

PUBLIC HEARING
BEFORE THE UTAH FACILITY REVIEW BOARD

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

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

UTAH FACILITY REVIEW BOARD

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

INDEX

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

P R O C E E D I N G S

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

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

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

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

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

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

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

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

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

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

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

18 CHAIRMAN BOYER: All right.

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

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

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

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

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

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

14 UNIDENTIFIED SPEAKER: Can I ask a
15 question?

16 CHAIRMAN BOYER: Yes, you surely can.

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

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

25 UNIDENTIFIED SPEAKER: Thanks.

1 CHAIRMAN BOYER: Thanks for the question.

2 A very good question.

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

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

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

9 MS. HURTADO: Correct.

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

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

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

25 MAYOR DUNLAVY: Thank you very much.

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

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

5 CHAIRMAN BOYER: Okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 CHAIRMAN BOYER: Thank you, Mr. Mayor.

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

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

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

18 CHAIRMAN BOYER: Thank you.

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

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

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

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

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

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

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

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

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

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

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

1 Thank you very much.

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

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

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

8 MR. HURST: Unsworn.

9 CHAIRMAN BOYER: Unsworn?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 Thank you very much.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 The first couple of pages are just an

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

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

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

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

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

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

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

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

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

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

22 Thank you.

23 CHAIRMAN BOYER: Thank you, Ms. Clegg.

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

1 Mr. Marshall, are you the mayor?

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

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

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

9 CHAIRMAN BOYER: Very well.

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

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

25 Our thoughts are numerous. Other options

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

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

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

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

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

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

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

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

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

3 CHAIRMAN BOYER: Thank you, Mr. Mayor.

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

9 Joni, would you stand up, please.

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

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

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

21 MR. HUDSON: Unsworn, your Honor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Thank you.

2 CHAIRMAN BOYER: Thank you, Mr. Hudson.

3 (Booing.)

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

6 Mr. Terry.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Thank you.

25 CHAIRMAN BOYER: Thank you, Mr. Terry.

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

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

6 MR. TATE: Unsworn, please.

7 CHAIRMAN BOYER: Okay.

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

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

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

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

3 Thank you.

4 CHAIRMAN BOYER: Thank you, Mr. Tate.

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

12 (Recess.)

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

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

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

5 I'll give sworn testimony.

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

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

10 CHAIRMAN BOYER: You may proceed.

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

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

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

25 We've attended almost every one of these

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

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

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

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

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

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

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

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

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

18 MR. WARDLE: I resolved that issue.

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

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

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

24 MR. ENGLAND: Unsworn.

25 CHAIRMAN BOYER: Please proceed.

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

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

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

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

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

1 protection for wildlife that lives up there.

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

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

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

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

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

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

19 MR. GRIMM: I'll swear.

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

22 CHAIRMAN BOYER: Thank you. Please
23 proceed.

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

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

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

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

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

19 Thank you.

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

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

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

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

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

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

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

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

22 What's the address?

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

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

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

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

20 Thank you.

21 CHAIRMAN BOYER: Thank you, Mr. Grimm.

22 Mr. Lee Brown.

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

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

1 CHAIRMAN BOYER: Please raise your right
2 hand.

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

5 CHAIRMAN BOYER: Will you please proceed.

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

25 I want to -- I want to basically state

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

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

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

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

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

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

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

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

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

22 UNIDENTIFIED SPEAKER: What time is it?

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

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

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

11 UNIDENTIFIED SPEAKER: Time.

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

13 CHAIRMAN BOYER: Thank you, Mr. Brown.

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

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

20 (Laughter.)

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

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

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

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

4 CHAIRMAN BOYER: Please raise your right
5 hand.

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

8 CHAIRMAN BOYER: Thank you. Please
9 proceed.

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

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

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

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

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

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

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

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

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

6 CHAIRMAN BOYER: One minute.

7 Thank you.

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

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

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

5 (Applause.)

6 CHAIRMAN BOYER: Thank you, Mr. Pratt.

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

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

12 CHAIRMAN BOYER: Okay, thank you.

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

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

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

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

25 The pictures in here showing of what

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

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

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

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

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

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

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

12 CHAIRMAN BOYER: One minute, Ms. Pratt.

13 MS. PRATT: Thank you.

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

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

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

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

7 Thank you.

8 CHAIRMAN BOYER: Thank you, Mrs. Pratt.

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

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

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

14 CHAIRMAN BOYER: Thank you. Please
15 proceed.

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

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

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

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

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

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

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

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

25 I feel like this time right now we can

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

16 That's all I really have to say.

17 CHAIRMAN BOYER: Thank you, Mr. Grimm.

18 Mike Wells.

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

21 MR. WELLS: Sure, sworn testimony.

22 CHAIRMAN BOYER: Please raise your right
23 hand.

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

1 CHAIRMAN BOYER: Thank you. Please
2 proceed.

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

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

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

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

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

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

6 Thank you for your time.

7 CHAIRMAN BOYER: Thank you, Mr. Wells.

8 Jolyn Hansen.

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

20 Jolyn Hansen? Is she here?

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

23 MR. HANSEN: (Inaudible.)

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

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

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

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

7 CHAIRMAN BOYER: Thank you.

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

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

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

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

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

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

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

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

4 CHAIRMAN BOYER: One minute, please.

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

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

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

4 Thank you.

5 CHAIRMAN BOYER: Thank you, Mr. Hansen.

6 (Applause.)

7 Darrin Smith.

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

10 MR. SMITH: I do.

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

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

15 CHAIRMAN BOYER: Thank you. Please
16 proceed.

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

1 consider myself native to this town now.

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

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

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

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

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

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

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

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

1 happen but still could?

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

13 CHAIRMAN BOYER: One minute.

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

16 I'm almost done.

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

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

11 Thank you.

12 (Applause.)

13 CHAIRMAN BOYER: Is Representative Menlove
14 here?

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

17 MS. MENLOVE: Sure.

18 CHAIRMAN BOYER: Please raise your right
19 hand.

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

22 CHAIRMAN BOYER: Thank you. Please
23 proceed.

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

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

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

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

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

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

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

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

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

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

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

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

14 (Applause.)

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

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

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

21 MR. HOGAN: Sworn, please.

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

24 CHAIRMAN BOYER: Please proceed.

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

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

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

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

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

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

9 (Applause.)

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

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

14 Do you wish to give sworn testimony?

15 MR. TRUJILLO: No.

16 CHAIRMAN BOYER: Please proceed.

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

1 for people to keep being able to do that.

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

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

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

11 (Applause.)

12 CHAIRMAN BOYER: Thank you for coming.

13 Okay. We still got a couple of minutes.

14 Marcie Bilton.

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

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

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

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

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

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

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

14 And that's all I have to say.

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

19 Jim Webber, are you still here?

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

22 MR. WEBBER: Yes, sworn, please.

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

25 CHAIRMAN BOYER: Thank you.

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

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

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

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

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

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

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

22 Thank you.

23 (Applause.)

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

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

10 (Applause.)

11 (Conclusion of public hearing.)

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CERTIFICATE

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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