will have a  
9 record of it. Our recorder is sitting over here. And  
10 we might --

11 Are we on the record? If not, let's do  
12 go on the record.

13 My name is Ted Boyer. I'm the chairman  
14 of the board, and I'm also the chairman of the Public  
15 Service Commission. This is the time and place duly  
16 noticed to hear from members of the public regarding  
17 the issue of the proposed transmission line siting  
18 through the southeast portion of your valley here.

19 The young lady in the back that's with  
20 her back to me now and she has a pink scarf on is  
21 Dr. Joni Zanger. She works for the Division of  
22 Public Utilities for the state, and she's been kind  
23 enough to offer to take the names of those who wish  
24 to participate this evening. We have -- we've  
25 allocated three hours, and we intend to stick to that

1 schedule. We will take a break at about 5:30 to give  
2 our reporter an opportunity to rest his hands from  
3 all of this reporting. We intend to divide, to the  
4 best of our ability, the allocated time amongst those  
5 who wish to speak so that everyone has a fair and  
6 equal opportunity to speak to us.

7           You probably should know that we have  
8 already heard expert witness testimony in a hearing  
9 yesterday regarding the siting and alternative sites.  
10 Most of us, if not all of us, have already reviewed  
11 the proposed site, have reviewed it, driven it to the  
12 extent we could since its up in the hills, but we --  
13 we know generally where it is. We've reviewed the  
14 e-mails and other written comments that have been  
15 filed, we have a pretty good understanding of what  
16 the objections of those who are opposed to the  
17 proposed siting are, but we're here to hear tonight  
18 more about that.

19           With respect to how the testimony will be  
20 taken this evening, you can -- those of you who wish  
21 to speak can either give sworn testimony under oath  
22 or unsworn testimony, and if you decide -- if you  
23 would like our -- if you would like us to consider  
24 your testimony in determining -- or reaching a  
25 decision on the merits of this case, your testimony

1 will have to be sworn. However, when you do give  
2 sworn testimony, you do open yourself to the  
3 possibility that lawyers for the parties in this  
4 matter may wish to cross-examine you under the hot  
5 lights. So we'll ask each of you in turn whether you  
6 wish to give sworn or unsworn testimony.

7 Do any of you have any questions about  
8 how we intend to proceed? We'll just -- we'll begin  
9 with the list, and we'll start at the top of the list  
10 and go through. I, at this point, don't know how  
11 many people have signed up to speak, and I know some  
12 of you have similar concerns, so perhaps spokespeople  
13 will present your views as well. But we will, to the  
14 best of our ability, hear from everyone.

15 Joni, how many do we have at this point?

16 MS. ZANGER: Thirteen so far, but I  
17 haven't been back here.

18 CHAIRMAN BOYER: All right.

19 Let's give Ms. Zanger just a moment to  
20 see if there are others who wish to be heard. We  
21 very much appreciate you coming and participating  
22 tonight.

23 Commissioner Allen points out that people  
24 may come as they get off work, could come in later,  
25 and we'll have to reevaluate the allocation of time

1 to the best of our ability. But we do wish to give  
2 those who want to speak a fair opportunity, and we  
3 prefer that someone doesn't take, you know, two hours  
4 to give his or her presentation, thereby excluding  
5 others from an opportunity.

6 Okay. Well, I'm a little distracted. I  
7 just called Commissioner Campbell Commission Allen.  
8 Commissioner Campbell.

9 Well, let's ask this question at this  
10 point: Are there others in the audience tonight who  
11 wish to speak who haven't spoken with Dr. Zanger?

12 MS. ZANGER: Anyone else who would like to  
13 speak?

14 UNIDENTIFIED SPEAKER: Can I ask a  
15 question?

16 CHAIRMAN BOYER: Yes, you surely can.

17 UNIDENTIFIED SPEAKER: I'm just curious  
18 what to expect as the evening goes on. We're going to  
19 give our feelings or our testimony. At the conclusion  
20 of that your board will do -- what is your next step?

21 CHAIRMAN BOYER: We will take the  
22 information under advisement. We have further legal  
23 proceedings tomorrow, and then we have a period of 45  
24 days in which to deliberate and issue our order.

25 UNIDENTIFIED SPEAKER: Thanks.

1                   CHAIRMAN BOYER: Thanks for the question.

2   A very good question.

3                   Oh, I'm sorry. Yes, sir.

4                   UNIDENTIFIED SPEAKER: Who are the  
5 members of the board?

6                   CHAIRMAN BOYER: To my right is  
7 Ms. Hurtado, who is with the Weber County Attorney's  
8 Office.

9                   MS. HURTADO: Correct.

10                  CHAIRMAN BOYER: To my immediate right is  
11 Commissioner Campbell, who is a member of the Public  
12 Service Commission; Commissioner Allen, who is a  
13 member of the Public Service Commission; Mayor Joe  
14 Johnson, who is mayor. We are appointed -- the three  
15 of us, the three commissioners, are appointed by  
16 statute and the other two are appointed by the  
17 governor as a board.

18                  Joni, why don't you give me the list that  
19 you have, and we'll begin another list. People will  
20 be coming in, I'm sure, and we'll try to give them an  
21 opportunity to sign up as well.

22                  Okay, very well. If there are no further  
23 questions, let's begin by hearing from Mayor Patrick  
24 Dunlavy, Tooele City.

25                  MAYOR DUNLAVY: Thank you very much.

1                   CHAIRMAN BOYER: Mr. Mayor, do you wish to  
2 give sworn testimony or unsworn testimony?

3                   MAYOR DUNLAVY: Mine is reinforcement, so  
4 swearing in will not be necessary.

5                   CHAIRMAN BOYER: Okay.

6                   MAYOR DUNLAVY: Although I have been sworn  
7 at many times today.

8                   CHAIRMAN BOYER: And hopefully won't be  
9 sworn at.

10                  MAYOR DUNLAVY: I appreciate the  
11 opportunity to address you this morning. I apologize  
12 for not being at the hearing yesterday. But again, as  
13 Mayor Johnson will relate, the position of mayor is an  
14 ongoing proposition, and when you have problems in  
15 your city you deal with them, so I appreciate the  
16 opportunity to be here with you this morning -- or  
17 this afternoon just to reinforce some positions that  
18 the city has.

19                  We have, as an administration and a city  
20 council, taken a strong view on this matter. We  
21 think it's an important matter to this community, our  
22 community, and the county as a whole. We understand  
23 that there are a lot of issues to be determined, and  
24 I have some wonderful folks behind me that will share  
25 some information with you that I don't need to

1 reinforce, so all I want to do is address the city's  
2 issue.

3           As you probably know after reviewing the  
4 material, part of this southeast bench route was  
5 moved out of the city limits during the course of our  
6 ongoing relationship with Rocky Mountain Power; but  
7 having it moved out of the city limits didn't  
8 preclude us from being a participant because we own  
9 property outside of the city limits that goes up the  
10 east bench, and so the proposed route that they are  
11 proposing still is within city property, and we  
12 adamantly and forcefully oppose the route because of  
13 the importance that we feel that -- that -- some  
14 actions that the city administrations prior to me and  
15 my administration and council have taken, and that is  
16 that we have invested millions of dollars of  
17 taxpayers' money of Tooele City to purchase property  
18 on the east bench as an open space preservation area.  
19 It's vital, in our view, that that property be used  
20 for exactly what our intent was in purchasing it, and  
21 that is to maintain its pristine -- the area in a  
22 pristine way.

23           We also purchased that property to  
24 preserve and protect our watershed. We have a  
25 significant well on the top of that -- that area

1     there along with a very significant well that we use  
2     that produces quite a bit of water for the city.  And  
3     so our intent was -- in purchasing that property was  
4     not only to maintain the open space and let it speak  
5     for what we believe in Tooele County is important,  
6     and that is to preserve those things instead of  
7     letting them be developed, because there will be  
8     generations to follow us that will appreciate what  
9     we're doing in trying to preserve those open spaces,  
10    and how important that is in today's world.  But the  
11    watershed is very important to us.  Councilman Wardle  
12    will address that further.

13                 But we want you to know that that  
14    investment should not be, and in our view cannot be,  
15    disturbed by a power line that at some point, in  
16    whatever form it ends up taking, if that's the route  
17    that's allowed, that will ruin that pristine area.  
18    We've, on record -- and you have those documents, our  
19    letters and our -- and our information.  We presented  
20    to you how important that is.

21                 The other thing I want you to understand  
22    as part of your deliberation is because that power  
23    line goes across city property, even though it is  
24    outside the city limits, we are very protective of  
25    that area, and we plan on fighting to maintain that,

1 and we believe that the only way that they would be  
2 able to acquire the property that -- to take the  
3 power line across our property is through eminent  
4 domain. We have done some due diligence as far as  
5 the legal aspects of that, and we feel very strongly  
6 that we would prevail in court over that issue, and  
7 that should be part of what you consider when you  
8 consider the overall project.

9           We feel like the Planning Commission,  
10 mandated by statute, held an open public hearing --  
11 held two open public hearings, rather lengthy public  
12 hearings. Rocky Mountain Power was allowed to make a  
13 presentation that almost got to the three-hour  
14 duration and then allowed the public, us, to talk  
15 with them about our concerns and the ability for them  
16 to mitigate the -- the adverse effects of having that  
17 power line across there. It was obvious to us that  
18 they couldn't address some of those mitigating  
19 factors, those adverse mitigating factors. I believe  
20 as I stand here today that they still cannot. We  
21 believe that that's important. We understand that  
22 there are a lot of factors in what a Planning  
23 Commission is allowed to do, but they did their job  
24 very well. At the end of the day they denied their  
25 conditional use permit, and rightfully so, because

1 those areas could not be mitigated. That has not  
2 changed. We feel very strongly about that.

3 One other note and then I'll sit down and  
4 let the others speak. We worked very hard over about  
5 a three-month period with Rocky Mountain Power to  
6 help them find an alternative less adverse mitigating  
7 route. It became very apparent to me about halfway  
8 through the process that Rocky Mountain Power had no  
9 intention at all to change their route. They gave us  
10 the opportunity to work with them, and there was a  
11 feeling from us -- the mayor of Grantsville, the  
12 county commissioners, the citizens groups -- that  
13 they were actually working towards maybe finding a  
14 solution, but it became very apparent to us that that  
15 was not the case. When we realized that and  
16 identified that fact, then their approach changed  
17 drastically, and they went back to this original  
18 route which we don't think they ever changed from.

19 So it's important to know that, in  
20 fairness, we worked very hard. We, the people of  
21 this county, the cities, the county commissioners,  
22 and the citizens worked very hard to bring reliable  
23 power to Tooele County and to the state of Utah. At  
24 no time did we ever say that that wouldn't be a good  
25 thing. At no time did we ever criticize Rocky

1 Mountain Power for their ability to provide power to  
2 the residents of the state of Utah, but in good  
3 faith -- they didn't work in good faith with us.

4           And so I just want to reemphasize to you,  
5 and I thank you for the opportunity of being here  
6 today to express my appreciation to the people behind  
7 me who have worked so hard to make this -- make this  
8 right. We hope that you will understand our position  
9 and help us with this. Thank you very much.

10           CHAIRMAN BOYER: Thank you, Mr. Mayor.

11           Let's hear now from Mr. Scott Wardle, who  
12 is chair of the Tooele City Council.

13           Mr. Wardle, do you wish to give sworn or  
14 unsworn testimony?

15           MR. WARDLE: I will be doing the same as  
16 the mayor -- you have already received plenty from  
17 us -- reinforcing some of it.

18           CHAIRMAN BOYER: Thank you.

19           MR. WARDLE: As the mayor indicated, I  
20 will be speaking to you about our water recharge  
21 areas.

22           During the commission's review process,  
23 Rocky Mountain Power was presented with a packet from  
24 us, as was the Planning Commission, as you had  
25 received, that one of the areas that we did not

1 believe that mitigation could take place is in our  
2 Left Hand Fork water recharge area. Left Hand Fork  
3 is a major source of water for Tooele City. It feeds  
4 the upper east side of Tooele, for the southeast  
5 bench of Tooele City. Is also is a water recharge  
6 area for our aquifers, for our groundwater supply,  
7 which we draw out of wells. It also is an area that  
8 we feed into a reservoir that provides irrigation for  
9 many of our homes on the southwest side and southeast  
10 side of Tooele.

11 In not presenting mitigation to the  
12 concerns that we had, we gave them due notice, with  
13 plenty of time before the Planning Commission, to ask  
14 for mitigation strategies when we felt like there  
15 were none. No evidence was proffered in the  
16 conditional use process by Rocky Mountain Power of  
17 any mitigation strategies. Now, as a public  
18 utilities facility review board and a public  
19 utilities commission, we're not only dealing with one  
20 utility here, we're dealing with two. We provide a  
21 water service to our citizens, and anything that  
22 might disrupt that is of deep concern to us. As the  
23 mayor has expressed, we've spent millions of dollars  
24 protecting this water resource, not just the use of  
25 the shed but the water resource.

1           The trouble that we have is that in --  
2 when you have two competing interests, power versus  
3 water, well, one of them can be moved and one of them  
4 cannot. We cannot move our source of water. It is  
5 up in those hills. And by virtue of not being able  
6 to move it, you have received -- Rocky Mountain has  
7 been in lengthy discussions, which I sat in with the  
8 mayor and all the parties that you've heard about,  
9 about this consensus route by the citizens, one, that  
10 would absolutely be able to be mitigated; two, that  
11 would allow for future development appropriately of  
12 power in power corridors; three, that would not  
13 create the problems that we are dealing with in this  
14 source.

15           We hope that you as a commission, or you  
16 as a board, would view this as one of the most  
17 important detailed areas. We have said, and we've  
18 sent you a letter, that we intend, when Rocky  
19 Mountain Power sues us for condemnation, to proceed  
20 to the district court level. It will be that court's  
21 decision to see which competing interest is most  
22 important in the public process. We believe the  
23 water will be at this point. Please understand that  
24 we know that they need to provide safe, reliable  
25 power. We've heard that for nine months now.

1           It's also interesting that one of the  
2 facts that they have lost in this process -- they  
3 presented a big -- a whole bunch of values -- was to  
4 work with the common governmental entities. That  
5 disappeared last August. It was taken off their  
6 list. We cannot move our water resource.

7           Finally, as we go forward, we hope that  
8 you will include in the cost what mitigation -- what  
9 a lawsuit might cost, not just our citizens, because  
10 we will defend ourselves, but cost in terms of  
11 getting this project moving forward. We will take  
12 it, if we lose at the district court level, as you  
13 have been made aware, to the Supreme Court level. We  
14 believe that there are two very important public  
15 policy ideas that have to be addressed here: number  
16 one, who has right in condemnation proceedings and,  
17 number two, who is of greater value in the public  
18 interest. And as we go forward and address this, we  
19 hope that Rocky Mountain Power, with you as a  
20 facilities review board -- we hope that you will help  
21 them do the right thing. As their slogan says, "Turn  
22 the answers on." They have not presented alternate  
23 routes to us. They have asked us to do that. They  
24 have not come to us with solutions. They have asked  
25 us to do that. At times when we have brought them

1 solution, they have been very contentious,  
2 disingenuous.

3           We hope that power comes around. It's so  
4 important for the development of the southwest end of  
5 the Salt Lake Valley, for the national -- or for our  
6 United States government in the buildings that they  
7 will be building out by Camp Williams. We understand  
8 that, and we need power in Tooele Valley, but we  
9 plead with you to help them be responsible in  
10 developing this.

11           If there is a spill of gasoline by that  
12 spring, it will affect our entire water system. If  
13 pesticides get into it, it will affect our entire  
14 water system, not just the drinking water but the  
15 irrigation water and the recharge levels of every  
16 area, and they have proffered no evidence of  
17 mitigation whatsoever in any of the processes that  
18 we've been through. We ask that you hold them  
19 responsible to the conditional use process set forth  
20 by state statute, and they did not meet that burden  
21 and the Planning Commission found that to be so, and  
22 you uphold that wonderful public process that ensures  
23 that the citizens and the business holders are held  
24 accountable on both sides and so that one competing  
25 interest does not run over the other.

1 Thank you very much.

2 CHAIRMAN BOYER: Thank you, Mr. Wardle,  
3 very much.

4 Let's hear now from Jerry Hurst, Tooele  
5 County.

6 Mr. Hurst, do you wish to give sworn or  
7 unsworn testimony?

8 MR. HURST: Unsworn.

9 CHAIRMAN BOYER: Unsworn?

10 MR. HURST: Unsworn, so we're good there.

11 I'm one of the county commissioners, and  
12 we've been involved in this process for a good long  
13 time, and we worked with Rocky Mountain Power and  
14 looked at some -- some routes and thought that we had  
15 come to some -- some common ground, and when the  
16 conditional use permit was turned in, as Mayor  
17 Dunlavy mentioned, Rocky Mountain went back to the  
18 original plan with just a slight alteration, moving  
19 it slightly further to the south. We're only talking  
20 about a 3-mile area, as you know, that is in  
21 contention.

22 We do need the power, we recognize that,  
23 and a lot of people in this room have worked  
24 tirelessly on solutions. We've had several meetings.  
25 Citizen groups have organized and done a great deal

1 of work trying to come up with a plan that would  
2 cause the least impact to the citizens of Tooele  
3 County. You know, a lot of times in meetings we go  
4 to -- and the mayor can attest to this -- we hear  
5 about all the problems but we don't hear about  
6 solutions. This group behind me came up with  
7 solutions, and we thought a lot of those solutions  
8 were very viable.

9 I just want to list the objections that  
10 came out of the citizens groups and the county  
11 commission meetings and the meetings with the BLM as  
12 well as Rocky Mountain Power. Number one is the EMF,  
13 the electromagnet field. There is some evidence that  
14 there is some health factors that are affected by  
15 these high-power lines. Childhood leukemia is the  
16 major one, pacemaker interruption is another one, and  
17 other health factors have been brought up in other  
18 areas.

19 Mr. Wardle talked about the watershed.  
20 That is very important to us. We live in the desert,  
21 and water is very important to us, and we need to  
22 protect every drop of water that we possibly can.

23 The esthetics -- and this was important  
24 yesterday in the meetings. When asked, one of the  
25 experts indicated that the primary reason for not

1 locating the power lines on the south and east bench  
2 of Tooele was because of the viewshed, the esthetics,  
3 and that is one, yes, but that is not the only one,  
4 as -- as was mentioned yesterday.

5 Fire danger. There's a lot of vegetation  
6 on those foothills, and access to get to those fires  
7 to fight those is going to be difficult.

8 Property values are going to be  
9 decreased, and that's a fact of life. When you  
10 locate power lines on valuable property, those  
11 property values are going to go down.

12 The Tooele High School team -- and that's  
13 going to be talked about later, I'm sure -- but that  
14 is very important and very emotional to a lot of  
15 people in this room and in this valley.

16 The Settlement Canyon Reservoir, that  
17 lies very close to that reservoir. Last year we had  
18 a major fire in Settlement Canyon. They had to bring  
19 helicopters in to dip out of the reservoir to fight  
20 that fire. And I talked to the fire marshal. He's  
21 very concerned about being able to get to that  
22 reservoir to use that water.

23 Access roads to and around those -- those  
24 power lines will cause erosion, will cause some  
25 impact, as well as a visual impact.

1           Natural hazards. There's high winds on  
2 that hillside, there's earthquake potential,  
3 lightning storms, all of those kinds of things that  
4 are very important. We think other areas in the  
5 county would be a lot less hazardous to locate those  
6 lines.

7           Livestock grazing is another concern.  
8 There would have to be fencing put in, cattle guard,  
9 those kinds of things, and -- and obviously the  
10 removal of vegetation is going to impact the amount  
11 of grazing that's -- that's going to be available.

12           Wildlife concerns. That is a very  
13 important area for wildlife in this -- in this  
14 county. It's a migration route, and that could  
15 impair the -- the travel of those animals going from  
16 summer to winter ranges.

17           Also -- and this is going to be talked  
18 about by other people too -- is the Superfund site  
19 where the Anaconda area is and where those lines go  
20 through.

21           We do recognize the need for power in our  
22 valley. We do need the power. We've had some  
23 businesses that wanted to locate in our valley that  
24 probably looked elsewhere because of lack of power.  
25 Nobody has said, "Hey, we don't need the power." We

1 recognize that we do. What we would like to see is  
2 those lines put in the area that least impacts our  
3 citizenry. There are a lot of areas that are not --  
4 not inhabited by people. The southeast bench is the  
5 area where most of the citizens, 30,000 people in  
6 this valley, live. That is the highest population  
7 rate in our -- in our entire county. That's half of  
8 the population in our county.

9           We talked about alternate routes, and  
10 again we had several work meetings and looked at  
11 different routes, and they were summarily dismissed  
12 by Rocky Mountain Power because of different reasons  
13 that you heard yesterday. One thing that really  
14 upset me was we asked Rocky Mountain Power to move  
15 the Limber Station from the area by the Army Depot to  
16 the northern/western part of the valley. We thought  
17 that that would get those lines away from the valley,  
18 away from the populous, and that would cause the  
19 least impact to our people.

20           Rocky Mountain Power came back with a  
21 statement in one of our public hearings that, "Well,  
22 this is the area that we located," and it was in an  
23 area that's in the mud flats, and they talked about  
24 how that was going to cause -- cost a lot more money,  
25 50 million extra dollars to locate that there, and

1 that was not even the place that we had even talked  
2 about. You now, they talked about having to have  
3 beefed up structures, foundation footings and those  
4 type of things to accommodate those towers in that  
5 risky soil. We wanted it further west in very stable  
6 soil. So I was disappointed in that.

7 Sill Cox Canyon was another area that we  
8 looked at, and they talked about the elevation and  
9 the difficulty of locating towers. I don't know if  
10 that's the case or not, but it seems to me that it  
11 boils down to Kennecott's objection to the mineral  
12 part. They own a lot of land up there, and they  
13 object to that, and it seems to me like that's what  
14 it boils down to. I understand these other things  
15 are concerns. Access roads would have to be put in.  
16 But if that route had been chosen, we wouldn't be  
17 here today. Those -- those permits would be given  
18 and we'd be moving on. We have a lot of corridors in  
19 this valley, utility corridors. We've got I-80,  
20 we've got railroads, we've got pipeline going through  
21 the county, and typically utility corridors are all  
22 put together in one corridor, and to separate those  
23 out is, you know, unbelievable to me.

24 Another thing we hear about is line  
25 separation and needing at least a mile between the

1 lines, but as I drive around and look at the lines  
2 going through the state and other states, I see lines  
3 that are very close together. Just drive up Legacy  
4 Highway and you'll see five of them all parallel to  
5 each other, all very close together. Go down to  
6 Delta by the IVP plant and you'll see two major lines  
7 very close together. I understand that's a concern  
8 about reliability and redundancy, but evidently  
9 they've been mitigated in other areas.

10 Thank you very much.

11 CHAIRMAN BOYER: Thank you very much,  
12 Mr. Hurst.

13 Let's hear now from Joy Clegg from Tooele  
14 County.

15 Ms. Clegg, do you wish to give sworn or  
16 unsworn --

17 MS. CLEGG: I would like to be sworn, and  
18 there's two handouts, if you could take one of each  
19 and pass them out.

20 CHAIRMAN BOYER: Thank you. Ms. Clegg,  
21 would you raise your right hand and I'll swear you in.

22 (Whereupon, Joy Clegg was administered the oath.)

23 CHAIRMAN BOYER: Thank you. You may  
24 proceed.

25 MS. CLEGG: My name is Joy Clegg. I live

1 in Stansbury Park. I'm a retired attorney. I sit on  
2 the Tooele County Planning and Zoning Commission which  
3 denied the conditional use permit.

4 I am going to be talking tonight only  
5 about that portion of the proposed line that crosses  
6 the Superfund site. I have a lot of experience with  
7 Superfund sites. I spent ten years litigating the  
8 Sharon Steel Superfund site in Midvale, Utah, which  
9 was between the city of downtown Midvale and the  
10 Jordan River, fighting over the cleanup, how it was  
11 going to be done and how it was going to be paid for.  
12 It was a similar site to the site in question. It  
13 was also a smelter site.

14 If you'll go to the handout that has the  
15 colored pictures on the front to start with. The  
16 left picture is just very general, and I think we all  
17 know where we are. The right picture is the one that  
18 I'd like to talk about. In the left lower corner you  
19 see Tooele City. In the right half of the picture in  
20 black hatched line you will see the outline of the  
21 Superfund site, and you'll see it designated where  
22 the actual former international smelter was. You'll  
23 also see towards the bottom the old railroad  
24 right-of-way closer to the city. It's in green and  
25 blue, and as you travel closer up to the smelter site

1 it turns orange. That's an old railroad  
2 right-of-way. Just above that is the Anaconda  
3 Highway. I think we call that Smelter Road. Anyway,  
4 on here it's called Anaconda Highway, which is the  
5 road which was used, and is still used today, if you  
6 want to access that area.

7           The second page of that handout is  
8 another designation outlining again in the black  
9 hatched line the outline of the Superfund site. I  
10 included this one only because it shows you in the  
11 upper left-hand corner in the pinkish area Pine  
12 Canyon Township, and you can see the little lots and  
13 the homes in the development there.

14           The next picture shows just a portion of  
15 the Superfund site, but everything outlined in yellow  
16 are the portions of the Superfund site which were  
17 kept during the cleanup. When you clean up a smelter  
18 site, the most highly contaminated areas are those  
19 surrounding the actual structure of the smelter --  
20 the smelter itself, the slag piles, the tailing  
21 piles, and any dumps. It's much more cost effective  
22 to -- rather than remove millions of cubic yards of  
23 that material to cap it. And I don't know what was  
24 done on this site, but typically you would cap it  
25 with an impermeable layer so that snow and water melt

1 does not leach those contaminants into the -- further  
2 into the ground and groundwater. So that just  
3 designates those cap sites.

4           The next is an aerial photograph showing  
5 you -- the houses in the lower bottom, the little  
6 houses and lots you see, that's Pine -- those are the  
7 homes -- some of the homes in Pine Canyon. Your copy  
8 turned out a little bit darker than mine, but there  
9 is a very skinny black line. If you look at the  
10 middle of the left of your picture, you can kind of  
11 see where the black lines come out, and everything  
12 inside of that skinny little black line, which  
13 contains everything on this picture between the homes  
14 and the very steeper slopes of the mountains, is the  
15 Superfund site. It's huge. I was informed by the  
16 health department today that it includes 1200 acres.  
17 I think that's about two square miles.

18           The next picture on this again shows in  
19 bright yellow the capped areas on the Superfund site,  
20 so everything on this is Superfund, but the yellow is  
21 what has been capped. You'll see a very thin blue  
22 line that runs from the lower left up to the upper  
23 right, and that is the proposed route, proposed by  
24 Rocky Mountain Power. You'll see some pink and  
25 orange lines. Those are the proposed access roads

1 that would need to be built to construct the line and  
2 maintain the line in the future. The little skinny  
3 white lines are existing roads that were used during  
4 the smelting process and are still used today, you  
5 know, if you need to get up that canyon. The health  
6 department and I estimate that the length is several  
7 miles, so several miles of line would bisect the  
8 Superfund site.

9           The next sheet just identifies again --  
10 you see Pine Canyon again up in the upper left, and  
11 this identifies certain areas and where the  
12 activities actually took place on the Superfund site,  
13 so I just threw that in.

14           The next one shows you Pine Canyon. I  
15 don't think this is by any means all of Pine Canyon,  
16 but this is the more heavily populated area of Pine  
17 Canyon. Pine Canyon borders the Superfund site.  
18 All of the two different colored green lots, these  
19 are where people live, homes and their yards. All of  
20 these were tested during the cleanup of the site.  
21 Those in the lighter color of green were found to be  
22 above acceptable limits of lead and arsenic. They  
23 removed all of the topsoil around your house down to  
24 a depth of either 12 or 18 inches depending on the  
25 extent of the contamination. They then came back in

1 and filled it in with clean topsoil and brought it  
2 back as well as possible to the prior look. I threw  
3 this in just to demonstrate and exhibit that the  
4 unacceptable levels of lead and arsenic are not  
5 contained strictly within the boundaries of the  
6 Superfund site.

7           The next is further evidence of this.  
8 You'll see the line that runs from lower left to  
9 upper right again is the railroad right-of-way. This  
10 was the railroad used by the smelter to transport its  
11 materials. The black portion of the line on the  
12 upper right was where the contamination was so bad  
13 that they just capped it. It was more economically  
14 feasible to cap it.

15           As you go further down, you get into some  
16 green and some blue. The green and the blue areas,  
17 which extend clear down into downtown Tooele, was  
18 where unacceptable levels of lead and arsenic were  
19 found. Those, as you can see from the legend, the  
20 blue areas were the most unacceptable. They had to  
21 excavate 18 inches of that contaminated soil and  
22 bring in clean. And then the green areas, I guess,  
23 were slightly less contaminated. They only went down  
24 12 inches and excavated that. I don't know why this  
25 railroad line created such -- such a contamination.

1 I don't know if it was spillage off the cars during  
2 transport or it's because there is a big drainage  
3 area on the other side of the line, if there was  
4 drainage that went down there. In any event, again  
5 demonstrating that this -- these unacceptable levels  
6 were not contained on the site.

7           The next chart shows you how this stuff  
8 gets where it gets, and I want to go over to the  
9 pathways and how -- how we and wildlife and visitors  
10 to these sites, and the birds and the fish, all --  
11 all get sick and die from this contamination. The  
12 little round circles, if they're colored in fully  
13 black, it's really bad. It means that your exposure  
14 potential is relatively high. If the circle is only  
15 half black, that's a little bit better. Your  
16 exposure potential is what they call intermediate,  
17 and so on and so forth.

18           But if you go down to soil underneath  
19 pathways and you come over to the human exposure,  
20 you've got some big ugly black circles, ingestion or  
21 dermal, meaning the skin. So if you go onto the  
22 site, like a Rocky Mountain construction worker or a  
23 contractor might, and you start with your graders and  
24 your track-hoes and your backhoes and you stir this  
25 stuff up, because everything on that site is an

1 unacceptable level, you would have potentially  
2 relatively high direct exposure, and it will get on  
3 your clothes, you'll breathe it in through the very  
4 fine dust you're going to create. It's going to get  
5 in your vehicle, on your vehicle, and you're probably  
6 going to take it home to your family. Site  
7 visitors -- but those are people -- site visitors and  
8 site workers are slightly less, but if you were to  
9 live there, like fortunately no one does, that would  
10 be the worst.

11           It goes over to the right of that and  
12 talks about the ecological. It's talking about  
13 mammals, like the deer and elk, and then it talks  
14 about raptors -- we have lots of hawks and kestrels  
15 and such -- amphibians and reptiles, so the horny  
16 toads don't have it very good up there.

17           If then you drop down to surface water,  
18 and there's a lot of ponding and such that goes on  
19 just naturally up there, again site visitors and site  
20 workers have -- it's not very good for them to come  
21 into contact with surface -- you know, to walk  
22 through a puddle. It gets worse for the animals  
23 because they live there 24/7. If you come down to  
24 sediment, it's also not very good. And if you come  
25 down to groundwater, ingestion of groundwater for

1 area of residents is a big black circle, meaning we  
2 don't want to get it in the groundwater. We're going  
3 to kill people.

4           The next chart shows you again inside the  
5 black hatched lines the entire site. The legend in  
6 the upper right is so tiny because these came off  
7 very big maps that you can't read them. But the blue  
8 area, which is the entire area, has from -- has up to  
9 8,000 parts per million of lead, which is really,  
10 really nasty. For your home, I think -- and later on  
11 it talks about this -- I think it's like you can only  
12 have less than 500 parts per million, so the cleanup  
13 that took place around the homes in the area, they  
14 had to take it down 550. So anything over a thousand  
15 parts per million is -- is really, really heavy, all  
16 of this demonstrating that any construction on this  
17 is unacceptable without further cleanup.

18           Now we're going to get to what you'd have  
19 to do before you could start your cleanup, and that's  
20 the second handout. I received this this morning  
21 from the Tooele County Health Department. This  
22 handout is for anyone who is anticipating any type of  
23 construction or development across the Superfund  
24 site, such as Rocky Mountain Power.

25           The first couple of pages are just an

1 introduction about why this is a unique area that has  
2 to be treated with great scrutiny and care. At the  
3 bottom of Page 3 it tells you what your cleanup  
4 levels have to be. If you want to build a home in  
5 Pine Canyon, even though the existing homes have  
6 been -- many of them have been cleaned up, but  
7 there's a lot of developable ground there, Pine  
8 Canyon, outside the Superfund site. It tells you  
9 what parts per million is acceptable. So if you're a  
10 developer and you want to build a home there, no  
11 matter what you were going to do, you would have to  
12 do a major cleanup. The same applies for on the  
13 Superfund site. At the bottom of Page 3 it begins to  
14 tell you -- it tells Rocky Mountain Power what you're  
15 going to -- and these are just the county  
16 requirements -- what you'd have to do if you're going  
17 to mess with that area.

18           The top of Page 4, Step 1, the county --  
19 and this is before you turn a shovelful of dirt --  
20 you have to prepare a concept plan of the proposed  
21 improvement. You have to have drawings of  
22 everything. You have to understand what the cleanup  
23 levels are going to be, because we know the soil is  
24 dirty, and we're not going to let you do anything on  
25 it until you clean it up.

1           Step No. 2 is you submit that sampling  
2 plan, that sampling and analysis plan, so we require  
3 you to go out and take samples, soil samples, so that  
4 we understand the area that you want to construct on,  
5 which is miles long. I don't know how wide this is,  
6 but wide enough for roads and the -- and the line,  
7 and you have to sample the whole thing. You have to  
8 sample at 6 inches, 12 inches, and 18 inches along  
9 this whole route, and then it goes on with more stuff  
10 you have to do.

11           Step No. 3, you submit your sampling  
12 results and your remedial plan, and this again  
13 requires a whole lot of work. It goes on your -- on  
14 your sheet there you can see it goes on about safety  
15 and health and roles and responsibilities and all  
16 these things you're going to have to do.

17           At the top of Page 6 for some reason we  
18 have another Step 3. I think this is just a typo.  
19 Now is -- now is when you have to remediate, you have  
20 to clean it up. Remedial construction, technique  
21 one, remove the soil. How many millions of cubic  
22 yards of this stuff is going to have to be removed,  
23 transported, I don't know where to, and dealt with, I  
24 don't know how. We're talking a lot of money and  
25 time.

1           Step No. 4, and this is after you've done  
2 all your cleanup, you submit your final report.

3           And Step No. 5, the fine step, if the  
4 Tooele County Health Department approves your final  
5 report, final approval will -- will be given to begin  
6 your construction. Obviously after yesterday's  
7 hearings, which I attended throughout, the time and  
8 expense of this has never been considered by Rocky  
9 Mountain Power, and, frankly, those of us who live  
10 downwind, and we all live downwind because the wind  
11 blows a lot out here from every direction, don't want  
12 that soil being disturbed in the first place when  
13 there are so many alternatives.

14           I also want to add that during the  
15 hearings on the conditional use permit it's been  
16 stated by Rocky Mountain Power in their submissions  
17 that we never suggested an alternative route. We --  
18 I personally -- I don't know if others on the  
19 commission did -- said, "Why don't you take the west  
20 route that all the cities and all the -- and the  
21 county and everybody is unified on? Why don't do you  
22 that?" And the answers to us made absolutely no  
23 sense. And their obligation as an applicant for  
24 conditional use permit, under our ordinances,  
25 requires them to have the burden of proof in showing

1 their mitigation, and they showed no mitigation on  
2 any of our, I think, 14 concerns.

3           One final thing, if I brought it up here.  
4 I think the prior speaker left some stuff up here.  
5 Also stated yesterday during the hearings was that  
6 Rocky Mountain Power was unaware of anyone wanting to  
7 bring energy in along I-80 from the west or wanting  
8 to bring energy down to them from the north. I have  
9 hot off the presses the United States Department of  
10 Energy News Media Contact for Immediate Release as of  
11 November 26, 2008, talking about designating  
12 corridors in 11 western states. I only have one copy  
13 of that because I just got it when I got here. The  
14 other thing I have is what I think is California's  
15 response to this. This is from the state of  
16 California, clearly showing 765 kilovolt coming in  
17 from California, across Nevada, and into Utah on I --  
18 obviously on I-80 and going all the way up into  
19 western Wyoming. So I'll just give you those. If  
20 Rocky Mountain power is not aware of that then they  
21 should be.

22           Thank you.

23           CHAIRMAN BOYER: Thank you, Ms. Clegg.

24           Let's hear now from Brent Marshall, who  
25 is from Grantsville City.

1                   Mr. Marshall, are you the mayor?

2                   MAYOR MARSHALL: I am the mayor of  
3 Grantsville, yes.

4                   CHAIRMAN BOYER: Do you wish to give sworn  
5 or unsworn testimony?

6                   MAYOR MARSHALL: I prefer to give an  
7 unsworn statement. I believe there will be plenty of  
8 time to be sworn in.

9                   CHAIRMAN BOYER: Very well.

10                  MAYOR MARSHALL: I will try not to  
11 reiterate on a lot of the issues that have already  
12 been spoke about this afternoon. I'd like to say good  
13 afternoon to you commissioners for coming out to our  
14 valley.

15                  As mayor of Grantsville City, I would  
16 like to convey to you our disappointment regarding  
17 the current approach Rocky Mountain Power has taken  
18 regarding the transmission lines proposed for the  
19 Tooele Valley. As a community, our wish would have  
20 been to have had Rocky Mountain Power first approach  
21 Grantsville City at its infancy of this project. I  
22 am not aware of Grantsville City ever having been  
23 contacted by a representative from Rocky Mountain  
24 Power at this time.

25                  Our thoughts are numerous. Other options

1 are available to Rocky Mountain Power to construct a  
2 facility like they want without being so extremely  
3 invasive to our community and the entire west side of  
4 the valley. The west -- the lands on the west side  
5 of the valley are considered to be very pristine and  
6 open space, and there's also a wilderness area there.  
7 They are used as recreational areas for our  
8 communities. We would recommend that Rocky Mountain  
9 Power explore the Skull Valley area because of that  
10 flat ground and most of the land being in the BLM  
11 jurisdiction, yet this piece of property was never  
12 considered in their scope of their EIS project. Our  
13 concerns are that if the lines come through the  
14 currently proposed area, the recreational  
15 opportunities will not be afforded to our communities  
16 to the extent that we have historically been used to.

17           It is our desire that the transmission  
18 lines not be put anywhere on the west side of the  
19 Tooele Valley with the exception of the I-80  
20 corridor. We believe there are other alternatives  
21 such as upgrading the existing power corridor from  
22 Mona to Salt Lake and the placement of power  
23 corridors in less populated areas. We believe there  
24 are alternatives that would be less invasive to our  
25 community, and we respectfully request that they be

1 explored and considered prior to the issuance of an  
2 approval of this project to Rocky Mountain Power.

3 We would prefer the Limber Station be  
4 moved to the I-80 corridor on the northwest side of  
5 the valley. We feel Rocky Mountain Power has not  
6 looked far enough west where there is a mountain of  
7 rock. The lime plant limed there for almost 60  
8 years. To help avoid extensive costly footings, they  
9 would have solid rock to be able to place their  
10 station on.

11 We know that if this station is built at  
12 the current proposed site we will end up with  
13 multiple lines running up and down the west side of  
14 this beautiful valley, and it will become nothing  
15 more than a power corridor, just like the one that  
16 was created on the west side of the Salt Lake Valley  
17 on the Oquirrh Mountains. The current proposal  
18 creates issues that we are not even able to foresee  
19 at this time as well as to destroy the esthetic  
20 aspects that the foothills have given to our  
21 community.

22 Rocky Mountain Power claims they would be  
23 unable to locate the Limber Station west of the  
24 Wal-Mart distribution center, yesterday, because of  
25 problems with runoff. Rocky Mountain Power has

1 misstated the conditions in that area. And they  
2 claim that the notes surrounding the distribution  
3 center are in response to flooding problems. This is  
4 very inaccurate. Most of Wal-Mart's diversion  
5 controls are for the water generated upon their own  
6 facility. This facility is huge, people. It  
7 generates roughly approximately 30-acre feet of water  
8 a year off its own facility, the parking lot and  
9 buildings. I know from personal experience that this  
10 area is not prone to flooding. My family has farmed  
11 in that area for nearly a hundred years.

12           Again, we respectfully request that Rocky  
13 Mountain Power be required to explore all of their  
14 options. As Joy just stated, we believe that Rocky  
15 Mountain power has misled on the placement of the  
16 Limber Station in denying that there won't be further  
17 lines coming up and down that west side of the  
18 mountain, and so we ask that you ask them to explore  
19 all of their options that are available to them for  
20 the completion of this project. We know that we need  
21 the power, and we ask that you ask them to provide  
22 proof that they have looked at some of these  
23 alternative options and that they've been explored  
24 prior to granting any approvals for the proposed  
25 transmission lines to Tooele Valley.

1           Thank you for our -- your consideration  
2    in our feelings on this matter.

3           CHAIRMAN BOYER: Thank you, Mr. Mayor.

4           Let me take an opportunity at this point  
5    to ask if any of those who have come in after we  
6    started this hearing this evening would like to speak  
7    to the board. We just don't have a list of people  
8    who have signed up.

9           Joni, would you stand up, please.

10          Ms. Joni Zanger has graciously agreed to  
11    take names of anybody who wishes to participate, so  
12    if any of you would like to speak and haven't yet  
13    signed up on the list, raise your hand and Ms. Zanger  
14    will take your name. If you're on the list, don't  
15    worry about it. Okay. She'll be here throughout the  
16    evening.

17          Let's hear now from Ross Hudson, who is a  
18    resident of Tooele city.

19          Mr. Hudson, do you wish to give sworn or  
20    unsworn testimony?

21          MR. HUDSON: Unsworn, your Honor.

22          Throughout my life I've dealt with rules,  
23    regulations, policies, procedures and laws as a  
24    police officer for nearly 26 years, as a Marine Corps  
25    veteran of Vietnam, in my present position with the

1 Division of Public Utilities for the State of Utah.  
2 However, my statement at this time is my own personal  
3 feelings, has nothing to do with the State of Utah,  
4 the Division of Public Utilities, or for Rocky  
5 Mountain Power.

6 A quality of life is what people are --  
7 is what persons make of it. It does not change  
8 because of a few power poles. Right in the mouth of  
9 Ogden Canyon, Utah is a large substation, and from  
10 there it goes south to Skyline Drive. If you drive  
11 along Skyline Drive, you will see 138 feet kV line  
12 where the poles are the same height that would be  
13 placed here in Tooele Valley. The line runs from  
14 12th Street all the way up to 40th Street. It  
15 crosses the Mount Ogden Golf Course. There are  
16 several huge homes that are built -- then built right  
17 underneath these power lines. At the other end of  
18 29th Street there is a large condo development with a  
19 138 kV line running right alongside.

20 Power lines have always been in these  
21 locations, but Rocky Mountain Power replaced several  
22 miles of this line about five years ago with new line  
23 and new power poles. These line -- or these power  
24 poles are more visible than the ones Rocky Mountain  
25 Power wants to put here, and most of the people of

1 the area have sent kudos and appreciation letters to  
2 Rocky Mountain Power for the upgraded lines. None of  
3 the letters complained about ruining their view, and  
4 no one was worried about electric and magnetic  
5 fields, EMFs; no one is dying of cancer or other  
6 serious diseases on the EMFs; and as a side  
7 statement, their property values along this route  
8 haven't decreased either.

9           In Provo, Utah along the east bench there  
10 are dual, double-poled, 138 kV lines running side by  
11 side all along the east bench, over the tops of  
12 homes, playgrounds, and churches. Property values  
13 haven't been hurt because more homes and churches are  
14 being built there as well. It seems like EMFs aren't  
15 even a concern. Now, if we are concerned about EMFs  
16 in Tooele, all they need to do is drive up Skyline  
17 Drive in Tooele and see the 138 kV lines where homes  
18 are built right up underneath them. Nobody is dying,  
19 nobody has cancer, nobody has diseases.

20           I swear, the way people act around here  
21 in this city, your county commissioners, city  
22 officials, about this new power line, you'd think  
23 that life was coming to an end just because they'd  
24 have to see a power pole out their back door. You  
25 can see the power poles from the middle of the

1 street, running right through the middle of town.  
2 Same esthetic views, won't hurt anything. These  
3 poles will be about a half a mile away that they want  
4 to put in, maybe a little less, maybe a little more,  
5 but the quality of life doesn't change because of a  
6 power pole. People all over this country live with  
7 these same types of poles and lines within their  
8 view, and where they play and where they have quality  
9 of life has not changed one iota.

10           There have been many negative statements  
11 by citizen groups, Tooele city council, Tooele city  
12 commissioners, and the Planning and Zoning Committee  
13 about negative health and livelihoods and welfare,  
14 other people of Tooele County; but when I read  
15 through all of the articles and all of the statements  
16 and all of the legal papers about this line, I, for  
17 the life of me, could not find one, nor could I find  
18 any proof or information as to how the new  
19 transmission line will negatively impact the health,  
20 welfare or livelihood of anyone in Tooele County.

21           Rocky Mountain Power has given their word  
22 that all 23 points of concern with the county, city,  
23 and the Planning and Zoning Commission would be  
24 mitigated, so why is it that Tooele County, Tooele  
25 City, and County and Zoning need a step-by-step

1 procedure of what they deem needs to be mitigated.  
2 Do they really think that PacifiCorp/Rocky Mountain  
3 Power is not concerned for these same issues and will  
4 do all in their power so that these issues don't  
5 become a concern to Tooele citizens? Has Tooele at  
6 all not read where Rocky Mountain Power has had to  
7 deal with the same concerns in other cities and towns  
8 that Rocky Mountain Power has put their transmission  
9 lines through? There are many miles of transitional  
10 transmission lines run by Rocky Mountain Power where  
11 many of the same issues that Tooele has come up with,  
12 but those issues were mitigated and everyone involved  
13 is satisfied with the way those issues were taken  
14 care of. One city to speak of, Willard, Utah, had 31  
15 issues, and they were all mitigated by Rocky Mountain  
16 Power.

17 Now comes Tooele County, who told Rocky  
18 Mountain Power if they would mitigate their issues  
19 they would issue the conditional use permit, but when  
20 Rocky Mountain Power said they could and would  
21 mitigate these issues and didn't give specifics,  
22 Tooele County might as well have called Rocky  
23 Mountain Power liars when they told Rocky Mountain  
24 Power they still would not give and issue the CUP. I  
25 say shame on Tooele County and their planning and

1 zoning. To me they have shown the citizens of Tooele  
2 City and County just how much integrity they have  
3 when it comes to their word. Tooele County, City,  
4 and the P&Z have not and did not prove that their  
5 issues would not be mitigated. Rocky Mountain Power  
6 has ample proof with past transmission line  
7 construction that all issues would be mitigated. I  
8 have to ask the city -- the Tooele City councilmen,  
9 the mayor, the county commissioners what their real  
10 motivates are. Are they really for the best interest  
11 of the citizens, or do they care more about their  
12 view, or maybe it's the votes they could lose from  
13 those who want this power line to go -- don't want  
14 this power line to go through and you have lobbied  
15 them to stop it.

16 I, for one, am not willing to pay higher  
17 taxes or higher utility rates just to run this new  
18 transmission line in a different route. I believe  
19 that for Rocky Mountain Power to pay a -- or to take  
20 a different route just to satisfy the esthetic view  
21 of a few would be like those few stealing for their  
22 own aggrandizement. The cities of Tooele County are  
23 not stupid. They know that growth is needed for the  
24 stability of the cities and towns of Tooele County,  
25 but we cannot grow without the transmission line to

1 feed power to those companies who want to come here.  
2 Those companies will provide needed jobs, and that is  
3 one thing that will help make our way of life better.  
4 All of the negative energy that is being wasted on  
5 silly, nonsensical, unproven statements doesn't mean  
6 a hill of beans when it comes to our real welfare.

7           Most of the people who signed the  
8 opposition petition do not know the whys or  
9 the whys -- or the whys or why-nots of this  
10 transmission project. They have not studied both  
11 sides of the issue. We have been given ample proof  
12 that there is no other route that can be taken for  
13 this transmission line.

14           When it comes to the happiness and  
15 welfare of the people of this county, positive  
16 thinking and finding ways to come to a consensus is  
17 the only way to go. Let's not let our way of life  
18 stifle because of a few -- because a few may be  
19 disgruntled. They will soon get over it and go on to  
20 live their lives, seeing as time goes by that their  
21 concerns weren't concerns at all. Therefore, I  
22 submit as a citizen of Tooele City that Rocky  
23 Mountain Power be allowed to run their transmission  
24 line through the proposed route that they have  
25 formally requested they be allowed to do.

1 Thank you.

2 CHAIRMAN BOYER: Thank you, Mr. Hudson.

3 (Booing.)

4 CHAIRMAN BOYER: Okay. We'll now hear  
5 from Glenn Terry from Grantsville.

6 Mr. Terry.

7 MR. TERRY: Mr. Chairman, I would like to  
8 give sworn testimony if you'd like.

9 CHAIRMAN BOYER: That would be great.  
10 Please raise your right hand.

11 (Whereupon, Glenn Terry was administered  
12 the oath.)

13 MR. TERRY: First off, I would like to  
14 thank the board for this opportunity to try to express  
15 my views and hopefully those members of Grantsville  
16 City that worked with me and talked to me about being  
17 part of the concerned committees group about the power  
18 lines on the west side of the valley.

19 First, I'd like to go over a little bit  
20 about why we're here today. We're here because the  
21 predecessors of the Wasatch Front power system over  
22 30 years ago didn't quite plan well enough to do us  
23 in for the next 30 years. Our concern in Grantsville  
24 is of what we would like you to do and what we have  
25 tried to work with Rocky Mountain Power to do is at

1 least a good a job as they did roughly 30-40 years  
2 ago when they did the system that we have along the  
3 Wasatch Front and put together a system that will  
4 support that for the next 30 years.

5 I was in the meetings yesterday, and we  
6 heard \$14 million in five years have been spent by  
7 Rocky Mountain Power to develop this preferred  
8 position and location of the system they have, and  
9 that they need it now, it's prudent that they get it  
10 taken care of now. We also heard that where these  
11 lines go are going to drive where the substation  
12 goes. That is why Grantsville is concerned, because  
13 we are very much of the -- of the understanding or  
14 feeling that if they put it on the south side of  
15 Grantsville, we will be inundated with high-power  
16 lines going to that substation.

17 A couple of things that I would like  
18 to -- to get you to think about as well is yesterday  
19 one of the expert witnesses testified that the BLM  
20 does not have electrical engineers. Rocky Mountain  
21 Power provided the design and location requirements  
22 for the EIS. Their attorney said over and over that  
23 the BLM concurred with this because of the EIS, but  
24 then they turned around and said these guys are not  
25 electrical engineers, they don't know how to put it

1 together, they don't know how it needs to be located,  
2 but they wanted to use that as proof that the BLM  
3 concurred with exactly what they had found.

4           The other thing I'd like to bring forward  
5 is in Appendix A of the EIS the proponent's purpose  
6 and need says in item 3: Projected generation  
7 capacity of the existing transmission system and to  
8 accommodate increased capacity for facilities planned  
9 or under construction.

10           We heard talk about -- excuse me. I'll  
11 get to that in a second.

12           If you look at the way they have the  
13 power set up right now, as these plans go through,  
14 almost 60 percent of the power for the Wasatch Front  
15 is going to come from the Mona system, the Mona  
16 substation. They come and talk to us, and they are  
17 really worried about two 345 double circuit lines  
18 being co-located, and yet they seem to be unconcerned  
19 about the whole Mona system going down, which, in  
20 effect, would appear to be able to take out the whole  
21 entire Wasatch Front or a good portion of it because  
22 they wouldn't be able to bring power down enough from  
23 the north to supply all of the demand.

24           They also told us finally yesterday after  
25 we talked and talked and talked -- they called the

1 Limber substation a load hub, a load -- and their  
2 definition was that it is a large substation with  
3 large spokes with at least three large high-voltage  
4 lines. Where will these lines come from? All from  
5 the south, all from Mona? That doesn't make a lot of  
6 sense.

7           They also told us in 2016 there will be  
8 new power generation stations coming aboard north of  
9 the Utah area. They also made the statement that  
10 they need to get this power down into their critical  
11 load area of the Wasatch Front. They said that there  
12 was no more room to put it down along the Bountiful  
13 area and the Willard Bay area. The most obvious  
14 choice would be to come down the west side of the  
15 Great Salt Lake, to tie into the Limber substation to  
16 relieve some of that load and capacity requirements  
17 from the Mona substation. That means that those  
18 high-power lines have to come down the west side of  
19 Grantsville and be co-located with lines going back  
20 to the Wasatch Front area.

21           The other thing that they went to great  
22 lengths to do is to try to tell you that they -- it  
23 was not feasible to put the substation in the  
24 northwest area of the valley. They claim that it was  
25 18 miles longer. If you'll look at the map that they

1 provided -- it's map C-1 on Page 1 in the final  
2 EIS -- you will notice that the two substations with  
3 where we would like to see it put as a county and  
4 where it is presently is almost the same east -- to  
5 the west side of the valley, and you will also notice  
6 that over here where their preferred route is --  
7 sorry -- where their preferred route is is almost  
8 center between those. How can that increase the  
9 length of that line by 18 miles? The distance across  
10 our valley is only approximately 20 miles, so they  
11 can't increase it 18 miles.

12           If you also look at the same -- on that  
13 same page, they talk about efficiencies. They told  
14 you that a 500 kV line was more efficient than a 345.  
15 If they locate the substation in the northwest  
16 corner, the length of those two 345's, the length to  
17 the Oquirrh substation remains about the same, but  
18 they'll get better efficient transmission power to  
19 the substation using 500 kV and shorten up the line  
20 to the terminal substation by roughly 12 to 15 miles.  
21 This cost should -- the decrease in the price of the  
22 lines from their own stuff would help offset, because  
23 they -- they show in the EIS that it is cheaper to  
24 build a 500 kV line than it is to build a dual  
25 circuit 345.

1 I would also like to point out on the  
2 same map they talk about they can't put the  
3 substation out there. This map actually is the  
4 natural hazards map that they show. The area in  
5 green is the liquefaction area. There's nothing out  
6 on the northwest side of the Tooele Valley, the north  
7 Tooele Valley, yet it is all over where the terminal  
8 substation is and where all the lines go to the  
9 terminal substation.

10 Also, if you'll take a look at the map  
11 which is C-2, this one is the soils map. The soils  
12 map will show you that there's sand and -- gravity  
13 sand and there is lome (phonetic) and coarse loming  
14 soil in by the terminal substation where they've  
15 already dealt with it and know how. That's what they  
16 show out along the northwest corridor. That's what  
17 is at the proposed Limber substation site, and it  
18 also happens to be what is down at the Mona  
19 substation site. So they've tried to use terminology  
20 and facts, but what they give you as facts don't even  
21 support. It does show they dealt with it, they know  
22 how to deal with it, and they can deal with it again.

23 One other thing that I would like to make  
24 sure you're aware of is the comment was made that  
25 only a handful of people was concerned about this. I

1 believe the meeting that they was referring to was  
2 our committee meetings with them where they  
3 respectfully asked us as groups of citizen groups to  
4 only have two or three or four people have each  
5 committee to come in so we could try to work as a  
6 group and really come to a real consensus instead of  
7 just having it be a big complaint and session to just  
8 let off some steam. That's why they seen the people  
9 that they seen at those committee meetings. There is  
10 a large, large group of people in this county that's  
11 very concerned. I believe as of this afternoon there  
12 was sixty plus people that had taken the time to  
13 respond to the -- to the docket and give you their  
14 opinions and their stuff. There is also a great,  
15 great many people in this county that as you talk to  
16 them their real response is, "They're Rocky Mountain  
17 power. They're going to do whatever they want. It's  
18 not going to matter what I say."

19 I really hope that you will help us out  
20 here in the county and try to put together a plan,  
21 and get them to put together a plan, that will take  
22 care of the whole entire Wasatch Front for the next  
23 thirty plus years.

24 Thank you.

25 CHAIRMAN BOYER: Thank you, Mr. Terry.

1           Let's hear now from Troy Tate from Tooele  
2 City Fire, and then we'll take a break after that for  
3 just a few minutes.

4           Do you wish to give sworn testimony,  
5 Mr. Tate?

6           MR. TATE: Unsworn, please.

7           CHAIRMAN BOYER: Okay.

8           MR. TATE: My name is Troy Tate. I'm the  
9 assistant fire chief with Tooele City Fire Department,  
10 and from what I understand, one of the proposed lines  
11 is going -- is intended to go across the south end of  
12 Tooele City like Mayor Dunlavy talked about, and just  
13 a small portion of that line will be in the Tooele  
14 City property. But Tooele City Fire Department, we're  
15 responsible for responding to and extinguishing fires  
16 everywhere along that south bench. We'll be the first  
17 responders to anything along that area, and it scares  
18 me and the guys in our fire department to increase the  
19 risk of fire with these type of high-voltage lines  
20 going in. Every year we have high winds, every year  
21 we have lightning storms that come through, and every  
22 year we have downed power lines that cause and --  
23 cause fires that we have to go to. To me it's -- it's  
24 irresponsible to increase the fire danger in this area  
25 if it's not necessary. The accessibility in the south

1 end of the valley in the foothills where they're  
2 putting homes -- the accessibility is limited. The  
3 winds blow -- generally the winds blow towards the  
4 north, and for Tooele City Fire Department that is --  
5 that is our only access into that area, is coming from  
6 the north, so it's -- it's -- I just don't think it's  
7 good to increase the potential for fire danger in that  
8 area, in the south bench -- southeast bench.

9           It's much better from a fire service  
10 perspective that if you're going to put these  
11 high-power lines to put them out in the flats, out in  
12 the valley, out in the -- in the west side. It's  
13 much easier to get to fires and fight fires out in  
14 the flats with less vegetation and less potential for  
15 fire. So, yeah, I just -- I just -- I don't see the  
16 point of putting those lines at the south end of the  
17 valley. It doesn't make any sense to put them up  
18 there in the foothills with access going across the  
19 Settlement Canyon Reservoir. It's just -- it  
20 increases the danger, the lightning danger coming  
21 through, and the wind danger, and it's just -- it's  
22 scary. It's scary for the fire department. I'm  
23 speaking for our current fire department and then our  
24 upcoming guys that are going to be getting into this  
25 department in the future. They're going to be

1 responsible for this, so there's got to be an  
2 alternative route.

3 Thank you.

4 CHAIRMAN BOYER: Thank you, Mr. Tate.

5 We'll take a ten-minute recess and then  
6 we'll come back. Before we do, if there are any of  
7 those in the audience who wish to speak to the board  
8 but haven't yet signed up, please see Ms. Zanger, who  
9 is standing at the door wearing a pink scarf, and  
10 she'll sign you up. Thank you. We'll be back here  
11 in ten minutes.

12 (Recess.)

13 CHAIRMAN BOYER: We've taken an inventory  
14 of all those who wish to speak, and it looks like  
15 we're going to ask to speed up the process a little  
16 bit by restricting the remaining speakers to about  
17 five minutes or so. We let some of the earlier  
18 speakers go on longer because they were representative  
19 of city government or county government or other  
20 government officials, but if you could refrain  
21 yourselves and make -- give us your best arguments.  
22 We've read all the comments already that have been  
23 submitted to us, some sixty plus, and all of the  
24 written comments. That would be very much  
25 appreciated.

1                   With that, let's hear now from Chris --  
2 is it Belton?

3                   Mr. Belton, do you wish to give sworn or  
4 unsworn testimony?

5                   I'll give sworn testimony.

6                   CHAIRMAN BOYER: Very well. Raise your  
7 right hand.

8                   (Whereupon, Chris Belton was administered  
9 the oath.)

10                  CHAIRMAN BOYER: You may proceed.

11                  MR. BELTON: Thank you very much. As a  
12 concerned citizen, I want to focus on what other  
13 people have avoided or steered away from, and that is  
14 the esthetic quality or the viewshed of the  
15 neighborhood I live in. We've just heard passionate  
16 unsworn testimony from a similarly concerned citizen  
17 who seems to be concerned about the financial impact  
18 to utility bills and things such as that. I respect  
19 his opinion and I respect all opinions, but I want to  
20 take a moment to just talk about my experience.

21                  I'm an orthopaedic surgeon. I moved to  
22 Tooele just about two years ago. I was born and  
23 raised in the Midwest. I've lived in Chicago,  
24 St. Louis, and De Moines, Iowa. When it came time to  
25 find a place for my family to settle down and to

1 start a practice that I hope will take me through the  
2 rest of my career, we looked at opportunities all  
3 over the country, and we looked very closely at  
4 opportunities close to family here in Utah, up in  
5 Idaho, out in Washington state. We had a great  
6 opportunity. We could have gone just about anywhere.  
7 We spent thousands of dollars, we spent hundreds of  
8 hours researching and traveling to places that we  
9 were hoping would become our future home. As we  
10 drove south from the airport to Tooele, my wife and I  
11 were impressed with the beauty of the valley. There  
12 was no -- there's no way, I guess, to verbalize other  
13 than we were just awestruck and impressed with the  
14 quiet valley and the serene picture of the  
15 southwest bench -- or the southeast bench. We liked  
16 it so much that we made Tooele one of our top  
17 candidates for our future job. We continued to do  
18 our due diligence in learning all of the issues here  
19 in Tooele, both regarding the hospital that I  
20 practice at and the community as a whole, and we --  
21 we obviously selected here. We love it here. We  
22 love the southeast bench. We bought a lot there. We  
23 built our dream home there. These lines threaten our  
24 home. They threaten the view that we enjoy daily.  
25 We've attended almost every one of these

1 meetings. We have heard hours of comment from Rocky  
2 Mountain Power as well as concerned citizens about  
3 health issues, about financial impact, and I'm not  
4 convinced that Rocky Mountain Power -- even though  
5 they've sworn they will give us everything they need,  
6 I'm not convinced that they can do that or that they  
7 are willing to do that.

8           Let me get my thoughts back together.  
9 You cannot appreciate how much we enjoy Little  
10 Canyon, the reservoir, the trails behind our home,  
11 the golf course, the very areas these huge lines will  
12 overshadow. If there is another place these lines  
13 can go, let's put them there, and I think that our  
14 engineers and our planners have shown that there are  
15 places these lines can go.

16           We have heard in these hours of talks  
17 experts swear about the health risks that come along  
18 with EMFs. We know that EMFs are in the same  
19 category of carcinogen as other things we shy away  
20 from. They are in the same categories as lead. We  
21 all know that lead paint is a bad thing. We don't  
22 let our children suck on it. We don't let our houses  
23 be painted in it. Why are we playing with the idea  
24 that it's okay to paint our hills with a Class 2B  
25 carcinogen? It just doesn't make sense.

1           We know that children get curious and  
2 make bad decisions. We know that there are children  
3 who have climbed these poles and have died tragically  
4 because of it. If there are 30,000 people in our  
5 valley and if most of them live in this area of the  
6 southeast bench, I think the responsible thing to do  
7 from a planning area is to put these things far away,  
8 just like I put my guns far away from my children.  
9 They are locked up. My ammunition is locked up. I  
10 don't tempt my children with a tragic accident by  
11 putting it in their bedroom or right in their hand.

12           So I just plead with you to protect what  
13 we enjoy. We hike those hills, we go to the  
14 reservoir. It's our home, and if these lines can be  
15 put someplace else. You can't devalue what we like.

16           One final thing and then I'll sit down.  
17 Early in the proceedings, Brandon, the plant  
18 manager -- or the project manager from Rocky Mountain  
19 Power, and I got a chance to speak briefly in one of  
20 these meetings. One of the concerns he had raised is  
21 wind, specifically wind. Three concerns were raised,  
22 and one of those were wind, and we don't want to put  
23 the lines elsewhere because of high winds. High  
24 winds can damage the lines. I asked him if he had  
25 any idea of how fast or how hard the winds blew

1 Christmas eve night two years ago. He just said,  
2 "No, I don't have a clue." You know, we had  
3 hurricane force winds ripping over that southern rim  
4 all night long. About -- we've lived here a year and  
5 a half, and I'd say a good dozen times we had similar  
6 winds ripping over these hills. If you look at wind  
7 records in Tooele, the wind record is held at  
8 93 miles an hour. That's about 20 miles an hour  
9 faster than the record held in the city of Salt Lake.  
10 So if wind is his concern, he's putting these in the  
11 wrong place.

12 So those are things I want to say. Thank  
13 you for the chance to talk.

14 CHAIRMAN BOYER: Thank you, Doctor, for  
15 your testimony. During the break Mr. Wardle asked --  
16 or he indicated that he wished that his testimony were  
17 treated as sworn, and so while it's highly unusual --

18 MR. WARDLE: I resolved that issue.

19 CHAIRMAN BOYER: You did rellove that  
20 issue. Never mind. We won't do that.

21 Let's hear now from Mr. Jeff England.

22 Do you wish to give sworn testimony or  
23 unsworn?

24 MR. ENGLAND: Unsworn.

25 CHAIRMAN BOYER: Please proceed.

1           MR. ENGLAND: Thank you. My name is Jeff  
2 England, and I'm a concerned citizen, and I just  
3 wanted to go on record to express my concerns and my  
4 opposition formally about the proposed route over the  
5 east bench.

6           I actually live up toward that east  
7 bench, the southeast part of Tooele City. We raise  
8 our -- we've raised our family there. We've lived  
9 there for several years now. My family comes from  
10 some of the original settlers that established and  
11 settled Tooele, Tooele City and Tooele Valley, and  
12 we've chosen to continue to live here because Tooele  
13 City is such a great place to live. And for me I  
14 want to -- I kind of just emphasize a little bit more  
15 what Dr. Belton had talked about.

16           But to me, we live in one of the most  
17 beautiful parts of the state of Utah. The other  
18 night when my wife and I were coming from Salt Lake  
19 Valley, we came around into the Tooele Valley, and of  
20 of course it's kind of hard to tell with the cloud  
21 cover over here, but you have the Oquirrhhs on one  
22 side, the -- the -- the Stansbury Mountains on the  
23 other side. We've got Middle Canyon and we've got  
24 Corner Canyon, and what such a pretty area to live  
25 in. And as we came around there we looked out -- we

1 got home and looked out our windows, we came out the  
2 front door, and we were able to look out there and  
3 see such a pristine canyon and also one of those few  
4 areas and one of the few canyons, especially in  
5 Tooele County, that are still unspoiled from access  
6 roads and mine dumps and tailing piles. And as we  
7 were walking up through the fields, it was great to  
8 be able to walk up through there and enjoy the -- we  
9 could see mule deer that were grazing out in that  
10 area. We also see wild turkeys that come through the  
11 area, sometimes we come to see elk, just to not --  
12 not to mention just a few of the wildlife that comes  
13 through that portion of the Tooele City and Tooele  
14 County.

15           Our children, we've lived there and they  
16 hike up there and they enjoy that location, and  
17 because of these areas and because of the things that  
18 are there; and to me, to allow power lines along  
19 there, along with their access roads that will come  
20 through there, not to mention the measures to keep  
21 the vegetation growth to a minimum, which would  
22 destroy the scrub oak, the pine trees, the quakies,  
23 not to mention all the other vegetation that comes  
24 through that area, vegetation which provides erosion  
25 control, it provides food and shelter and -- and

1 protection for wildlife that lives up there.

2           So I feel to allow some of this -- the  
3 power lines to come through there along with the  
4 access roads and all the damaging effects that it  
5 has, not to mention the harassing of the wildlife as  
6 they're putting that in, I feel to say that it's a  
7 tragedy is really an understatement. You know, keep  
8 in mind the scrub oak, once it's destroyed, it --  
9 most of the time it doesn't reseed itself. The way  
10 it spreads is through underground roots, and so  
11 once -- once those roots are destroyed then it really  
12 doesn't grow, and it's nothing you can mitigate and  
13 throw seed out and have scrub oak replace itself.  
14 Also, to me, once you have an access road, it  
15 increases -- regardless of how you try, from what I  
16 feel, it's used by off-road vehicles, off-road  
17 vehicles that will come through and use those,  
18 perpetuating the effect of those problems that we'll  
19 have.

20           So, you know, ladies and -- lady and  
21 gentlemen, I appreciate this opportunity. I feel  
22 that regardless of the mitigation measures,  
23 regardless of what's done, you'll always have that  
24 scarring that will come across the mountains for  
25 generations if not a lifetime -- or generations and

1 generations, for many, many lifetimes, on that  
2 hillside, nothing that can be mitigated and nothing  
3 can be done for that, so we hope that you will please  
4 consider the things that I'm saying and everybody  
5 else has said this evening and the past day and  
6 tomorrow and take that into your consideration for  
7 what we're trying to protect, because along with --  
8 within these decisions, they're not just decisions  
9 that will affect today or tomorrow but, like I said,  
10 for lifetimes to come, and so we put -- you know, we  
11 hope and pray that our pleas won't go on deaf ears  
12 tonight.

13 I appreciate it. Thank you very much for  
14 your time tonight.

15 CHAIRMAN BOYER: Thank you, Mr. England.  
16 Pete Grimm.

17 Do you wish to give sworn or unsworn  
18 testimony?

19 MR. GRIMM: I'll swear.

20 (Whereupon, Pete Grimm was administered  
21 the oath.)

22 CHAIRMAN BOYER: Thank you. Please  
23 proceed.

24 MR. GRIMM: Thank you. I'm Pete Grimm.  
25 I've written you several letters, which I hope you've

1 had a chance to read. Our family owns a significant  
2 piece of property up above the city that these power  
3 lines will cross.

4           Just some background. I have a master's  
5 degree in finance business, and I'm used to looking  
6 at numbers a lot. You heard Ms. Clegg talk about the  
7 Superfund site costs that somehow weren't considered.  
8 You heard Commissioner Hurst mention the 50 million  
9 extra that would have to show up here that somehow  
10 wasn't there, and I remember hearing the Rocky  
11 Mountain Power people say that, oh, it would cost  
12 \$40 million extra to bring the line down the  
13 preferred route, the citizens' preferred route.

14           By the way, how many people here would  
15 prefer the route that the citizens prefer? Just  
16 raise your hand.

17           How many prefer Rocky Mountain Power's  
18 route?

19           Thank you.

20           I've had a number of times that I've  
21 dealt with Rocky Mountain Power on right-of-way  
22 issues. They've come to me, they've made a request  
23 to put a piece of -- put a line on my property. I've  
24 come to amicable agreements with them at least twice,  
25 and so far I have not had any disagreement. In this

1 case, they have not approached me as the owner of  
2 this property that they're planning to cross. They  
3 have not made any attempt to find out what kind of  
4 costs would be involved.

5           You've heard a lot of people talk about  
6 what property values are, what they're -- what makes  
7 property worth more or less. One person has  
8 expressed his opinion that he would -- he wouldn't  
9 care if there was a power line over his property. I  
10 suspect that most of the people that raised their  
11 hands against this proposed route believe that the  
12 property values are decreased when power lines come  
13 in.

14           Now, I don't know exactly what is the  
15 future of this piece of property. It is very  
16 beautiful. My mother doesn't want to see it  
17 developed. She's 96 and has been testifying in front  
18 of the county but didn't feel quite up to coming  
19 today. She would like to see it remain beautiful.

20           I tend to think that as people move into  
21 the valley, you try and accommodate them, you try to  
22 help everybody have space. But I also know that if  
23 you want to have some of the nicest residential  
24 places, you don't have power lines there, and no  
25 matter what they say about value of property, the

1 nicest residential areas will never be up there south  
2 of Tooele if they put this power line through.

3           Again, I don't think that Rocky Mountain  
4 Power has considered all the costs, had they really  
5 spent the time to line up the costs of one route  
6 versus another. I don't see any evidence that they  
7 have. They only indicate that this route is worse  
8 because it's longer. If they're moving 40 miles west  
9 of Mona to get here, why do they have to go back a  
10 few miles faster than coming up to the freeway. Oh,  
11 they say it's \$40 million more expensive. Well, is  
12 it? We've heard people say that it's on the flat as  
13 opposed to the mountain. Surely that's less  
14 expensive, even if there are some issues with some  
15 soils, but there are those issues everywhere, and  
16 I've seen them go across those soils up north where  
17 they come down along the freeway.

18           I know one of the members of our -- one  
19 of the citizens of our county, Vern Loveless, put  
20 together a YouTube video, which I hope you've all had  
21 a chance to look at.

22           What's the address?

23           It's YouTube, Tooele Power. It talks  
24 about bringing an alternative route. It's not done  
25 by an expert, but it sure makes sense to me, and it

1 looks like you can bring the power down this other  
2 route. Now, I heard the mayor of Grantsville say he  
3 wishes it were in Skull Valley. I think we all wish  
4 it were in Skull Valley, and of course that was never  
5 on Rocky Mountain Power's considered routes. I'm not  
6 exactly sure why. But I have yet to see a list of  
7 the alternative routes and a detailed explanation of  
8 what the costs are on each route. I think that's an  
9 essential factor. If I were out lending or trying to  
10 put together a project, I'd say, "Why have you chosen  
11 this route versus this route? Tell me. Show me the  
12 numbers." The numbers, I haven't seen them. Maybe  
13 you've seen them, but I haven't seen them. I would  
14 ask those specific numbers. Tell me why this route  
15 makes more sense economically. I mean, somebody  
16 obviously said, "Well, I believe that that route is  
17 the least cost route," but I think if you start  
18 considering all the costs, the Superfund, the value  
19 of the property that's going to be destroyed, and all  
20 the other issues, it won't be the least cost route.

21 Speaking of, we've had a house and some  
22 buildings up there for 60 years almost, and we've  
23 lost three roofs, blown off by the wind. There is  
24 definitely a wind issue up on the bench there. That  
25 may be all I have to add.

1           We do believe, from all that I have seen,  
2   that Rocky Mountain Power does not intend to make a  
3   fair market value offer for our property. We believe  
4   that if they did that they would have come to me and  
5   try to make a fair and free and open negotiation.  
6   Instead, they are proceeding through a legal course  
7   of action to try to push it down our throats. We  
8   will resist, like the city will resist, to the best  
9   of our ability their attempts to take the property  
10   without giving fair and proper value. And some of  
11   the damage that they're causing in way of health. As  
12   I said, my mother lives up there, has been there for  
13   years and years, and I don't know how you can come to  
14   a fair value for some of those things, but we'll do  
15   our best to increase their cost if they're going that  
16   way. If they can come down through Skull Valley or  
17   along the west side of Tooele Valley, we'll do our  
18   best to decrease their cost and support their efforts  
19   to bring power to the valley.

20           Thank you.

21           CHAIRMAN BOYER: Thank you, Mr. Grimm.

22           Mr. Lee Brown.

23           Mr. Brown, would you like to give sworn  
24   or unsworn testimony?

25           MR. BROWN: Yes, I'll be sworn.

1                   CHAIRMAN BOYER: Please raise your right  
2 hand.

3                   (Whereupon, Lee Brown was administered the  
4 oath.)

5                   CHAIRMAN BOYER: Will you please proceed.

6                   MR. BROWN: My name is Lee R. Brown. I'm  
7 actually a retired vice president from U.S. Magnesium.  
8 I run Brown Business Consulting, and as a disclaimer I  
9 want to point out that I actually have Rocky Mountain  
10 Power as a client, U.S. Magnesium as a client, and as  
11 indicated in the comments that I filed with the  
12 commission online, I also am chairman of the Tooele  
13 County Trails Committee, Water Users Committee, and I  
14 do voluntary lobbying for the county, so I'm kind of  
15 sitting on the fence. I actually was employed about  
16 17 months ago by Rocky Mountain Power to assist in,  
17 amongst other things, the siting of this power line  
18 through the Mona to Salt Lake area. I believe that  
19 part of my responsibility is to be a liaison with the  
20 Tooele community to try and improve communication,  
21 reduce animosity, and as you can see here tonight, I  
22 probably didn't do a very good job. But there are  
23 over 56,000 people in the county, and we have probably  
24 close to 200 here tonight.

25                   I want to -- I want to basically state

1 that in my opinion as a citizen, and I've -- and I've  
2 worked in the county for over 32 years and lived here  
3 for 12, I understand the concerns of the citizens.  
4 They are very well-meaning individuals, they have  
5 very strongly held beliefs and strong attachments to  
6 their county. The southeast bench is a beautiful  
7 area. When I was first hired and I seen the route  
8 and I seen where it was actually going through Tootle  
9 County, I told the Rocky Mountain Power people,  
10 "You're going to receive a lot of pushback on the  
11 southeast bench."

12 Subsequently, several months later when  
13 the draft EIS came out and the public meetings were  
14 held, you know, it was very clear that the majority  
15 of negative comments were on this 3-mile stretch that  
16 we call from basically Settlement Canyon to Middle  
17 Canyon and cross the T, and the vast majority of the  
18 negative pushback is because of damage to the view  
19 shed and people's strongly held feelings as to the  
20 problems with power lines.

21 The fact of the matter is when you set  
22 down and you start to have discussions with people,  
23 which is what I try to facilitate, and people start  
24 to disagree with one another's views and they make  
25 various proposals and those proposals aren't agreed

1 with, eventually you end up with arguments, and  
2 parties in arguments tend to diminish the views of  
3 the other party and embellish the views of their own  
4 position, and I believe that's probably taken place  
5 on both sides in this situation, and that's why the  
6 board has been convened, is you now have an argument,  
7 you know longer have a discussion.

8           So what is the board to do when you have  
9 contesting parties? In this case you had a  
10 three-year study by a neutral party. Although, you  
11 know, the parties' position didn't go your way, you  
12 don't consider them neutral. As I indicated in my  
13 statement that I filed with you, I believe that one  
14 place you can look for -- for the facts rather than  
15 the strongly held beliefs and opinions and wants of  
16 people is in the final EIS. That was constructed by  
17 the Department of Interior, Bureau of Land  
18 Management, who employed environmental scientists,  
19 and they are bound by the science of the thing and  
20 the law, and they expect challenges when they publish  
21 things like that. They have to be defensible. They  
22 have to be objective. And I'm telling the board that  
23 if you have a need to look for facts that aren't  
24 fraught with emotion by either the power company or  
25 the citizens, you need to look to the final EIS. I'm

1 not saying that either party, the power company or  
2 the citizens, will agree with it. I'm saying it's  
3 probably the most neutral comprehensive study of this  
4 Mona to Oquirrh route that you'll see. It's  
5 146 miles. You'll also see that the majority -- the  
6 vast majority of objections to this route are on that  
7 3-mile stretch in Tooele County called the southeast  
8 bench area, and so it has received a great deal of  
9 attention by the environmental scientists and the  
10 people who are required to make up their mind as to  
11 where this line should be properly located.

12 I'm not going to testify as to my desires  
13 or wants or views because I'm not an environmental  
14 scientist and I'm not an attorney, and therefore I'm  
15 like everyone else. Basically I'm only limited by my  
16 imagination and my vocabulary as to, you know, what  
17 position I want to take on it. I believe that the  
18 utility has a responsibility, and during the 17  
19 months I've worked for them, I don't believe they've  
20 really adhered to their responsibility, tried to  
21 adhere to it. To construct these lines, even though  
22 they know they're going to be very passionate, very  
23 emotional, negative events, to try and put together a  
24 line that is the most reliable, the safest, the most  
25 economic, the least discriminatory to the various

1 ratepayers -- in other words, they have the  
2 responsibility not to discriminate against  
3 ratepayers -- and the most environmentally friendly  
4 line. There can be argument over whether or not they  
5 have done that in their proposal, and there has been.  
6 But the fact of the matter is they're very well  
7 meaning individuals, they're very talented people,  
8 and I believe if they could build the Grantsville to  
9 Salt Lake line and still fulfill those  
10 responsibilities to the other ratepayers about  
11 keeping the costs down, keeping the reliability up,  
12 and the efficiency and the adequacy of this line up,  
13 they would do it. They don't willingly walk into  
14 these meetings to get the hell beat out of them.  
15 They are bound by the decisions of the engineers in  
16 their company who are the experts on the siting of  
17 these lines.

18           And the reason I asked to be sworn, it  
19 wasn't to give my little testimony on that. It was  
20 more to ask a question. I think this is very, very  
21 important.

22           UNIDENTIFIED SPEAKER: What time is it?

23           MR. BROWN: There's 40 -- between 40 --

24           CHAIRMAN BOYER: We need you to kind of  
25 wind up, Mr. Brown, if you would, please.

1           MR. BROWN: Yeah. There's between 40 and  
2 60 million dollars in the -- in the proposal by the  
3 county that can be placed on the backs of the other  
4 ratepayers, and yet I don't see anyone from the  
5 Committee Consumer Services or the Division of Public  
6 Utilities participating in this proceeding. Someone  
7 needs to be looking after the other ratepayers. If it  
8 comes down that this line should be moved and there's  
9 additional costs, I think that someone needs to be  
10 looking after the other ratepayers' --

11           UNIDENTIFIED SPEAKER: Time.

12           MR. BROWN: -- interest. Thank you.

13           CHAIRMAN BOYER: Thank you, Mr. Brown.

14           I guess I'll have to get my gavel out  
15 because we have a few -- a couple extra additional  
16 people who wish to speak as well, so let's ask  
17 everyone to restrain themselves to five minutes if  
18 they would, please.

19           Let's hear now from Mr. Brad Pitt.

20           (Laughter.)

21           MR. PRATT: I wish. I wouldn't want to be  
22 him, honestly.

23           CHAIRMAN BOYER: And I should say to both  
24 the Brads, we've reviewed all the information you've  
25 given us and the slide show and everything.

1 Do you want to give sworn or unsworn  
2 testimony?

3 MR. PRATT: I will, I'll be sworn.

4 CHAIRMAN BOYER: Please raise your right  
5 hand.

6 (Whereupon, Brad Pratt was administered  
7 the oath.)

8 CHAIRMAN BOYER: Thank you. Please  
9 proceed.

10 MR. PRATT: Commissioners, thank you for  
11 listening to us this evening. I know that you've  
12 taken time out of your schedule to come out here to  
13 our community that's not where you live and listen to  
14 us. I know that this has been placed before you and  
15 is not an easy task placed upon you.

16 To give you a little history of who I am  
17 and why I'm here, I have lived in Tooele City for  
18 approximately fifty years, without telling you how  
19 old I am. I was not born in Tooele City, but I've  
20 lived in Tooele City for approximately fifty years.  
21 I am very familiar with this county. I grew up here.  
22 I went to school at the Tooele High School and  
23 graduated from there. I met my wife there. I've  
24 raised my children here. My grandchildren are here.  
25 My children work for me in a business that I own here

1 locally. So my entire family is still here. My wife  
2 was born here. Her father was born here. My  
3 relatives helped settle this valley.

4 I am the chairman of the Tooele County --  
5 or the Tooele City Concerned Citizens Group. I  
6 helped in organizing that group along with my wife.  
7 I have spent endless hours over the past ten months  
8 studying this project on a full-time basis. I have  
9 been to all of these meetings we have discussed. I  
10 have had the opportunity to have Rocky Mountain Power  
11 executives in my home studying this particular  
12 situation. I have been in all those meetings. I  
13 will tell you that a matter of testimony that  
14 happened yesterday was that a handful of people were  
15 involved in this. That handful of people started out  
16 as a meeting in my home of 75 residents, in my home,  
17 a few more than a handful. That immediately bloomed  
18 into, within a three-and-a-half-week period, of 4,000  
19 residents, voting age residents, signing a petition,  
20 and those residents were explained before they signed  
21 that petition this project. A few more than a  
22 handful.

23 I have had the opportunity to work with  
24 Rocky Mountain Power through this project on trying  
25 to find a resolution or a compromise or a different

1 route. I too, like a citizen that spoke earlier and  
2 like our mayor that indicated to you -- I found out  
3 early on in this process that -- at those meetings  
4 that those engineers and those executives that came  
5 here had no intention of changing their mind and  
6 listening to us. I found that out very early on.

7 I am here to ask you as a board. I  
8 know -- I know -- if their engineers came here with  
9 the mindset to adjust this, to fix this problem, to  
10 engineer this problem in a fix-it manner, not in a  
11 tell-them-no manner but in a fix-it manner, there is  
12 a solution. As Mr. Brown indicated, who I need to  
13 point out to you -- I've been in meetings with  
14 Mr. Brown -- Mr. Brown held you as an axe -- this  
15 board as an axe over our head through this entire  
16 project. That was threatened to us many, many times,  
17 that you would decide against us. I want you to know  
18 that we have faith that if you do the right thing and  
19 you have those engineers -- we have those engineers  
20 look at this situation in a fix-it situation that  
21 this can be fixed with minor, minor adjustments. I  
22 personally know what those adjustments can be.

23 This county has stood up and asked for an  
24 adjustment. I do not believe the figures that have  
25 been thrown out by Rocky Mountain Power on that

1 adjustment. I believe there are things that can be  
2 looked at by this board and adjustments that can be  
3 made that will negate the problems that this line  
4 has. We are not talking a 138 distribution line.  
5 We're talking --

6 CHAIRMAN BOYER: One minute.

7 Thank you.

8 We are talking a 500 kV and double  
9 circuit 345 kV transmission lines, not a side road,  
10 not a main street, but a freeway that delivers power,  
11 a freeway that they want to put through an area that  
12 we believe and we have proven and we have shown to  
13 not only Rocky Mountain Power but including the BLM  
14 that the negative impacts of this route are far  
15 greater than any other route that could be chosen.  
16 If you close your eyes and choose any route and paint  
17 any route through this county, this route that they  
18 have chosen has the most negative impact of all.  
19 Please, we beg you to take a look at that.

20 We thank you for your time. We  
21 appreciate and understand the complexity and the  
22 magnitude of what you have to decide. We ask you as  
23 citizens to help us to adjust this route so that  
24 these negative impacts that we will have to live with  
25 forever will not be there, and I know that engineers

1 can do that. I know we can adjust it and accomplish  
2 that. And I thank you for your time tonight and  
3 appreciate the opportunity to speak to you. Thank  
4 you.

5 (Applause.)

6 CHAIRMAN BOYER: Thank you, Mr. Pratt.

7 Ms. Pratt, do you wish to give sworn  
8 testimony or unsworn testimony?

9 MS. PRATT: Well, since I've read these  
10 books so many times, there's a lot of numbers in here,  
11 I'm just going to make an opinion at this point.

12 CHAIRMAN BOYER: Okay, thank you.

13 MS. PRATT: First of all, I'm very proud  
14 of Tooele City, Tooele County, and the Tooele County  
15 Planning Commission and the Tooele County  
16 commissioners for their stalwart and unwavering stand  
17 to protect our interests and our safety and to listen  
18 to the voices of the public and strongly urge the  
19 Utility Facility Review Board to deny Rocky Mountain  
20 Power's appeal to construct the 345 kV high-voltage  
21 power lines on the southeast bench of Tooele.

22 What I have here are the draft  
23 Environmental Impact Study and the final impact study  
24 which just barely came out, and so that's one of the  
25 reasons I didn't swear in, because I haven't had an

1 opportunity to review the final in detail as I had  
2 the draft, and that's what I want to talk about, is  
3 the draft. The draft EIS is why we're here. Had  
4 that been correct -- correctly portrayed and  
5 accurate, we wouldn't be sitting here today. And in  
6 listening and in going through all of the steps with  
7 Rocky Mountain Power, with our citizens and everyone  
8 here, we have worked really, really hard. I have  
9 done nothing but read these books, and we talk to  
10 Rocky Mountain Power 24/7. My family will be so glad  
11 when we stop this. But we stay awake at night  
12 discussing it. We wake up first thing and it's our  
13 topic. And we have had Google Earth up and we've  
14 counted rooftops. I've counted houses to find out --  
15 looked over the valley, taken hundreds and thousands  
16 of pictures to do an accurate portrayal of Tooele.

17           One thing I did agree with yesterday in  
18 the hearings in the morning is one picture is worth a  
19 thousand words, and I think you got this, but I will  
20 hang onto one right now and then I'll give another  
21 one. But there is pictures of an accurate portrayal.  
22 And once again, please keep in mind as you decide  
23 this that we wouldn't be here if the first paperwork  
24 would have been done right, the draft.

25           The pictures in here showing of what

1 Tooele looked like, just the visual discrepancies,  
2 and that was the first thing that better clued me in  
3 to look at the numbers, is the pictures looked like  
4 they were from 1960. They were taken at a very  
5 cleverly disguised way maybe. They were  
6 misconstrued. They gave a different portrayal of  
7 what Tooele looked like. They didn't count the homes  
8 correctly either.

9           That was the next thing that I looked at,  
10 was the impacts, and started reading the numbers. In  
11 the draft they said there were 19 homes within a  
12 quarter mile. Well, let's correct that, because I  
13 went through and counted rooftops. If you go from a  
14 quarter to a half mile, you have 1200 homes. The  
15 draft Environmental Impact Study skewed the material  
16 to meet the need by adjusting the distance to  
17 represent the numbers they needed, and you can go  
18 through and it happens over and over again.

19 Everything that was minimal you should look at as  
20 maximum. So, in other words, if there were 5,000  
21 homes in a half mile, they would have adjusted the  
22 mileage to be shorter to fit the number of homes they  
23 needed to justify the project, is how it reads out.

24           Now, in taking into consideration this is  
25 141 miles of a project, and we're only talking about

1 4 to 5 miles of that project that has the greatest  
2 amount of environmental impact, I'm going to give  
3 them the benefit of the doubt here. That does change  
4 the ratio by one-tenth, so the environmental impact  
5 of how great that is, how detrimental that 4 or  
6 5 miles is, is diminished by the percentage left in  
7 the full route, and so it portrays a wrong picture  
8 just as their pictures do. So there's your facts.

9           And the other thing is that they don't  
10 take into consideration it's like in a scientific  
11 equation. This is black and white, and it has no  
12 feeling, no emotion to it. And in a scientific  
13 equation there's facts, there's cause, there's  
14 reaction and effect that will come from the potential  
15 hazards, or you have to think that through. It's not  
16 something that when you read it it's just, oh, yeah  
17 those are numbers, and pretty soon you just get so  
18 caught up in the numbers that you're deluged with so  
19 much information that you haven't thought about the  
20 personal effects and how you will be looking at it  
21 every day and what you're going to find out every day  
22 on a daily basis, and they're not minimal anymore,  
23 they're maximum. In other words, if they say in  
24 there it's within minimal guidelines, does that mean  
25 one child in a thousand, does it mean 3,000 out of

1 30,000 people, or is it three people out of 30,000  
2 that are going to have a problem from a capped  
3 Superfund site, be electrocuted at the Settlement  
4 Reservoir; every day drinking water, what is that  
5 continual day, every day effect going to be and what  
6 percentage and what ratio. If I looked at my  
7 grandchildren -- I have three -- I wouldn't be  
8 willing to give up one of them if they drank water  
9 that was going to hurt them. And we've talked about  
10 the springs. That was the other thing pointed out to  
11 me in this draft environment.

12 CHAIRMAN BOYER: One minute, Ms. Pratt.

13 MS. PRATT: Thank you.

14 -- is that the springs were not even  
15 mentioned very well in the draft. They were hidden  
16 and they weren't towards the forefront. So  
17 everything that was minimized I maximized. That's  
18 how we ran across the capped Superfund site. I've  
19 lived here my whole life. My parents lived here my  
20 whole life. My dad worked a long, long time ago at  
21 the smelter for a few days until he didn't work.  
22 That was a bad experience at the mine. He was a  
23 young man. But you take those things into  
24 consideration that were minimized that were maximum  
25 and then you apply that. I didn't know what one was.

1 I didn't know what a Superfund site was until I  
2 studied further. That's the details that kept coming  
3 forward, and the draft turned into the final, and the  
4 final is not -- has not changed the number of homes;  
5 in fact, it's made them less.

6 And I would really appreciate the fact  
7 that you would come out here and look and see what's  
8 here. The BLM said on the meeting in June that they  
9 had never been here before and were shocked when they  
10 saw how close everything was. Our largest elementary  
11 school is in this area. That's one thing that's not  
12 pointed out. You've heard about a lot of the  
13 different impacts, and we use -- we live in a rural  
14 area. This is something that we have traditions.  
15 The T is going to be affected. Those are things that  
16 are historic to us. 1916 it was created. We won't  
17 be able to access -- access anymore without danger.  
18 These are things that -- that we don't have in the  
19 city, in the Salt Lake area. We don't have offsets  
20 of malls and freeways. I appreciate you very, very  
21 much, and I hope you will look at this, because there  
22 are other alternatives. Like my husband says, there  
23 is a way to fix this. We don't have -- if there is  
24 another choice, please select it, because this choice  
25 is absolutely wrong. No other route has this great

1 of an impact, no other trees -- there are pine trees.  
2 Other routes don't have that great of a devastation  
3 to the environment. This is the worst environmental  
4 section, and if you look at the percentage, yes, it's  
5 small, so, yes, there's a way to fix it. Please  
6 choose the way to fix it.

7 Thank you.

8 CHAIRMAN BOYER: Thank you, Mrs. Pratt.

9 Let's here now from Edward Grimm. Do you  
10 wish to give sworn or unsworn testimony?

11 MR. GRIMM: Yeah, I'll swear.

12 (Whereupon, Edward Grimm was administered  
13 the oath.)

14 CHAIRMAN BOYER: Thank you. Please  
15 proceed.

16 MR. GRIMM: Well, first of all I'd just  
17 like to give a little bit of history of who I am to  
18 you. My name is Edward Grimm. My dad testified a  
19 couple minutes ago. He's Pete Grimm. My grandmother  
20 lives up on the hill right next to the canyon, and  
21 she's lived there as long as I have been alive, and  
22 that's as far as I can testify she's lived there  
23 because I wasn't here before then. But I can tell you  
24 that her family -- the Tates and the Lees is who she  
25 is from -- her last name is Grimm from my grandpa, but

1 her family, the Tates and the Lees, have been here  
2 since the beginning. She -- you know, she started the  
3 Benson Grist Mill. She wrote that. That was a  
4 pageant they had here for years celebrating, you know,  
5 how they came into the valley and created the grist  
6 mill to cut the trees down. And then, you know, I  
7 remember when I was little I looked out and I said,  
8 "What trees? I don't see the trees." And then my  
9 grandma said -- she said that those mountains, those  
10 hills, used to be covered with pine trees, that her  
11 ancestors actually cut most of them down to build the  
12 railroad ties that came through the valley and helped  
13 with the golden spike. You see today -- it's been I  
14 don't know how many years, you know, decades -- and  
15 those trees aren't back. We sometimes don't realize  
16 the environmental damage that we can cause and that  
17 will be affecting, you know, our generations to come.

18           You know, there's -- there's been a lot  
19 of different things that I've thought about as I've  
20 heard people and I've read about this issue, and I  
21 definitely -- I can feel that I'm the youngest one  
22 that's come up here and spoke, and I feel I can speak  
23 for most people of the younger generation, that  
24 sometimes I feel and others of my age feel that we  
25 don't realize -- older generations sometimes don't

1 realize the effect it can have on people to come.

2 I was up at my grandmother's house the  
3 other day because me and my wife -- we were just  
4 newly married -- are wanting to move in there with my  
5 grandmother up on the hill. It's a great place. You  
6 know, I grew up there until I was six and then we  
7 moved to Salt Lake, and I've been back as much as I  
8 could ever since hiking through those hills. And my  
9 family has some nice property there, but I can tell  
10 you that the nicest property there isn't ours, it's  
11 right behind ours, because I used to hike up there,  
12 and there's beautiful country up there, springs and  
13 just -- and ferns growing everywhere. It's just  
14 gorgeous. You know, before I went on an LDS mission  
15 I went up there and actually prayed to find out if I  
16 wanted to go, and that was where I went because of  
17 how beautiful it is. That's exactly -- if I could  
18 walk under where they're going to put the power line,  
19 it's exactly in that spot.

20 You know, there's cattle everywhere up  
21 there, and I read an article today that talked about  
22 how in Wisconsin there's been suits -- lawsuits over  
23 and over again. They just awarded the largest  
24 lawsuit that they've had of \$5 million to a family  
25 there who raises cattle, and they awarded that to

1 that family because the power lines that had been put  
2 through there by the local power company had been  
3 killing the infant cattle. There was a description  
4 of how it was doing things to their intestines,  
5 rearranging them, and they were awarded \$5 million in  
6 that lawsuit, and the power companies there are very  
7 aware of these lawsuits, and there's been quite a  
8 number of them.

9 That article really kind of made me  
10 think. You know, there's so many different times  
11 that these large companies say that there is no  
12 environmental hazard, or if there is an environmental  
13 hazard or health issue that it's negligible. Why  
14 would then these families be receiving such large  
15 settlements by the power companies? Why would they  
16 be winning if there was no health hazard? It  
17 reminded me of, you know, big tobacco, how for years  
18 and years smoking did not harm us, smoking did  
19 nothing, and then only recently have they come out,  
20 and some of the biggest proponents for smoking are  
21 now the biggest opponents. And I remember reading  
22 about the man who is behind the truth, you know, the  
23 tobacco commercials. He used to work for big  
24 tobacco, and now he is the biggest opponent of them.

25 I feel like this time right now we can

1 make a huge decision that will not only affect us  
2 right now but can affect generations to come, and I  
3 personally just know that I -- I wouldn't want to  
4 live by those huge power lines. I want to live up  
5 there, but, you know, that would sway my decision. I  
6 know that people think property values aren't that  
7 big of a deal, but my -- my father-in-law lives right  
8 underneath the power lines that are coming from the  
9 north through Bountiful. He lives in Roy. His house  
10 is less than a mile away from them. We went to a  
11 block party last week or a couple of weeks ago, and  
12 all the people talked about was how they wanted to  
13 move away to a different place, so I would argue  
14 that, you know, we do notice the power lines. It  
15 does affect our living.

16 That's all I really have to say.

17 CHAIRMAN BOYER: Thank you, Mr. Grimm.

18 Mike Wells.

19 Mr. Wells, do you wish to give sworn or  
20 unsworn testimony?

21 MR. WELLS: Sure, sworn testimony.

22 CHAIRMAN BOYER: Please raise your right  
23 hand.

24 (Whereupon, Mike Wells was administered  
25 the oath.)

1                   CHAIRMAN BOYER: Thank you. Please  
2 proceed.

3                   MR. WELLS: I'm Dr. Michael Wells. I'm a  
4 local practicing dentist here in Tooele. Actually,  
5 this week marks my 25th year here in Tooele. I grew  
6 up in California, and after completing my education I  
7 moved here, so it's been nearly 25 years this week,  
8 and there's a reason. It's a beautiful place to live,  
9 and it's been a great place to raise a family.

10                   Specifically I'd like to comment today on  
11 some what I think are inaccuracies in testimony  
12 yesterday, and portrayals that there are only a  
13 handful of people that are really interested in this  
14 issue and that our public officials are being skewed  
15 by the clamoring of a few. I know these public  
16 officials. These are dedicated, respected people  
17 that have done their homework, and they care very  
18 deeply about this community. There are a lot of  
19 people involved.

20                   I'd actually like to thank Rocky Mountain  
21 Power because it has united this community in a way I  
22 haven't seen in the 25 years I've lived here. You  
23 know, we all know the platypus was the byproduct of  
24 the committee coming together, being organized. When  
25 you put people together, everybody wants this and

1 that, but this entire valley signed and committed to  
2 a different route away from where it was to the other  
3 side of the valley or another place. They are  
4 united. Both our elected officials and our other  
5 individuals and citizens are committed to a different  
6 route.

7           Specifically, the one thing I wanted to  
8 address is a number of times it's been talked about  
9 the 4,000 signatures, the petition. My wife accepted  
10 the responsibility to organize those petitions, and  
11 we spent three weeks -- three weekends sitting out in  
12 front of Albertsons and different places, and we  
13 spoke to these people, and we only asked people that  
14 were voting even though this wasn't a petition to go  
15 on a ballot, but those that had influence, those that  
16 had a stake in their community, that if they felt  
17 they could sign this petition that they would do so,  
18 and every single person that we spoke to was very  
19 interested in what was going on and what was  
20 happening, and every person, and it wasn't just  
21 people from Tooele City. It was from Erda, from  
22 Stockton, from Grantsville. All of the people that  
23 signed that petition resented the fact that this was  
24 being forced upon them, that there are other routes  
25 that were discussed and that are possible, and they

1 felt that their voice needed to be heard, so I please  
2 ask you to consider that there are more than just a  
3 handful of people that are interested. Those are  
4 very real 4,000 people, and they care about this  
5 route.

6 Thank you for your time.

7 CHAIRMAN BOYER: Thank you, Mr. Wells.

8 Jolyn Hansen.

9 We're not going to be able to get through  
10 this entire list, so we would ask those who are --  
11 who remain, I'm going to take them in order of them  
12 signing up, but I'm going to ask you to keep it to a  
13 minimum. We've heard over and over again about the  
14 view, the wildlife, the water sources and all of  
15 these things. We understand your concerns, I think,  
16 fairly well, so if you can be brief and not too  
17 repetition, we'd very much appreciate that, because  
18 we'd like to give everybody a chance to speak if we  
19 could.

20 Jolyn Hansen? Is she here?

21 It is John Hansen. I'm sorry,  
22 Mr. Hansen. It looks like J-o-l-y-n to me, but...

23 MR. HANSEN: (Inaudible.)

24 CHAIRMAN BOYER: I wouldn't have expected  
25 a mustache.

1           MR. HANSEN: Well, I am a Tooele boy, so  
2 my reading and writing is probably not that great.

3           CHAIRMAN BOYER: Do you want to give sworn  
4 or unsworn testimony?

5           MR. HANSEN: I probably have nothing that  
6 impressive that needs to be sworn.

7           CHAIRMAN BOYER: Thank you.

8           MR. HANSEN: I don't plan to cover any --  
9 my name is John Hansen. I'm a Tooele City resident.  
10 I don't -- I think by the end of the day tomorrow  
11 there will be no technical aspect of this particular  
12 subject that you as a board will not be familiar with.

13           I prefer to just be known as a Tooele  
14 boy, but it seems just like for credibility purposes  
15 I need to tell you who I am. I'm a husband and a  
16 father of five, and those five represent the fifth  
17 generation of Tooele Buffaloes. I'm a degreed  
18 engineer. I'm a retired officer. I'm a decorated  
19 combat veteran. I have led hundreds of soldiers in  
20 combat. I'm a business owner. My business is in  
21 North Salt Lake. I employ 150 individuals and do  
22 tens of millions of dollars of business every year.

23           I have three -- three basic points, two  
24 which were just added while I was sitting back there  
25 listening to people talk. One -- one gentleman

1 basically wanted to justify what's going on here  
2 based upon what already is and, you know, where the  
3 big power lines already are or what's already been  
4 done, and that just seems bizarre to me because, you  
5 know, past sins don't justify future ones, basic  
6 common sense. We've had a lot of sins in Tooele  
7 County over the years. Our public officials have not  
8 always been on top of things. In the late '80s I  
9 think our public officials were run over by the  
10 growth, but I think now we have a great -- a great --  
11 at every level we have great public officials, at  
12 every level we have a plan for growth, and I think  
13 that has all been taken into consideration when they  
14 voted this down every time it's -- it's -- at each  
15 level it's moved up.

16 My second point is just -- is -- is the  
17 public officials. I want to thank them, just the  
18 opposite of the gentleman earlier, you know, as a  
19 real -- you know, I can truly call myself a patriot.  
20 I have made great sacrifice for this country. I  
21 couldn't be more proud of our public officials for  
22 doing the right thing and listening to the people of  
23 this county and what they want. There was no wink of  
24 the eye and back room deal with Rocky Mountain Power,  
25 "Yeah, we'll take care of it for you, boys." I

1 assure you in my lifetime that has happened, you  
2 know, not necessarily with Rocky Mountain Power but  
3 that's happened. The big developers come in and --  
4 and have their way, and the current officials really  
5 have done this -- a good job of this, a very  
6 professional job. The county planning commission, I  
7 couldn't have been more impressed with them and the  
8 thoroughness and the fairness of those hearings.

9           The one thing out of this year that we've  
10 done this, in all of the meetings that I have been to  
11 and all of the e-mails and all of the things that we  
12 have had to do, the number one thing that sticks in  
13 my mind was the county and planning commission  
14 meeting on this issue. Rocky Mountain Power had  
15 brought in an expert on property values, and he spent  
16 20 minutes just doing his credibility, and then he  
17 talked about how it doesn't affect your property  
18 values and went on and on and on, and he was a really  
19 high-powered guy. Everyone was not really saying a  
20 word. He finished speaking and everyone was like,  
21 Wow, he was a pretty impressive speaker. And a super  
22 sharp lady on the planning commission said, "So I  
23 just want to know one thing. Would you buy a house  
24 and live under these power lines?" There was a big  
25 pause, and the guy said "No" and sat down. And

1 really that's the most impressive thing I've heard  
2 this whole time, you know, how sharp she was to ask  
3 that, because I wasn't thinking that --

4 CHAIRMAN BOYER: One minute, please.

5 MR. HANSEN: -- two, that he would say  
6 that.

7 The last thing is just you know as  
8 volunteers, you know, as all the time you put in,  
9 people just don't show up. In the political process,  
10 no one shows up, people hardly get out to vote. When  
11 people -- thousands of people sign a petition,  
12 something is not right with this route. When -- when  
13 people are spending that -- you know, their weekends  
14 all summer sitting on the asphalt at Albertsons  
15 parking lot to get -- to volunteer to get signatures,  
16 something is not right with this route. When people  
17 show up meeting after meeting after meeting for a  
18 year, something is not right with this route. Common  
19 sense says something is not right with this route.  
20 We're not against the power. We're not against R&P.  
21 We're against this one route, the only route they  
22 have ever really proposed and/or supported. They  
23 have never varied from that. Something is not right  
24 with this route. I'm not telling you what the best  
25 solution is, but I'm telling you from what I know,

1 from what I know of human nature, people don't show  
2 up and work as hard as they have for a year when --  
3 when -- something is not right with this route.

4 Thank you.

5 CHAIRMAN BOYER: Thank you, Mr. Hansen.

6 (Applause.)

7 Darrin Smith.

8 Mr. Smith, do you wish to give sworn or  
9 unsworn testimony?

10 MR. SMITH: I do.

11 CHAIRMAN BOYER: Raise your right hand,  
12 please.

13 (Whereupon, Darrin Smith was administered  
14 the oath.)

15 CHAIRMAN BOYER: Thank you. Please  
16 proceed.

17 MR. SMITH: I've written my comments for  
18 tonight to keep my emotions intact, and, yes, this is  
19 very passionate and very emotional for me, and you'll  
20 see why in a minute. I have served this community for  
21 12 years now as of June 1st, 1998. I've been here  
22 since then serving as a PA in a family practice, so I  
23 work in medicine, and I've been here and learned to  
24 love this community with all my heart. I'm from  
25 American Fork, so I'm not a native citizen, but I

1 consider myself native to this town now.

2           Again, I live at 1373 East Cassidy Drive,  
3 which is the most southeast corner of Tooele other  
4 than Mrs. Grimm. This is precisely where Rocky  
5 Mountain Power has irresponsibly decided to place  
6 their transmission lines. I state irresponsibly for  
7 the many reasons for which I'm sure you're tired of  
8 hearing this evening.

9           The reason for my personal interest in  
10 this issue first and foremost is the health and  
11 wellbeing of my daughter. Vivian Ann Smith is my  
12 beautiful daughter of just seven and a half years of  
13 age. You see, in order for Vivian to just even exist  
14 she relies 100 percent on a pacemaker due to what is  
15 called a complete heart block. If that isn't  
16 unfortunate enough, Rocky Mountain Power now wants to  
17 ignore the possibility that they can do any harm by  
18 having these undesired transmission lines placed in  
19 such close proximity to our home.

20           In an earlier meeting to attempt easing  
21 our minds, Rocky Mountain Power employed a physics  
22 specialist -- he wasn't a doctor -- who stumbled all  
23 over himself in his feeble attempt to explain why it  
24 was not probable that anything would happen. It was  
25 insulting to say the least, just like Mr. Hudson was

1 tonight. All the while we focused on exposure to  
2 electromagnetic interference as a carcinogen, which  
3 it is. Although this is a very real and serious  
4 issue, I am speaking of an exposure of different  
5 sorts, not the kind that would require prolonged  
6 exposure to other problems but rather a split second  
7 of interference of the electrical conductivity of my  
8 daughter's heart.

9           Medtronic, the maker of my daughter's  
10 pacemaker, has provided me with a manual of what is  
11 and what is not acceptable for exposure. For  
12 example, on Page 67 it mentions that many household  
13 items that are entirely acceptable, such as microwave  
14 ovens, etc. However -- this is just to show the  
15 difference. However, on Page 76 it specifically  
16 warns against transmission lines. It says  
17 specifically "transmission lines." There is a  
18 well-founded reason it is a printed warning. Despite  
19 what some supposed employee on the Rocky Mountain  
20 Power payroll might say, in legal terms they have set  
21 a precedent as to what is specifically harmful to the  
22 normal function of the pacemaker.

23           Let's remember that this is my daughter,  
24 a real human being. The spotted owl has shut down  
25 the logging industry in southern Utah, and that's

1 just an owl. This is my daughter. She lives here as  
2 a permanent resident. We enjoy family hikes to the  
3 springs which lie directly beneath these horrendous  
4 lines, or where they would go. You are clearly  
5 prohibiting safe living and safe recreation for my  
6 daughter specifically due to her special situation,  
7 not to mention the rest of us.

8           At an earlier meeting, one of our  
9 constituents was told by a Rocky Mountain employee,  
10 If you're so blank concerned for the health of your  
11 family then move. I am very concerned, but I am not  
12 moving my family, nor should I. All the while Rocky  
13 Mountain Power has told us that they will mitigate  
14 for potential problems to appease these -- to appease  
15 the local residents; however, they failed to answer  
16 how they can undoubtedly mitigate for any potential  
17 harm to my daughter. It is impossible for them to  
18 mitigate completely for this problem. A split second  
19 of improper synchronization of my daughter's heart by  
20 exposure to the electromagnet interference of these  
21 transmission lines and she may suffer a deadly  
22 arrhythmia. That is fact. Even if the possibility  
23 existed, would you accept that for your daughter?  
24 Would you? You need consider that. Would that be  
25 good enough piece of mind that it probably wouldn't

1 happen but still could?

2 I have been ignored. If you'll refer to  
3 the 17 public comments in the supposed final EIS, you  
4 will notice I am nowhere to be found. Interestingly,  
5 I have been to basically every public meeting and  
6 have written e-mails and have publicly spoken out,  
7 but I don't exist. I am nowhere to be found  
8 according to Rocky Mountain Power. I don't exist but  
9 for some -- but for on some obscure page that briefly  
10 mentions my daughter's pacemaker. They did the same  
11 thing to many others, including the comments  
12 submitted by Tooele City officials.

13 CHAIRMAN BOYER: One minute.

14 MR. SMITH: You can refer to the final  
15 EIS.

16 I'm almost done.

17 This is a blatant misrepresentation of  
18 the concerned citizen and public officials of this  
19 great city and county. The cherrypicking and  
20 misrepresentation of our comments by Rocky Mountain  
21 Power to show that they have done their due diligence  
22 is dishonest and must be exposed. We know that this  
23 is a David meets Goliath type scenario, but what's  
24 funny is Goliath doesn't have the integrity to fight  
25 fair. Fair would be admitting that if they cannot

1 undoubtedly, completely, and entirely mitigate for  
2 the safety of my daughter, among many other things,  
3 that they would change the route. Operating with  
4 integrity as their moral compass, Rocky Mountain  
5 Power would be reasonable enough to pick an  
6 alternative route. Unfortunately, they have operated  
7 dishonestly by their omissions or refusal to listen.  
8 This is only one of the many issues, nevertheless  
9 this issue alone is a sufficient reason to deny the  
10 southeast bench route.

11 Thank you.

12 (Applause.)

13 CHAIRMAN BOYER: Is Representative Menlove  
14 here?

15 Do you wish to give sworn testimony,  
16 Ms. Menlove?

17 MS. MENLOVE: Sure.

18 CHAIRMAN BOYER: Please raise your right  
19 hand.

20 (Whereupon, Ms. Menlove was administered  
21 the oath.)

22 CHAIRMAN BOYER: Thank you. Please  
23 proceed.

24 MS. MENLOVE: Thank you. First of all, I  
25 want to compliment you for being here. Thank you for

1 your time, thank you for this new process that we have  
2 put in place that has encouraged community hearings,  
3 and thank you for the fulfillment of legislative  
4 intent that you are presenting today as you listen to  
5 these people in the Tooele Valley.

6 I actually live in Box Elder County, and  
7 as you may recall or may -- may not know, Box Elder  
8 County has just recently had a power line be placed  
9 through the middle of Box Elder County, so I am  
10 sensitive to both sides of this issues, both the  
11 pre-placement of the lines and the post-placement of  
12 the lines. On a daily basis those lines from where I  
13 live, they're on the roads that I drive and they're  
14 in the communities where I associate with my  
15 constituents. I can tell you to a person -- there is  
16 not a person I have spoken with in Box Elder County  
17 who is pleased with the placement.

18 We were able in a few cases to move the  
19 power lines through public input and through some  
20 negotiation. Actually, I participated in some of the  
21 negotiation individually outside of Rocky Mountain  
22 Power's process, and we were able to get lines moved  
23 into locations. But unfortunately just to the west  
24 of Box -- in the western area of Box Elder County we  
25 have large tracts of land that are unpopulated, where

1 no people will eventually live. Water is not  
2 adequate, transportation is not adequate, and those  
3 are areas of the county where those lines could have  
4 been placed avoiding any populated area.

5           The same thing exists in Tooele County.  
6 Just west of the populated area we have Skull Valley,  
7 an area that is sparsely populated. If we were to  
8 look at placing power lines in areas where they would  
9 not be in harm's way for terrorists or they would not  
10 be in areas that would be populated or could  
11 potentially be populated, we might be placing lines  
12 in a more wise and judicious manner. Of course, that  
13 would add additional costs, but when you look at the  
14 cost of inability to build homes, the cost of  
15 inability to develop land, you may be looking at some  
16 kind of additional cost by placing the lines there,  
17 but it may be mitigated because there are -- there  
18 will be negative effects of these power lines, and I  
19 can tell you that will happen definitely because I've  
20 seen it happen in my own community.

21           So what I am asking for today is that you  
22 look at the broad picture of the state, that you lay  
23 out the maps of the state, the contours of the state,  
24 and you ask yourselves where would it be best to  
25 place power and utility corridors so we can serve

1 areas of population. We need power. We're dependent  
2 upon power. Tooele County needs additional power for  
3 economic development, no question about that. Box  
4 Elder County needs power. How can we work together  
5 in placing power lines, meeting utility needs, but  
6 placing those in such a way that we're not harming  
7 development, not harming individual lives, and again  
8 at the same time serving the needs we have in the  
9 state.

10 I understand that money is a factor, but  
11 when I look at -- there are many things that we spend  
12 money on, and I think that if we were to look in the  
13 long run and did some future planning we could save  
14 millions of dollars by being careful in our planning,  
15 and that's what I'm really advocating, is looking at  
16 a plan for the entire state that's futuristic, that  
17 looks forward, that meets utility needs but places  
18 lines in corridors in areas that are unpopulated or  
19 sparsely populated and most likely will not be  
20 developed.

21 Again, I want to compliment you for being  
22 here and thank you for your time and attention.  
23 Thank you for the process that we have in place. I  
24 want to remind you that this is an exciting place to  
25 live, America is. It's where people have a voice,

1 and the people in this community are speaking,  
2 they're gathering together, and they are united. We  
3 weren't able to do this in Box Elder County  
4 unfortunately. We had split factions there, and I  
5 think that impacted our ability to be effective in  
6 working with Rocky Mountain Power. But Tooele County  
7 is not doing that. Look at the great -- just look at  
8 the great way that they're coming together with one  
9 voice, speaking in favor of looking at alternative  
10 routes.

11 Again, thank you for your time, and I  
12 compliment the Tooele County citizens. It's  
13 delightful to be their representative. Thank you.

14 (Applause.)

15 CHAIRMAN BOYER: Thank you Representative.  
16 Thank you for your time to come down here.

17 John Hogan? John Hansen. We've already  
18 heard you. Two John Hansens, okay. Leland Hogan.

19 Mr. Hogan, do you wish to give sworn or  
20 unsworn testimony?

21 MR. HOGAN: Sworn, please.

22 (Whereupon, Leland Hogan was administered  
23 the oath.)

24 CHAIRMAN BOYER: Please proceed.

25 MR. HOGAN: What I want to talk about at

1 this point is the difference in what's being talked  
2 about up to this time. I'd like to talk about the  
3 northern end of Rush Valley and where the line is  
4 proposed to be run there. I appreciate the way -- I  
5 appreciate you all being here, all of these people who  
6 are here representing your communities who are here as  
7 well. We all have a stake in what goes on and how it  
8 goes on.

9           Also, in the area I'm speaking of, I  
10 appreciate the way that they have tried to follow  
11 existing right-of-ways and existing corridors that  
12 are there. They followed 36 up from the south and  
13 then had to cut across the valley. They've done that  
14 in an area that is least likely to affect people and  
15 hit the Mormon Trail and head back in towards  
16 Grantsville at that point and continue, and that's  
17 the way the EIS proposes that that route be run, and  
18 we agree with that, that it should be run there.

19           SITLA has proposed that they leave the  
20 EIS route about in the middle of the valley and  
21 continue north, and then when it gets to a point just  
22 to the south of South Mountain go west to hit the  
23 Mormon Trail right-of-way and then continue north,  
24 which would cut that valley in half. We don't think  
25 that the SITLA proposal is wise, we don't think that

1 it fills any need, and that it should follow the  
2 proposed EIS route and the route that Rocky Mountain  
3 Power has said that they would like to follow in that  
4 process.

5 And that's all I've got to say. I just  
6 wanted to be on the record that we agree with what  
7 Rocky Mountain Power has proposed in that area and  
8 what the EIS is. Thank you.

9 (Applause.)

10 CHAIRMAN BOYER: Thank you, Mr. Hogan.  
11 Mike Trujillo.

12 This may be the last witness we have an  
13 opportunity to hear from.

14 Do you wish to give sworn testimony?

15 MR. TRUJILLO: No.

16 CHAIRMAN BOYER: Please proceed.

17 MR. TRUJILLO: All right. So I'm Mike  
18 Trujillo. I'm the student body president from Tooele  
19 High School. Basically what our concern is, we're  
20 going to have one of our main traditions that we've  
21 had at Tooele High School, is for homecoming and  
22 graduation every year we take our whole senior class  
23 to the T and light the T for a night. So it's been a  
24 pretty big tradition for several, several years. My  
25 dad did it, people before him did it, and we intend

1 for people to keep being able to do that.

2           If that route goes there, we would have  
3 to have a safety seminar for all of the senior class  
4 or any student who would be planning on walking up to  
5 the T, which we just think it's kind of ridiculous  
6 having to -- good luck trying to teach 400 students a  
7 safety seminar in that short of time and good luck  
8 getting them willing to, and I don't think you can  
9 expect the same turnout for that tradition, and if  
10 there's less of a turnout it will ruin the experience  
11 for everyone else. So we just don't really see the  
12 point in having a route and causing a problem when  
13 there's an alternate route to be considered.

14           MR. WILSON: I'm Peter Wilson. I'm on the  
15 student body also at Tooele High School. And as we  
16 started this year, the first time we lit the T, if you  
17 know Tooele High School, everybody is different, it's  
18 a very diverse school. You know, I wouldn't say we  
19 were the most united, but as we lit the T for the  
20 first time this year you kind of watched as our class  
21 united, which I haven't really ever seen, as we sang  
22 our school song. That's what we're talking about.  
23 We're talking about a tradition that has lasted in our  
24 town. I mean, most of these people here have lit the  
25 T. My father did it, I've had the opportunity to do

1 it, and it's something that matters more than just --  
2 you know, it's not just some meaningless tradition,  
3 but it matters to our community. This is something  
4 that stands for what we believe in, and the fact that  
5 there could potentially be an alternative route rather  
6 than putting people in harm's way, I just don't even  
7 see the point of why we're discussing this, because I  
8 know from where we come from in Tooele people matter  
9 more than money. And so that's all that we're asking,  
10 is that you keep our traditions alive, so thank you.

11 (Applause.)

12 CHAIRMAN BOYER: Thank you for coming.

13 Okay. We still got a couple of minutes.

14 Marcie Bilton.

15 Ms. Bilton, do you wish to give sworn or  
16 unsworn testimony?

17 MS. BILTON: I don't wish to swear  
18 testimony, no.

19 I -- I don't have any statistics or hard  
20 facts to share with you. It's just my emotional  
21 opinion that I know that you have been hearing for  
22 the past several hours, and I understand that it  
23 might be getting a bit redundant for you because this  
24 isn't personal for you, but it's personal for us and  
25 it's personal for me.

1           Having spent the last 14 years of my  
2 marriage, the past two with my husband being in  
3 practice, going through medical school and residency  
4 with him, spending a lot of money and taking a lot of  
5 time, and having four beautiful children, it's our  
6 dream to have a wonderful place to raise our children  
7 in a wonderful community. And like my husband stated  
8 before, we've looked in several different locations  
9 before we decided to move here, and we purchased a  
10 beautiful piece of land at the top of Deer Hollow,  
11 which is at the base of the hill, the mountain that  
12 they are proposing to put the power lines on, and to  
13 me it's just -- it's tragic.

14           Yes, it will be an eye sore and be ugly  
15 to look at, but I think listening to what the  
16 gentleman before us stated who was in agreement with  
17 Rocky Mountain Power, I don't think it's worth -- and  
18 I would hope that you would agree -- even one child  
19 possibly, or one person, becoming sick with cancer or  
20 a child on a dare maybe climbing a power line and  
21 being electrocuted to death. All of our children  
22 play up on those hills and up on that mountainside  
23 and enjoy the freedom. I have -- there's a herd of  
24 at least thirty deer that we watch come down that  
25 hill and sleep in my backyard every single night, and

1 for someone to say -- and it's his opinion, but for  
2 someone to say that it doesn't happen or it's not  
3 that important, how can you possibly take that risk?  
4 How can you possibly risk the lives of children? I  
5 know I can't.

6 I love it here, and I intend to stay in  
7 my home and to stay in this community, so I'm just  
8 please begging you. I know that you've heard so many  
9 people say this over and over, and listening to  
10 Darrin Smith, my heart is breaking that it's okay for  
11 someone to even think about putting a power line that  
12 could possibly kill his child. It's uncalled for and  
13 unforgivable.

14 And that's all I have to say.

15 CHAIRMAN BOYER: Thank you. It appears  
16 that I inadvertently overlooked a couple of  
17 individuals who signed up earlier, and I thought they  
18 were on the visitor list and not the speaker list.

19 Jim Webber, are you still here?

20 Mr. Webber, do you wish to give sworn  
21 testimony or --

22 MR. WEBBER: Yes, sworn, please.

23 (Whereupon, Jim Webber was administered  
24 the oath.)

25 CHAIRMAN BOYER: Thank you.

1           MR. WEBBER: You know, I'm wearing my Utes  
2 jacket today because I'm a Utes fan. I went to  
3 medical school there, the University of Utah. I love  
4 going to football games up there, and I love to see  
5 the U up on the mountainside up there. And I bet if  
6 anybody in this congregation today is a Y fan, they  
7 would probably feel the same way, the same passionate  
8 feelings that they have about their Y.

9           We have a T that's incredible, and we've  
10 got -- we've got high school students here that go up  
11 there every year. I've got two teenage daughters  
12 that are high school students. They're going to be  
13 at risk when they go to that bonfire. And heaven  
14 forbid somebody gets electrocuted, because there will  
15 be -- there will be a lawsuit about that if it  
16 happens. I can assure you of that. But that's not  
17 what I'm here to talk to you about.

18           I'm a physician. Dr. Jim Webber is a  
19 radiologist here in Tooele and the radiation safety  
20 officer for the hospital here locally, and I just  
21 want you to think about one simple fact, okay?  
22 Electromagnetic fields are a class 2B carcinogen,  
23 which means they are possibly cancer causing. Now,  
24 all five of you probably have at least children,  
25 possibly grandchildren. I'm not sure of your

1 situation personally, but I'd like to ask each one of  
2 you to think about this. Would you want to live in  
3 proximity to power lines that are known, known by  
4 fact, to be possibly cancer causing? That doesn't  
5 mean they're definitively cancer causing but they are  
6 possibly cancer causing. I don't think there's a  
7 whole bunch more -- a whole lot more that needs to be  
8 said about the health risks since we know that these  
9 lines lead to a 2-volt increase in risk of child  
10 leukemia. So then ask yourself would you like to  
11 have one of your grandchildren get childhood leukemia  
12 simply because they live under power lines that are  
13 known to have a risk for that to occur. I have six  
14 children. I'm a friend to a lot of children in the  
15 neighborhood. As a physician I'm telling you this is  
16 irresponsible of Rocky Mountain Power, to even  
17 consider possibly putting power lines in proximity to  
18 a situation where there are so many children living  
19 in that area.

20           The gentleman a while ago said that  
21 there's no proof about these -- these being cancer  
22 causing agents. It doesn't matter if there's not  
23 proof, okay, because simply put, the National  
24 Institute of Environmental Health Sciences scientists  
25 have concluded that there is -- there is an

1 association between increasing exposure to EMS and an  
2 increased risk of childhood leukemia, a doubling of  
3 the risk. Now, I don't think it's responsible for  
4 anybody in this room to be willing to consider that  
5 they put any of their children or anybody else's  
6 children at that kind of risk, so, please, be  
7 responsible. Understand that this is not something  
8 personal against Rocky Mountain Power. It's not  
9 personal about being against power. We need the  
10 power.

11 But I know the Pratts. They live across  
12 the street from me. They have spent hundreds of  
13 hours -- thousands of hours researching the  
14 situation, providing alternatives, considering  
15 options. It's -- it's incredible to me that Rocky  
16 Mountain Power can then come forth and still request  
17 this route. It's ridiculous is what it is. So I  
18 would please hope and plead with you today that you  
19 will seriously consider the increased risks of health  
20 concerns that we have for our children by placing  
21 these lines where they're proposed.

22 Thank you.

23 (Applause.)

24 CHAIRMAN BOYER: I'm afraid our time is  
25 up. Just for the information of the audience, the

1 statutes do not require us to hold a public witness  
2 hearing as we've done tonight, but we've chose to do  
3 so because we wanted to hear from you, and then to  
4 make it more convenient for you we -- we chose  
5 voluntarily to come out here and hear from you, and we  
6 very much appreciate all the work and effort you've  
7 done, for the testimony that has been presented  
8 tonight, and we'll certainly consider it in our  
9 deliberations, so thank you all for coming.

10 (Applause.)

11 (Conclusion of public hearing.)

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THIS IS TO CERTIFY that said public hearing was taken before me, Jerry R. Martin, a Registered Professional Reporter and Notary Public in and for the state of Utah;

That said public hearing was by me reported in stenotype, and therefore caused to be transcribed into typewriting, and that a full, true, and correct transcription of said meeting so taken and transcribed is set forth in the foregoing pages, numbered 3 to 119, inclusive, and said witness deposed and said as in the foregoing annexed deposition;

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof. WITNESS MY HAND AND OFFICIAL SEAL AT PROVO, UTAH, THIS 17TH DAY OF MAY 2010.

MY COMMISSION EXPIRES:  
JANUARY 1, 2012

\_\_\_\_\_  
JERRY MARTIN, RPR