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

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PROCEDINGS

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

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

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

The young lady in the back that's with her back to me now and she has a pink scarf on is Dr. Joni Zanger. She works for the Division of Public Utilities for the state, and she's been kind enough to offer to take the names of those who wish to participate this evening. We have -- we've allocated three hours, and we intend to stick to that
We will take a break at about 5:30 to give our reporter an opportunity to rest his hands from all of this reporting. We intend to divide, to the best of our ability, the allocated time amongst those who wish to speak so that everyone has a fair and equal opportunity to speak to us.

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

With respect to how the testimony will be taken this evening, you can -- those of you who wish to speak can either give sworn testimony under oath or unsworn testimony, and if you decide -- if you would like our -- if you would like us to consider your testimony in determining -- or reaching a decision on the merits of this case, your testimony
will have to be sworn. However, when you do give sworn testimony, you do open yourself to the possibility that lawyers for the parties in this matter may wish to cross-examine you under the hot lights. So we'll ask each of you in turn whether you wish to give sworn or unsworn testimony.

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

Joni, how many do we have at this point?

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

CHAIRMAN BOYER: All right.

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

Commissioner Allen points out that people may come as they get off work, could come in later, and we'll have to reevaluate the allocation of time
to the best of our ability. But we do wish to give
those who want to speak a fair opportunity, and we
prefer that someone doesn't take, you know, two hours
to give his or her presentation, thereby excluding
others from an opportunity.

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

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

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

UNIDENTIFIED SPEAKER: Can I ask a question?

CHAIRMAN BOYER: Yes, you surely can.

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

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

UNIDENTIFIED SPEAKER: Thanks.
CHAIRMAN BOYER: Thanks for the question.

A very good question.

Oh, I'm sorry. Yes, sir.

UNIDENTIFIED SPEAKER: Who are the members of the board?

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

MS. HURTADO: Correct.

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

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

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

MAYOR DUNLAVY: Thank you very much.
CHAIRMAN BOYER: Mr. Mayor, do you wish to
give sworn testimony or unsworn testimony?

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

CHAIRMAN BOYER: Okay.

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

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

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

We have, as an administration and a city
council, taken a strong view on this matter. We
think it's an important matter to this community, our
community, and the county as a whole. We understand
that there are a lot of issues to be determined, and
I have some wonderful folks behind me that will share
some information with you that I don't need to
reinforce, so all I want to do is address the city's issue.

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

We also purchased that property to preserve and protect our watershed. We have a significant well on the top of that -- that area
there along with a very significant well that we use
that produces quite a bit of water for the city. And
so our intent was -- in purchasing that property was
not only to maintain the open space and let it speak
for what we believe in Tooele County is important,
and that is to preserve those things instead of
letting them be developed, because there will be
generations to follow us that will appreciate what
we're doing in trying to preserve those open spaces,
and how important that is in today's world. But the
watershed is very important to us. Councilman Wardle
will address that further.

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

The other thing I want you to understand
as part of your deliberation is because that power
line goes across city property, even though it is
outside the city limits, we are very protective of
that area, and we plan on fighting to maintain that,
and we believe that the only way that they would be able to acquire the property that -- to take the power line across our property is through eminent domain. We have done some due diligence as far as the legal aspects of that, and we feel very strongly that we would prevail in court over that issue, and that should be part of what you consider when you consider the overall project.

We feel like the Planning Commission, mandated by statute, held an open public hearing -- held two open public hearings, rather lengthy public hearings. Rocky Mountain Power was allowed to make a presentation that almost got to the three-hour duration and then allowed the public, us, to talk with them about our concerns and the ability for them to mitigate the -- the adverse effects of having that power line across there. It was obvious to us that they couldn't address some of those mitigating factors, those adverse mitigating factors. I believe as I stand here today that they still cannot. We believe that that's important. We understand that there are a lot of factors in what a Planning Commission is allowed to do, but they did their job very well. At the end of the day they denied their conditional use permit, and rightfully so, because
those areas could not be mitigated. That has not changed. We feel very strongly about that.

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

So it's important to know that, in fairness, we worked very hard. We, the people of this county, the cities, the county commissioners, and the citizens worked very hard to bring reliable power to Tooele County and to the state of Utah. At no time did we ever say that that wouldn't be a good thing. At no time did we ever criticize Rocky
Mountain Power for their ability to provide power to
the residents of the state of Utah, but in good
faith -- they didn't work in good faith with us.

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

CHAIRMAN BOYER: Thank you, Mr. Mayor.

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

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

CHAIRMAN BOYER: Thank you.

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

During the commission's review process,
Rocky Mountain Power was presented with a packet from
us, as was the Planning Commission, as you had
received, that one of the areas that we did not
believe that mitigation could take place is in our Left Hand Fork water recharge area. Left Hand Fork is a major source of water for Tooele City. It feeds the upper east side of Tooele, for the southeast bench of Tooele City. Is also is a water recharge area for our aquifers, for our groundwater supply, which we draw out of wells. It also is an area that we feed into a reservoir that provides irrigation for many of our homes on the southwest side and southeast side of Tooele.

In not presenting mitigation to the concerns that we had, we gave them due notice, with plenty of time before the Planning Commission, to ask for mitigation strategies when we felt like there were none. No evidence was proffered in the conditional use process by Rocky Mountain Power of any mitigation strategies. Now, as a public utilities facility review board and a public utilities commission, we're not only dealing with one utility here, we're dealing with two. We provide a water service to our citizens, and anything that might disrupt that is of deep concern to us. As the mayor has expressed, we've spent millions of dollars protecting this water resource, not just the use of the shed but the water resource.
The trouble that we have is that in -- when you have two competing interests, power versus water, well, one of them can be moved and one of them cannot. We cannot move our source of water. It is up in those hills. And by virtue of not being able to move it, you have received -- Rocky Mountain has been in lengthy discussions, which I sat in with the mayor and all the parties that you've heard about, about this consensus route by the citizens, one, that would absolutely be able to be mitigated; two, that would allow for future development appropriately of power in power corridors; three, that would not create the problems that we are dealing with in this source.

We hope that you as a commission, or you as a board, would view this as one of the most important detailed areas. We have said, and we've sent you a letter, that we intend, when Rocky Mountain Power sues us for condemnation, to proceed to the district court level. It will be that court's decision to see which competing interest is most important in the public process. We believe the water will be at this point. Please understand that we know that they need to provide safe, reliable power. We've heard that for nine months now.
It's also interesting that one of the facts that they have lost in this process -- they presented a big -- a whole bunch of values -- was to work with the common governmental entities. That disappeared last August. It was taken off their list. We cannot move our water resource.

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

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

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

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

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

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

MR. HURST: Unsworn.

CHAIRMAN BOYER: Unsworn?

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

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

We do need the power, we recognize that, and a lot of people in this room have worked tirelessly on solutions. We've had several meetings. Citizen groups have organized and done a great deal
of work trying to come up with a plan that would
cause the least impact to the citizens of Tooele
County. You know, a lot of times in meetings we go
to -- and the mayor can attest to this -- we hear
about all the problems but we don't hear about
solutions. This group behind me came up with
solutions, and we thought a lot of those solutions
were very viable.

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

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

The esthetics -- and this was important
yesterday in the meetings. When asked, one of the
experts indicated that the primary reason for not
locating the power lines on the south and east bench of Tooele was because of the viewshed, the esthetics, and that is one, yes, but that is not the only one, as -- as was mentioned yesterday.

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

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

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

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

Access roads to and around those -- those power lines will cause erosion, will cause some impact, as well as a visual impact.
Natural hazards. There's high winds on that hillside, there's earthquake potential, lightning storms, all of those kinds of things that are very important. We think other areas in the county would be a lot less hazardous to locate those lines.

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

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

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

We do recognize the need for power in our valley. We do need the power. We've had some businesses that wanted to locate in our valley that probably looked elsewhere because of lack of power. Nobody has said, "Hey, we don't need the power." We
recognize that we do. What we would like to see is those lines put in the area that least impacts our citizenry. There are a lot of areas that are not -- not inhabited by people. The southeast bench is the area where most of the citizens, 30,000 people in this valley, live. That is the highest population rate in our -- in our entire county. That's half of the population in our county.

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

Rocky Mountain Power came back with a statement in one of our public hearings that, "Well, this is the area that we located," and it was in an area that's in the mud flats, and they talked about how that was going to cause -- cost a lot more money, 50 million extra dollars to locate that there, and
that was not even the place that we had even talked about. You now, they talked about having to have beefed up structures, foundation footings and those type of things to accommodate those towers in that risky soil. We wanted it further west in very stable soil. So I was disappointed in that.

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

Another thing we hear about is line separation and needing at least a mile between the
lines, but as I drive around and look at the lines
going through the state and other states, I see lines
that are very close together. Just drive up Legacy
Highway and you'll see five of them all parallel to
each other, all very close together. Go down to
Delta by the IVP plant and you'll see two major lines
very close together. I understand that's a concern
about reliability and redundancy, but evidently
they've been mitigated in other areas.

Thank you very much.

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

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

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

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

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

(Whereupon, Joy Clegg was administered the oath.)

CHAIRMAN BOYER: Thank you. You may
proceed.

MS. CLEGGE: My name is Joy Clegg. I live
in Stansbury Park. I'm a retired attorney. I sit on the Tooele County Planning and Zoning Commission which denied the conditional use permit.

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

If you'll go to the handout that has the colored pictures on the front to start with. The left picture is just very general, and I think we all know where we are. The right picture is the one that I'd like to talk about. In the left lower corner you see Tooele City. In the right half of the picture in black hatched line you will see the outline of the Superfund site, and you'll see it designated where the actual former international smelter was. You'll also see towards the bottom the old railroad right-of-way closer to the city. It's in green and blue, and as you travel closer up to the smelter site
it turns orange. That's an old railroad
right-of-way. Just above that is the Anaconda
Highway. I think we call that Smelter Road. Anyway,
on here it's called Anaconda Highway, which is the
road which was used, and is still used today, if you
want to access that area.

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

The next picture shows just a portion of
the Superfund site, but everything outlined in yellow
are the portions of the Superfund site which were
kept during the cleanup. When you clean up a smelter
site, the most highly contaminated areas are those
surrounding the actual structure of the smelter --
the smelter itself, the slag piles, the tailing
piles, and any dumps. It's much more cost effective
to -- rather than remove millions of cubic yards of
that material to cap it. And I don't know what was
done on this site, but typically you would cap it
with an impermeable layer so that snow and water melt
does not leach those contaminants into the -- further
into the ground and groundwater. So that just
designates those cap sites.

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

The next picture on this again shows in
bright yellow the capped areas on the Superfund site,
so everything on this is Superfund, but the yellow is
what has been capped. You'll see a very thin blue
line that runs from the lower left up to the upper
right, and that is the proposed route, proposed by
Rocky Mountain Power. You'll see some pink and
orange lines. Those are the proposed access roads
that would need to be built to construct the line and
maintain the line in the future. The little skinny
white lines are existing roads that were used during
the smelting process and are still used today, you
know, if you need to get up that canyon. The health
department and I estimate that the length is several
miles, so several miles of line would bisect the
Superfund site.

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

The next one shows you Pine Canyon. I
don't think this is by any means all of Pine Canyon,
but this is the more heavily populated area of Pine
Canyon. Pine Canyon boarders the Superfund site.
All of the two different colored green lots, these
are where people live, homes and their yards. All of
these were tested during the cleanup of the site.
Those in the lighter color of green were found to be
above acceptable limits of lead and arsenic. They
removed all of the topsoil around your house down to
a depth of either 12 or 18 inches depending on the
extent of the contamination. They then came back in
and filled it in with clean topsoil and brought it back as well as possible to the prior look. I threw this in just to demonstrate and exhibit that the unacceptable levels of lead and arsenic are not contained strictly within the boundaries of the Superfund site.

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

As you go further down, you get into some green and some blue. The green and the blue areas, which extend clear down into downtown Tooele, was where unacceptable levels of lead and arsenic were found. Those, as you can see from the legend, the blue areas were the most unacceptable. They had to excavate 18 inches of that contaminated soil and bring in clean. And then the green areas, I guess, were slightly less contaminated. They only went down 12 inches and excavated that. I don't know why this railroad line created such -- such a contamination.
I don't know if it was spillage off the cars during transport or it's because there is a big drainage area on the other side of the line, if there was drainage that went down there. In any event, again demonstrating that this -- these unacceptable levels were not contained on the site.

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

But if you go down to soil underneath pathways and you come over to the human exposure, you've got some big ugly black circles, ingestion or dermal, meaning the skin. So if you go onto the site, like a Rocky Mountain construction worker or a contractor might, and you start with your graders and your track-hoes and your backhoes and you stir this stuff up, because everything on that site is an
unacceptable level, you would have potentially relatively high direct exposure, and it will get on your clothes, you'll breathe it in through the very fine dust you're going to create. It's going to get in your vehicle, on your vehicle, and you're probably going to take it home to your family. Site visitors -- but those are people -- site visitors and site workers are slightly less, but if you were to live there, like fortunately no one does, that would be the worst.

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

If then you drop down to surface water, and there's a lot of ponding and such that goes on just naturally up there, again site visitors and site workers have -- it's not very good for them to come into contact with surface -- you know, to walk through a puddle. It gets worse for the animals because they live there 24/7. If you come down to sediment, it's also not very good. And if you come down to groundwater, ingestion of groundwater for
area of residents is a big black circle, meaning we
don't want to get it in the groundwater. We're going
to kill people.

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

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

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

The top of Page 4, Step 1, the county --
and this is before you turn a shovelful of dirt --
you have to prepare a concept plan of the proposed
improvement. You have to have drawings of
everything. You have to understand what the cleanup
levels are going to be, because we know the soil is
dirty, and we're not going to let you do anything on
it until you clean it up.
Step No. 2 is you submit that sampling plan, that sampling and analysis plan, so we require you to go out and take samples, soil samples, so that we understand the area that you want to construct on, which is miles long. I don't know how wide this is, but wide enough for roads and the -- and the line, and you have to sample the whole thing. You have to sample at 6 inches, 12 inches, and 18 inches along this whole route, and then it goes on with more stuff you have to do.

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

At the top of Page 6 for some reason we have another Step 3. I think this is just a typo. Now is -- now is when you have to remediate, you have to clean it up. Remedial construction, technique one, remove the soil. How many millions of cubic yards of this stuff is going to have to be removed, transported, I don't know where to, and dealt with, I don't know how. We're talking a lot of money and time.
Step No. 4, and this is after you've done all your cleanup, you submit your final report. And Step No. 5, the fine step, if the Tooele County Health Department approves your final report, final approval will -- will be given to begin your construction. Obviously after yesterday's hearings, which I attended throughout, the time and expense of this has never been considered by Rocky Mountain Power, and, frankly, those of us who live downwind, and we all live downwind because the wind blows a lot out here from every direction, don't want that soil being disturbed in the first place when there are so many alternatives.

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

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

Thank you.

CHAIRMAN BOYER: Thank you, Ms. Clegg.

Let's hear now from Brent Marshall, who is from Grantsville City.
Mr. Marshall, are you the mayor?

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

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

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

CHAIRMAN BOYER: Very well.

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

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

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

It is our desire that the transmission lines not be put anywhere on the west side of the Tooele Valley with the exception of the I-80 corridor. We believe there are other alternatives such as upgrading the existing power corridor from Mona to Salt Lake and the placement of power corridors in less populated areas. We believe there are alternatives that would be less invasive to our community, and we respectfully request that they be
explored and considered prior to the issuance of an
approval of this project to Rocky Mountain Power.

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

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

Rocky Mountain Power claims they would be
unable to locate the Limber Station west of the
Wal-Mart distribution center, yesterday, because of
problems with runoff. Rocky Mountain Power has
misstated the conditions in that area. And they
claim that the motes surrounding the distribution
center are in response to flooding problems. This is
very inaccurate. Most of Wal-Mart's diversion
controls are for the water generated upon their own
facility. This facility is huge, people. It
generates roughly approximately 30-acre feet of water
a year off its own facility, the parking lot and
buildings. I know from personal experience that this
area is not prone to flooding. My family has farmed
in that area for nearly a hundred years.

Again, we respectfully request that Rocky
Mountain Power be required to explore all of their
options. As Joy just stated, we believe that Rocky
Mountain power has misled on the placement of the
Limber Station in denying that there won't be further
lines coming up and down that west side of the
mountain, and so we ask that you ask them to explore
all of their options that are available to them for
the completion of this project. We know that we need
the power, and we ask that you ask them to provide
proof that they have looked at some of these
alternative options and that they've been explored
prior to granting any approvals for the proposed
transmission lines to Tooele Valley.
Thank you for our -- your consideration in our feelings on this matter.

CHAIRMAN BOYER: Thank you, Mr. Mayor.

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

Joni, would you stand up, please.

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

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

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

MR. HUDSON: Unsworn, your Honor.

Throughout my life I've dealt with rules, regulations, policies, procedures and laws as a police officer for nearly 26 years, as a Marine Corps veteran of Vietnam, in my present position with the
Division of Public Utilities for the State of Utah.

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

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

Power lines have always been in these locations, but Rocky Mountain Power replaced several miles of this line about five years ago with new line and new power poles. These line -- or these power poles are more visible than the ones Rocky Mountain Power wants to put here, and most of the people of
the area have sent kudos and appreciation letters to Rocky Mountain Power for the upgraded lines. None of the letters complained about ruining their view, and no one was worried about electric and magnetic fields, EMFs; no one is dying of cancer or other serious diseases on the EMFs; and as a side statement, their property values along this route haven't decreased either.

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

I swear, the way people act around here in this city, your county commissioners, city officials, about this new power line, you'd think that life was coming to an end just because they'd have to see a power pole out their back door. You can see the power poles from the middle of the
street, running right through the middle of town. Same esthetic views, won't hurt anything. These poles will be about a half a mile away that they want to put in, maybe a little less, maybe a little more, but the quality of life doesn't change because of a power pole. People all over this country live with these same types of poles and lines within their view, and where they play and where they have quality of life has not changed one iota.

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

Rocky Mountain Power has given their word that all 23 points of concern with the county, city, and the Planning and Zoning Commission would be mitigated, so why is it that Tooele County, Tooele City, and County and Zoning need a step-by-step
procedure of what they deem needs to be mitigated. Do they really think that PacifiCorp/Rocky Mountain Power is not concerned for these same issues and will do all in their power so that these issues don't become a concern to Tooele citizens? Has Tooele at all not read where Rocky Mountain Power has had to deal with the same concerns in other cities and towns that Rocky Mountain Power has put their transmission lines through? There are many miles of transitional transmission lines run by Rocky Mountain Power where many of the same issues that Tooele has come up with, but those issues were mitigated and everyone involved is satisfied with the way those issues were taken care of. One city to speak of, Willard, Utah, had 31 issues, and they were all mitigated by Rocky Mountain Power.

Now comes Tooele County, who told Rocky Mountain Power if they would mitigate their issues they would issue the conditional use permit, but when Rocky Mountain Power said they could and would mitigate these issues and didn't give specifics, Tooele County might as well have called Rocky Mountain Power liars when they told Rocky Mountain Power they still would not give and issue the CUP. I say shame on Tooele County and their planning and
zoning. To me they have shown the citizens of Tooele City and County just how much integrity they have when it comes to their word. Tooele County, City, and the P&Z have not and did not prove that their issues would not be mitigated. Rocky Mountain Power has ample proof with past transmission line construction that all issues would be mitigated. I have to ask the city -- the Tooele City councilmen, the mayor, the county commissioners what their real motivates are. Are they really for the best interest of the citizens, or do they care more about their view, or maybe it's the votes they could lose from those who want this power line to go -- don't want this power line to go through and you have lobbied them to stop it.

I, for one, am not willing to pay higher taxes or higher utility rates just to run this new transmission line in a different route. I believe that for Rocky Mountain Power to pay a -- or to take a different route just to satisfy the esthetic view of a few would be like those few stealing for their own aggrandizement. The cities of Tooele County are not stupid. They know that growth is needed for the stability of the cities and towns of Tooele County, but we cannot grow without the transmission line to
feed power to those companies who want to come here.
Those companies will provide needed jobs, and that is
one thing that will help make our way of life better.
All of the negative energy that is being wasted on
silly, nonsensical, unproven statements doesn't mean
a hill of beans when it comes to our real welfare.

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

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

CHAIRMAN BOYER: Thank you, Mr. Hudson.

(Booing.)

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

Mr. Terry.

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

CHAIRMAN BOYER: That would be great.

Please raise your right hand.

(Whereupon, Glenn Terry was administered the oath.)

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

First, I'd like to go over a little bit about why we're here today. We're here because the predecessors of the Wasatch Front power system over 30 years ago didn't quite plan well enough to do us in for the next 30 years. Our concern in Grantsville is of what we would like you to do and what we have tried to work with Rocky Mountain Power to do is at
least a good a job as they did roughly 30-40 years ago when they did the system that we have along the Wasatch Front and put together a system that will support that for the next 30 years.

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

A couple of things that I would like to -- to get you to think about as well is yesterday one of the expert witnesses testified that the BLM does not have electrical engineers. Rocky Mountain Power provided the design and location requirements for the EIS. Their attorney said over and over that the BLM concurred with this because of the EIS, but then they turned around and said these guys are not electrical engineers, they don't know how to put it
together, they don't know how it needs to be located, but they wanted to use that as proof that the BLM concurred with exactly what they had found.

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

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

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

They also told us finally yesterday after we talked and talked and talked -- they called the
Limber substation a load hub, a load -- and their definition was that it is a large substation with large spokes with at least three large high-voltage lines. Where will these lines come from? All from the south, all from Mona? That doesn't make a lot of sense.

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

The other thing that they went to great lengths to do is to try to tell you that they -- it was not feasible to put the substation in the northwest area of the valley. They claim that it was 18 miles longer. If you'll look at the map that they
provided -- it's map C-1 on Page 1 in the final EIS -- you will notice that the two substations with where we would like to see it put as a county and where it is presently is almost the same east -- to the west side of the valley, and you will also notice that over here where their preferred route is -- sorry -- where their preferred route is is almost center between those. How can that increase the length of that line by 18 miles? The distance across our valley is only approximately 20 miles, so they can't increase it 18 miles.

If you also look at the same -- on that same page, they talk about efficiencies. They told you that a 500 kV line was more efficient than a 345. If they locate the substation in the northwest corner, the length of those two 345's, the length to the Oquirrh substation remains about the same, but they'll get better efficient transmission power to the substation using 500 kV and shorten up the line to the terminal substation by roughly 12 to 15 miles. This cost should -- the decrease in the price of the lines from their own stuff would help offset, because they -- they show in the EIS that it is cheaper to build a 500 kV line than it is to build a duel circuit 345.
I would also like to point out on the same map they talk about they can't put the substation out there. This map actually is the natural hazards map that they show. The area in green is the liquefaction area. There's nothing out on the northwest side of the Tooele Valley, the north Tooele Valley, yet it is all over where the terminal substation is and where all the lines go to the terminal substation.

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

One other thing that I would like to make sure you're aware of is the comment was made that only a handful of people was concerned about this. I
believe the meeting that they was referring to was
our committee meetings with them where they
respectfully asked us as groups of citizen groups to
only have two or three or four people have each
committee to come in so we could try to work as a
group and really come to a real consensus instead of
just having it be a big complaint and session to just
let off some steam. That's why they seen the people
that they seen at those committee meetings. There is
a large, large group of people in this county that's
very concerned. I believe as of this afternoon there
was sixty plus people that had taken the time to
respond to the -- to the docket and give you their
opinions and their stuff. There is also a great,
great many people in this county that as you talk to
them their real response is, "They're Rocky Mountain
tower. They're going to do whatever they want. It's
not going to matter what I say."

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

Thank you.

CHAIRMAN BOYER: Thank you, Mr. Terry.
Let's hear now from Troy Tate from Tooele City Fire, and then we'll take a break after that for just a few minutes.

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

MR. TATE: Unsworn, please.

CHAIRMAN BOYER: Okay.

MR. TATE: My name is Troy Tate. I'm the assistant fire chief with Tooele City Fire Department, and from what I understand, one of the proposed lines is going -- is intended to go across the south end of Tooele City like Mayor Dunlavy talked about, and just a small portion of that line will be in the Tooele City property. But Tooele City Fire Department, we're responsible for responding to and extinguishing fires everywhere along that south bench. We'll be the first responders to anything along that area, and it scares me and the guys in our fire department to increase the risk of fire with these type of high-voltage lines going in. Every year we have high winds, every year we have lightning storms that come through, and every year we have downed power lines that cause and -- cause fires that we have to go to. To me it's -- it's irresponsible to increase the fire danger in this area if it's not necessary. The accessibility in the south
end of the valley in the foothills where they're putting homes -- the accessibility is limited. The winds blow -- generally the winds blow towards the north, and for Tooele City Fire Department that is -- that is our only access into that area, is coming from the north, so it's -- it's -- I just don't think it's good to increase the potential for fire danger in that area, in the south bench -- southeast bench.

It's much better from a fire service perspective that if you're going to put these high-power lines to put them out in the flats, out in the valley, out in the -- in the west side. It's much easier to get to fires and fight fires out in the flats with less vegetation and less potential for fire. So, yeah, I just -- I just -- I don't see the point of putting those lines at the south end of the valley. It doesn't make any sense to put them up there in the foothills with access going across the Settlement Canyon Reservoir. It's just -- it increases the danger, the lightning danger coming through, and the wind danger, and it's just -- it's scary. It's scary for the fire department. I'm speaking for our current fire department and then our upcoming guys that are going to be getting into this department in the future. They're going to be
responsible for this, so there's got to be an alternative route.

Thank you.

CHAIRMAN BOYER: Thank you, Mr. Tate.

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

(Recess.)

CHAIRMAN BOYER: We've taken an inventory of all those who wish to speak, and it looks like we're going to ask to speed up the process a little bit by restricting the remaining speakers to about five minutes or so. We let some of the earlier speakers go on longer because they were representative of city government or county government or other government officials, but if you could refrain yourselves and make -- give us your best arguments. We've read all the comments already that have been submitted to us, some sixty plus, and all of the written comments. That would be very much appreciated.
With that, let's hear now from Chris -- is it Belton?

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

I'll give sworn testimony.

CHAIRMAN BOYER: Very well. Raise your right hand.

(Whereupon, Chris Belton was administered the oath.)

CHAIRMAN BOYER: You may proceed.

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

I'm an orthopaedic surgeon. I moved to Tooele just about two years ago. I was born and raised in the Midwest. I've lived in Chicago, St. Louis, and De Moines, Iowa. When it came time to find a place for my family to settle down and to
start a practice that I hope will take me through the
rest of my career, we looked at opportunities all
over the country, and we looked very closely at
opportunities close to family here in Utah, up in
Idaho, out in Washington state. We had a great
opportunity. We could have gone just about anywhere.
We spent thousands of dollars, we spent hundreds of
hours researching and traveling to places that we
were hoping would become our future home. As we
drove south from the airport to Tooele, my wife and I
were impressed with the beauty of the valley. There
was no -- there's no way, I guess, to verbalize other
than we were just awestruck and impressed with the
quiet valley and the serene picture of the
southwest bench -- or the southeast bench. We liked
it so much that we made Tooele one of our top
candidates for our future job. We continued to do
our due diligence in learning all of the issues here
in Tooele, both regarding the hospital that I
practice at and the community as a whole, and we --
we obviously selected here. We love it here. We
love the southeast bench. We bought a lot there. We
built our dream home there. These lines threaten our
home. They threaten the view that we enjoy daily.
We've attended almost every one of these
meetings. We have heard hours of comment from Rocky Mountain Power as well as concerned citizens about health issues, about financial impact, and I'm not convinced that Rocky Mountain Power -- even though they've sworn they will give us everything they need, I'm not convinced that they can do that or that they are willing to do that.

Let me get my thoughts back together.

You cannot appreciate how much we enjoy Little Canyon, the reservoir, the trails behind our home, the golf course, the very areas these huge lines will overshadow. If there is another place these lines can go, let's put them there, and I think that our engineers and our planners have shown that there are places these lines can go.

We have heard in these hours of talks experts swear about the health risks that come along with EMFs. We know that EMFs are in the same category of carcinogen as other things we shy away from. They are in the same categories as lead. We all know that lead paint is a bad thing. We don't let our children suck on it. We don't let our houses be painted in it. Why are we playing with the idea that it's okay to paint our hills with a Class 2B carcinogen? It just doesn't make sense.
We know that children get curious and make bad decisions. We know that there are children who have climbed these poles and have died tragically because of it. If there are 30,000 people in our valley and if most of them live in this area of the southeast bench, I think the responsible thing to do from a planning area is to put these things far away, just like I put my guns far away from my children. They are locked up. My ammunition is locked up. I don't tempt my children with a tragic accident by putting it in their bedroom or right in their hand.

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

One final thing and then I'll sit down.

Early in the proceedings, Brandon, the plant manager -- or the project manager from Rocky Mountain Power, and I got a chance to speak briefly in one of these meetings. One of the concerns he had raised is wind, specifically wind. Three concerns were raised, and one of those were wind, and we don't want to put the lines elsewhere because of high winds. High winds can damage the lines. I asked him if he had any idea of how fast or how hard the winds blew
Christmas eve night two years ago. He just said, "No, I don't have a clue." You know, we had hurricane force winds ripping over that southern rim all night long. About -- we've lived here a year and a half, and I'd say a good dozen times we had similar winds ripping over these hills. If you look at wind records in Tooele, the wind record is held at 93 miles an hour. That's about 20 miles an hour faster than the record held in the city of Salt Lake. So if wind is his concern, he's putting these in the wrong place.

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

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

MR. WARDLE: I resolved that issue.

CHAIRMAN BOYER: You did relove that issue. Never mind. We won't do that.

Let's hear now from Mr. Jeff England.

Do you wish to give sworn testimony or unsworn?

MR. ENGLAND: Unsworn.

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

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

But to me, we live in one of the most beautiful parts of the state of Utah. The other night when my wife and I were coming from Salt Lake Valley, we came around into the Tooele Valley, and of course it's kind of hard to tell with the cloud cover over here, but you have the Oquirrhs on one side, the -- the -- the Stansbury Mountains on the other side. We've got Middle Canyon and we've got Corner Canyon, and what such a pretty area to live in. And as we came around there we looked out -- we
got home and looked out our windows, we came out the front door, and we were able to look out there and see such a pristine canyon and also one of those few areas and one of the few canyons, especially in Tooele County, that are still unspoiled from access roads and mine dumps and tailing piles. And as we were walking up through the fields, it was great to be able to walk up through there and enjoy the -- we could see mule deer that were grazing out in that area. We also see wild turkeys that come through the area, sometimes we come to see elk, just to not -- not to mention just a few of the wildlife that comes through that portion of the Tooele City and Tooele County.

Our children, we've lived there and they hike up there and they enjoy that location, and because of these areas and because of the things that are there; and to me, to allow power lines along there, along with their access roads that will come through there, not to mention the measures to keep the vegetation growth to a minimum, which would destroy the scrub oak, the pine trees, the quakies, not to mention all the other vegetation that comes through that area, vegetation which provides erosion 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
generations, for many, many lifetimes, on that
hillside, nothing that can be mitigated and nothing
can be done for that, so we hope that you will please
consider the things that I'm saying and everybody
else has said this evening and the past day and
tomorrow and take that into your consideration for
what we're trying to protect, because along with --
within these decisions, they're not just decisions
that will affect today or tomorrow but, like I said,
for lifetimes to come, and so we put -- you know, we
hope and pray that our pleas won't go on deaf ears
tonight.

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

CHAIRMAN BOYER: Thank you, Mr. England.
Pete Grimm.
Do you wish to give sworn or unsworn
testimony?
MR. GRIMM: I'll swear.
(Whereupon, Pete Grimm was administered
the oath.)
CHAIRMAN BOYER: Thank you. Please
proceed.
MR. GRIMM: Thank you. I'm Pete Grimm.
I've written you several letters, which I hope you've
had a chance to read. Our family owns a significant piece of property up above the city that these power lines will cross.

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

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

How many prefer Rocky Mountain Power's route?

Thank you.

I've had a number of times that I've dealt with Rocky Mountain Power on right-of-way issues. They've come to me, they've made a request to put a piece of -- put a line on my property. I've come to amicable agreements with them at least twice, and so far I have not had any disagreement. In this
case, they have not approached me as the owner of this property that they're planning to cross. They have not made any attempt to find out what kind of costs would be involved.

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

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

I tend to think that as people move into the valley, you try and accommodate them, you try to help everybody have space. But I also know that if you want to have some of the nicest residential places, you don't have power lines there, and no matter what they say about value of property, the
nicest residential areas will never be up there south
of Tooele if they put this power line through.

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

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

What's the address?

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

Speaking of, we've had a house and some buildings up there for 60 years almost, and we've lost three roofs, blown off by the wind. There is definitely a wind issue up on the bench there. That may be all I have to add.
We do believe, from all that I have seen, that Rocky Mountain Power does not intend to make a fair market value offer for our property. We believe that if they did that they would have come to me and try to make a fair and free and open negotiation. Instead, they are proceeding through a legal course of action to try to push it down our throats. We will resist, like the city will resist, to the best of our ability their attempts to take the property without giving fair and proper value. And some of the damage that they're causing in way of health. As I said, my mother lives up there, has been there for years and years, and I don't know how you can come to a fair value for some of those things, but we'll do our best to increase their cost if they're going that way. If they can come down through Skull Valley or along the west side of Tooele Valley, we'll do our best to decrease their cost and support their efforts to bring power to the valley.

Thank you.

CHAIRMAN BOYER: Thank you, Mr. Grimm.

Mr. Lee Brown.

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

MR. BROWN: Yes, I'll be sworn.
CHAIRMAN BOYER: Please raise your right hand.

(Whereupon, Lee Brown was administered the oath.)

CHAIRMAN BOYER: Will you please proceed.

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

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

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

The fact of the matter is when you set down and you start to have discussions with people, which is what I try to facilitate, and people start to disagree with one another's views and they make various proposals and those proposals aren't agreed
with, eventually you end up with arguments, and parties in arguments tend to diminish the views of the other party and embellish the views of their own position, and I believe that's probably taken place on both sides in this situation, and that's why the board has been convened, is you now have an argument, you know longer have a discussion.

So what is the board to do when you have contesting parties? In this case you had a three-year study by a neutral party. Although, you know, the parties' position didn't go your way, you don't consider them neutral. As I indicated in my statement that I filed with you, I believe that one place you can look for -- for the facts rather than the strongly held beliefs and opinions and wants of people is in the final EIS. That was constructed by the Department of Interior, Bureau of Land Management, who employed environmental scientists, and they are bound by the science of the thing and the law, and they expect challenges when they publish things like that. They have to be defensible. They have to be objective. And I'm telling the board that if you have a need to look for facts that aren't fraught with emotion by either the power company or the citizens, you need to look to the final EIS. I'm
not saying that either party, the power company or the citizens, will agree with it. I'm saying it's probably the most neutral comprehensive study of this Mona to Oquirrh route that you'll see. It's 146 miles. You'll also see that the majority -- the vast majority of objections to this route are on that 3-mile stretch in Tooele County called the southeast bench area, and so it has received a great deal of attention by the environmental scientists and the people who are required to make up their mind as to where this line should be properly located.

I'm not going to testify as to my desires or wants or views because I'm not an environmental scientist and I'm not an attorney, and therefore I'm like everyone else. Basically I'm only limited by my imagination and my vocabulary as to, you know, what position I want to take on it. I believe that the utility has a responsibility, and during the 17 months I've worked for them, I don't believe they've really adhered to their responsibility, tried to adhere to it. To construct these lines, even though they know they're going to be very passionate, very emotional, negative events, to try and put together a line that is the most reliable, the safest, the most economic, the least discriminatory to the various
ratepayers -- in other words, they have the
responsibility not to discriminate against
ratepayers -- and the most environmentally friendly
line. There can be argument over whether or not they
have done that in their proposal, and there has been.
But the fact of the matter is they're very well
meaning individuals, they're very talented people,
and I believe if they could build the Grantsville to
Salt Lake line and still fulfill those
responsibilities to the other ratepayers about
keeping the costs down, keeping the reliability up,
and the efficiency and the adequacy of this line up,
they would do it. They don't willingly walk into
these meetings to get the hell beat out of them.
They are bound by the decisions of the engineers in
their company who are the experts on the siting of
these lines.

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

UNIDENTIFIED SPEAKER: What time is it?
MR. BROWN: There's 40 -- beween 40 --
CHAIRMAN BOYER: We need you to kind of
wind up, Mr. Brown, if you would, please.
MR. BROWN: Yeah. There's between 40 and 60 million dollars in the -- in the proposal by the county that can be placed on the backs of the other ratepayers, and yet I don't see anyone from the Committee Consumer Services or the Division of Public Utilities participating in this proceeding. Someone needs to be looking after the other ratepayers. If it comes down that this line should be moved and there's additional costs, I think that someone needs to be looking after the other ratepayers' --

UNIDENTIFIED SPEAKER: Time.

MR. BROWN: -- interest. Thank you.

CHAIRMAN BOYER: Thank you, Mr. Brown.

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

Let's hear now from Mr. Brad Pitt.

(Laughter.)

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

CHAIRMAN BOYER: And I should say to both the Brads, we've reviewed all the information you've given us and the slide show and everything.
Do you want to give sworn or unsworn testimony?

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

CHAIRMAN BOYER: Please raise your right hand.

(Whereupon, Brad Pratt was administered the oath.)

CHAIRMAN BOYER: Thank you. Please proceed.

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

To give you a little history of who I am and why I'm here, I have lived in Tooele City for approximately fifty years, without telling you how old I am. I was not born in Tooele City, but I've lived in Tooele City for approximately fifty years. I am very familiar with this county. I grew up here. I went to school at the Tooele High School and graduated from there. I met my wife there. I've raised my children here. My grandchildren are here. My children work for me in a business that I own here.
locally. So my entire family is still here. My wife
was born here. Her father was born here. My
relatives helped settle this valley.

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

I have had the opportunity to work with
Rocky Mountain Power through this project on trying
to find a resolution or a compromise or a different
route. I too, like a citizen that spoke earlier and like our mayor that indicated to you -- I found out early on in this process that -- at those meetings that those engineers and those executives that came here had no intention of changing their mind and listening to us. I found that out very early on.

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

This county has stood up and asked for an adjustment. I do not believe the figures that have been thrown out by Rocky Mountain Power on that
adjustment. I believe there are things that can be
looked at by this board and adjustments that can be
made that will negate the problems that this line
has. We are not talking a 138 distribution line.
We're talking --

CHAIRMAN BOYER: One minute.
Thank you.

We are talking a 500 kV and double
circuit 345 kV transmission lines, not a side road,
ot a main street, but a freeway that delivers power,
a freeway that they want to put through an area that
we believe and we have proven and we have shown to
not only Rocky Mountain Power but including the BLM
that the negative impacts of this route are far
greater than any other route that could be chosen.
If you close your eyes and choose any route and paint
any route through this county, this route that they
have chosen has the most negative impact of all.
Please, we beg you to take a look at that.
We thank you for your time. We
appreciate and understand the complexity and the
magnitude of what you have to decide. We ask you as
citizens to help us to adjust this route so that
these negative impacts that we will have to live with
forever will not be there, and I know that engineers
can do that. I know we can adjust it and accomplish that. And I thank you for your time tonight and appreciate the opportunity to speak to you. Thank you.

(Applause.)

CHAIRMAN BOYER: Thank you, Mr. Pratt.

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

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

CHAIRMAN BOYER: Okay, thank you.

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

What I have here are the draft Environmental Impact Study and the final impact study which just barely came out, and so that's one of the reasons I didn't swear in, because I haven't had an
opportunity to review the final in detail as I had
the draft, and that's what I want to talk about, is
the draft. The draft EIS is why we're here. Had
that been correct -- correctly portrayed and
accurate, we wouldn't be sitting here today. And in
listening and in going through all of the steps with
Rocky Mountain Power, with our citizens and everyone
here, we have worked really, really hard. I have
done nothing but read these books, and we talk to
Rocky Mountain Power 24/7. My family will be so glad
when we stop this. But we stay awake at night
discussing it. We wake up first thing and it's our
topic. And we have had Google Earth up and we've
counted rooftops. I've counted houses to find out --
looked over the valley, taken hundreds and thousands
of pictures to do an accurate portrayal of Tooele.

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

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

That was the next thing that I looked at, was the impacts, and started reading the numbers. In the draft they said there were 19 homes within a quarter mile. Well, let's correct that, because I went through and counted rooftops. If you go from a quarter to a half mile, you have 1200 homes. The draft Environmental Impact Study skewed the material to meet the need by adjusting the distance to represent the numbers they needed, and you can go through and it happens over and over again. Everything that was minimal you should look at as maximum. So, in other words, if there were 5,000 homes in a half mile, they would have adjusted the mileage to be shorter to fit the number of homes they needed to justify the project, is how it reads out.

Now, in taking into consideration this is 141 miles of a project, and we're only talking about
4 to 5 miles of that project that has the greatest amount of environmental impact, I'm going to give them the benefit of the doubt here. That does change the ratio by one-tenth, so the environmental impact of how great that is, how detrimental that 4 or 5 miles is, is diminished by the percentage left in the full route, and so it portrays a wrong picture just as their pictures do. So there's your facts.

And the other thing is that they don't take into consideration it's like in a scientific equation. This is black and white, and it has no feeling, no emotion to it. And in a scientific equation there's facts, there's cause, there's reaction and effect that will come from the potential hazards, or you have to think that through. It's not something that when you read it it's just, oh, yeah those are numbers, and pretty soon you just get so caught up in the numbers that you're deluged with so much information that you haven't thought about the personal effects and how you will be looking at it every day and what you're going to find out every day on a daily basis, and they're not minimal anymore, they're maximum. In other words, if they say in there it's within minimal guidelines, does that mean one child in a thousand, does it mean 3,000 out of
30,000 people, or is it three people out of 30,000 that are going to have a problem from a capped Superfund site, be electrocuted at the Settlement Reservoir; every day drinking water, what is that continual day, every day effect going to be and what percentage and what ratio. If I looked at my grandchildren -- I have three -- I wouldn't be willing to give up one of them if they drank water that was going to hurt them. And we've talked about the springs. That was the other thing pointed out to me in this draft environment.

CHAIRMAN BOYER: One minute, Ms. Pratt.

MS. PRATT: Thank you.

-- is that the springs were not even mentioned very well in the draft. They were hidden and they weren't towards the forefront. So everything that was minimized I maximized. That's how we ran across the capped Superfund site. I've lived here my whole life. My parents lived here my whole life. My dad worked a long, long time ago at the smelter for a few days until he didn't work. That was a bad experience at the mine. He was a young man. But you take those things into consideration that were minimized that were maximum and then you apply that. I didn't know what one was.
I didn't know what a Superfund site was until I studied further. That's the details that kept coming forward, and the draft turned into the final, and the final is not -- has not changed the number of homes; in fact, it's made them less.

And I would really appreciate the fact that you would come out here and look and see what's here. The BLM said on the meeting in June that they had never been here before and were shocked when they saw how close everything was. Our largest elementary school is in this area. That's one thing that's not pointed out. You've heard about a lot of the different impacts, and we use -- we live in a rural area. This is something that we have traditions. The T is going to be affected. Those are things that are historic to us. 1916 it was created. We won't be able to access -- access anymore without danger. These are things that -- that we don't have in the city, in the Salt Lake area. We don't have offsets of malls and freeways. I appreciate you very, very much, and I hope you will look at this, because there are other alternatives. Like my husband says, there is a way to fix this. We don't have -- if there is another choice, please select it, because this choice is absolutely wrong. No other route has this great
of an impact, no other trees -- there are pine trees.
Other routes don't have that great of a devastation
to the environment. This is the worst environmental
section, and if you look at the percentage, yes, it's
small, so, yes, there's a way to fix it. Please
choose the way to fix it.

Thank you.
CHAIRMAN BOYER: Thank you, Mrs. Pratt.
Let's here now from Edward Grimm. Do you
wish to give sworn or unsworn testimony?

MR. GRIMM: Yeah, I'll swear.
(Whereupon, Edward Grimm was administered
the oath.)
CHAIRMAN BOYER: Thank you. Please
proceed.

MR. GRIMM: Well, first of all I'd just
like to give a little bit of history of who I am to
you. My name is Edward Grimm. My dad testified a
couple minutes ago. He's Pete Grimm. My grandmother
lives up on the hill right next to the canyon, and
she's lived there as long as I have been alive, and
that's as far as I can testify she's lived there
because I wasn't here before then. But I can tell you
that her family -- the Tates and the Lees is who she
is from -- her last name is Grimm from my grandpa, but
her family, the Tates and the Lees, have been here since the beginning. She -- you know, she started the Benson Grist Mill. She wrote that. That was a pageant they had here for years celebrating, you know, how they came into the valley and created the grist mill to cut the trees down. And then, you know, I remember when I was little I looked out and I said, "What trees? I don't see the trees." And then my grandma said -- she said that those mountains, those hills, used to be covered with pine trees, that her ancestors actually cut most of them down to build the railroad ties that came through the valley and helped with the golden spike. You see today -- it's been I don't know how many years, you know, decades -- and those trees aren't back. We sometimes don't realize the environmental damage that we can cause and that will be affecting, you know, our generations to come.

You know, there's -- there's been a lot of different things that I've thought about as I've heard people and I've read about this issue, and I definitely -- I can feel that I'm the youngest one that's come up here and spoke, and I feel I can speak for most people of the younger generation, that sometimes I feel and others of my age feel that we don't realize -- older generations sometimes don't
realize the effect it can have on people to come.

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

You know, there's cattle everywhere up there, and I read an article today that talked about how in Wisconsin there's been suits -- lawsuits over and over again. They just awarded the largest lawsuit that they've had of $5 million to a family there who raises cattle, and they awarded that to
that family because the power lines that had been put
trough there by the local power company had been
killing the infant cattle. There was a description
of how it was doing things to their intestines,
rearranging them, and they were awarded $5 million in
that lawsuit, and the power companies there are very
aware of these lawsuits, and there's been quite a
number of them.

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

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

That's all I really have to say.

CHAIRMAN BOYER: Thank you, Mr. Grimm.

Mike Wells.

Mr. Wells, do you wish to give sworn or unworn testimony?

MR. WELLS: Sure, sworn testimony.

CHAIRMAN BOYER: Please raise your right hand.

(Whereupon, Mike Wells was administered the oath.)
CHAIRMAN BOYER: Thank you. Please proceed.

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

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

I'd actually like to thank Rocky Mountain Power because it has united this community in a way I haven't seen in the 25 years I've lived here. You know, we all know the platypus was the byproduct of the committee coming together, being organized. When you put people together, everybody wants this and
that, but this entire valley signed and committed to a different route away from where it was to the other side of the valley or another place. They are united. Both our elected officials and our other individuals and citizens are committed to a different route.

Specifically, the one thing I wanted to address is a number of times it's been talked about the 4,000 signatures, the petition. My wife accepted the responsibility to organize those petitions, and we spent three weeks -- three weekends sitting out in front of Albertsons and different places, and we spoke to these people, and we only asked people that were voting even though this wasn't a petition to go on a ballot, but those that had influence, those that had a stake in their community, that if they felt they could sign this petition that they would do so, and every single person that we spoke to was very interested in what was going on and what was happening, and every person, and it wasn't just people from Tooele City. It was from Erda, from Stockton, from Grantsville. All of the people that signed that petition resented the fact that this was being forced upon them, that there are other routes that were discussed and that are possible, and they
felt that their voice needed to be heard, so I please
ask you to consider that there are more than just a
handful of people that are interested. Those are
very real 4,000 people, and they care about this
route.

Thank you for your time.

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

Jolyn Hansen? Is she here?
It is John Hansen. I'm sorry,
Mr. Hansen. It looks like J-o-l-y-n to me, but...
MR. HANSEN: (Inaudible.)
CHAIRMAN BOYER: I wouldn't have expected
a mustache.
MR. HANSEN: Well, I am a Tooele boy, so my reading and writing is probably not that great.

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

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

CHAIRMAN BOYER: Thank you.

MR. HANSEN: I don't plan to cover any -- my name is John Hansen. I'm a Tooele City resident. I don't -- I think by the end of the day tomorrow there will be no technical aspect of this particular subject that you as a board will not be familiar with. I prefer to just be known as a Tooele boy, but it seems just like for credibility purposes I need to tell you who I am. I'm a husband and a father of five, and those five represent the fifth generation of Tooele Buffaloes. I'm a degreed engineer. I'm a retired officer. I'm a decorated combat veteran. I have led hundreds of soldiers in combat. I'm a business owner. My business is in North Salt Lake. I employ 150 individuals and do tens of millions of dollars of business every year. I have three -- three basic points, two which were just added while I was sitting back there listening to people talk. One -- one gentleman
basically wanted to justify what's going on here based upon what already is and, you know, where the big power lines already are or what's already been done, and that just seems bizarre to me because, you know, past sins don't justify future ones, basic common sense. We've had a lot of sins in Tooele County over the years. Our public officials have not always been on top of things. In the late '80s I think our public officials were run over by the growth, but I think now we have a great -- a great -- at every level we have great public officials, at every level we have a plan for growth, and I think that has all been taken into consideration when they voted this down every time it's -- it's -- at each level it's moved up.

My second point is just -- is -- is the public officials. I want to thank them, just the opposite of the gentleman earlier, you know, as a real -- you know, I can truly call myself a patriot. I have made great sacrifice for this country. I couldn't be more proud of our public officials for doing the right thing and listening to the people of this county and what they want. There was no wink of the eye and back room deal with Rocky Mountain Power, "Yeah, we'll take care of it for you, boys." I
assure you in my lifetime that has happened, you
know, not necessarily with Rocky Mountain Power but
that's happened. The big developers come in and --
and have their way, and the current officials really
have done this -- a good job of this, a very
professional job. The county planning commission, I
couldn't have been more impressed with them and the
thoroughness and the fairness of those hearings.

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

CHAIRMAN BOYER: One minute, please.

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

The last thing is just you know as volunteers, you know, as all the time you put in, people just don't show up. In the political process, no one shows up, people hardly get out to vote. When people -- thousands of people sign a petition, something is not right with this route. When -- when people are spending that -- you know, their weekends all summer sitting on the asphalt at Albertsons parking lot to get -- to volunteer to get signatures, something is not right with this route. When people show up meeting after meeting after meeting for a year, something is not right with this route. Common sense says something is not right with this route.

We're not against the power. We're not against R&P. We're against this one route, the only route they have ever really proposed and/or supported. They have never varied from that. Something is not right with this route. I'm not telling you what the best solution is, but I'm telling you from what I know,
from what I know of human nature, people don't show up and work as hard as they have for a year when -- when -- something is not right with this route.

Thank you.

CHAIRMAN BOYER: Thank you, Mr. Hansen.

(Applause.)

Darrin Smith.

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

MR. SMITH: I do.

CHAIRMAN BOYER: Raise your right hand, please.

(Whereupon, Darrin Smith was administered the oath.)

CHAIRMAN BOYER: Thank you. Please proceed.

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

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

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

In an earlier meeting to attempt easing our minds, Rocky Mountain Power employed a physics specialist -- he wasn't a doctor -- who stumbled all over himself in his feeble attempt to explain why it was not probable that anything would happen. It was insulting to say the least, just like Mr. Hudson was
tonight. All the while we focused on exposure to electromagnetic interference as a carcinogen, which it is. Although this is a very real and serious issue, I am speaking of an exposure of different sorts, not the kind that would require prolonged exposure to other problems but rather a split second of interference of the electrical conductivity of my daughter's heart.

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

Let's remember that this is my daughter, a real human being. The spotted owl has shut down the logging industry in southern Utah, and that's
just an owl. This is my daughter. She lives here as a permanent resident. We enjoy family hikes to the springs which lie directly beneath these horrendous lines, or where they would go. You are clearly prohibiting safe living and safe recreation for my daughter specifically due to her special situation, not to mention the rest of us.

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

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

CHAIRMAN BOYER: One minute.

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

I'm almost done.

This is a blatant misrepresentation of the concerned citizen and public officials of this great city and county. The cherrypicking and misrepresentation of our comments by Rocky Mountain Power to show that they have done their due diligence is dishonest and must be exposed. We know that this is a David meets Goliath type scenario, but what's funny is Goliath doesn't have the integrity to fight fair. Fair would be admitting that if they cannot
undoubtedly, completely, and entirely mitigate for
the safety of my daughter, among many other things,
that they would change the route. Operating with
integrity as their moral compass, Rocky Mountain
Power would be reasonable enough to pick an
alternative route. Unfortunately, they have operated
dishonestly by their omissions or refusal to listen.
This is only one of the many issues, nevertheless
this issue alone is a sufficient reason to deny the
southeast bench route.

Thank you.

(Applause.)

CHAIRMAN BOYER: Is Representative Menlove
here?

Do you with to give sworn testimony,
Ms. Menlove?

MS. MENLOVE: Sure.

CHAIRMAN BOYER: Please raise your right
hand.

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

CHAIRMAN BOYER: Thank you. Please
proceed.

MS. MENLOVE: Thank you. First of all, I
want to compliment you for being here. Thank you for
your time, thank you for this new process that we have put in place that has encouraged community hearings, and thank you for the fulfillment of legislative intent that you are presenting today as you listen to these people in the Tooele Valley.

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

We were able in a few cases to move the power lines through public input and through some negotiation. Actually, I participated in some of the negotiation individually outside of Rocky Mountain Power's process, and we were able to get lines moved into locations. But unfortunately just to the west of Box -- in the western area of Box Elder County we have large tracts of land that are unpopulated, where
no people will eventually live. Water is not adequate, transportation is not adequate, and those are areas of the county where those lines could have been placed avoiding any populated area.

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

So what I am asking for today is that you look at the broad picture of the state, that you lay out the maps of the state, the contours of the state, and you ask yourselves where would it be best to place power and utility corridors so we can serve
areas of population. We need power. We're dependent upon power. Tooele County needs additional power for economic development, no question about that. Box Elder County needs power. How can we work together in placing power lines, meeting utility needs, but placing those in such a way that we're not harming development, not harming individual lives, and again at the same time serving the needs we have in the state.

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

Again, I want to compliment you for being here and thank you for your time and attention. Thank you for the process that we have in place. I want to remind you that this is an exciting place to live, America is. It's where people have a voice,
and the people in this community are speaking, they're gathering together, and they are united. We weren't able to do this in Box Elder County unfortunately. We had split factions there, and I think that impacted our ability to be effective in working with Rocky Mountain Power. But Tooele County is not doing that. Look at the great -- just look at the great way that they're coming together with one voice, speaking in favor of looking at alternative routes.

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

(Applause.)

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


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

MR. HOGAN: Sworn, please.

(Whereupon, Leland Hogan was administered the oath.)

CHAIRMAN BOYER: Please proceed.

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

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

SITLA has proposed that they leave the EIS route about in the middle of the valley and continue north, and then when it gets to a point just to the south of South Mountain go west to hit the Mormon Trail right-of-way and then continue north, which would cut that valley in half. We don't think that the SITLA proposal is wise, we don't think that
it fills any need, and that it should follow the
proposed EIS route and the route that Rocky Mountain
Power has said that they would like to follow in that
process.

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

(Applause.)

CHAIRMAN BOYER: Thank you, Mr. Hogan.

Mike Trujillo.

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

Do you wish to give sworn testimony?

MR. TRUJILLO: No.

CHAIRMAN BOYER: Please proceed.

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

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

MR. WILSON: I'm Peter Wilson. I'm on the
student body also at Tooele High School. And as we
started this year, the first time we lit the T, if you
know Tooele High School, everybody is different, it's
a very diverse school. You know, I wouldn't say we
were the most united, but as we lit the T for the
first time this year you kind of watched as our class
united, which I haven't really ever seen, as we sang
our school song. That's what we're talking about.
We're talking about a tradition that has lasted in our
town. I mean, most of these people here have lit the
T. My father did it, I've had the opportunity to do
it, and it's something that matters more than just --
you know, it's not just some meaningless tradition,
but it matters to our community. This is something
that stands for what we believe in, and the fact that
there could potentially be an alternative route rather
than putting people in harm's way, I just don't even
see the point of why we're discussing this, because I
know from where we come from in Tooele people matter
more than money. And so that's all that we're asking,
is that you keep our traditions alive, so thank you.

(Applause.)

CHAIRMAN BOYER: Thank you for coming.
Okay. We still got a couple of minutes.

Marcie Bilton.

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

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

I -- I don't have any statistics or hard
facts to share with you. It's just my emotional
opinion that I know that you have been hearing for
the past several hours, and I understand that it
might be getting a bit redundant for you because this
isn't personal for you, but it's personal for us and
it's personal for me.
Having spent the last 14 years of my marriage, the past two with my husband being in practice, going through medical school and residency with him, spending a lot of money and taking a lot of time, and having four beautiful children, it's our dream to have a wonderful place to raise our children in a wonderful community. And like my husband stated before, we've looked in several different locations before we decided to move here, and we purchased a beautiful piece of land at the top of Deer Hollow, which is at the base of the hill, the mountain that they are proposing to put the power lines on, and to me it's just -- it's tragic.

Yes, it will be an eye sore and be ugly to look at, but I think listening to what the gentleman before us stated who was in agreement with Rocky Mountain Power, I don't think it's worth -- and I would hope that you would agree -- even one child possibly, or one person, becoming sick with cancer or a child on a dare maybe climbing a power line and being electrocuted to death. All of our children play up on those hills and up on that mountainside and enjoy the freedom. I have -- there's a herd of at least thirty deer that we watch come down that hill and sleep in my backyard every single night, and
for someone to say -- and it's his opinion, but for
someone to say that it doesn't happen or it's not
that important, how can you possibly take that risk?
How can you possibly risk the lives of children? I
know I can't.

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

And that's all I have to say.

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

Jim Webber, are you still here?

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

MR. WEBBER: Yes, sworn, please.

(Whereupon, Jim Webber was administered
the oath.)

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

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

I'm a physician. Dr. Jim Webber is a radiologist here in Tooele and the radiation safety officer for the hospital here locally, and I just want you to think about one simple fact, okay? Electromagnetic fields are a class 2B carcinogen, which means they are possibly cancer causing. Now, all five of you probably have at least children, possibly grandchildren. I'm not sure of your
situation personally, but I'd like to ask each one of you to think about this. Would you want to live in proximity to power lines that are known, known by fact, to be possibly cancer causing? That doesn't mean they're definitively cancer causing but they are possibly cancer causing. I don't think there's a whole bunch more -- a whole lot more that needs to be said about the health risks since we know that these lines lead to a 2-volt increase in risk of child leukemia. So then ask yourself would you like to have one of your grandchildren get childhood leukemia simply because they live under power lines that are known to have a risk for that to occur. I have six children. I'm a friend to a lot of children in the neighborhood. As a physician I'm telling you this is irresponsible of Rocky Mountain Power, to even consider possibly putting power lines in proximity to a situation where there are so many children living in that area.

The gentleman a while ago said that there's no proof about these -- these being cancer causing agents. It doesn't matter if there's not proof, okay, because simply put, the National Institute of Environmental Health Sciences scientists have concluded that there is -- there is an
association between increasing exposure to EMS and an increased risk of childhood leukemia, a doubling of the risk. Now, I don't think it's responsible for anybody in this room to be willing to consider that they put any of their children or anybody else's children at that kind of risk, so, please, be responsible. Understand that this is not something personal against Rocky Mountain Power. It's not personal about being against power. We need the power.

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

Thank you.

(Appause.)

CHAIRMAN BOYER: I'm afraid our time is up. Just for the information of the audience, the
statutes do not require us to hold a public witness
hearing as we've done tonight, but we've chose to do
so because we wanted to hear from you, and then to
make it more convenient for you we -- we chose
voluntarily to come out here and hear from you, and we
very much appreciate all the work and effort you've
done, for the testimony that has been presented
tonight, and we'll certainly consider it in our
deliberations, so thank you all for coming.

(Applause.)

(Conclusion of public hearing.)
CERTIFICATE

STATE OF UTAH    

COUNTY OF UTAH    

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