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Feb. 25, 2025

REGIONAL FORESTER'S OFFICE
SOUTHWESTERN REGION

TO: Responsible Official and Reviewing Officer, Regional Forester Michiko Martin
333 Broadway Blvd SE
Albuquerque, NM, 87102

RE: APS Oak Creek to McGuireville 69kV Transmission Line Project on the Coconino National Forest

Dear Regional Forester Martin:

This letter is to provide our objections to the above-referenced project on the Coconino National Forest. The issues we are submitting are based on new information not available during the previous comment period, which ended Jan. 14, 2022.

Issue 1:

APS did not provide the public with the APS **Comprehensive Fire Mitigation Plan** until March 2022, after the comment period closed. (This plan is found in the project documents web page.) We believe it would be unconscionable to move forward without public scrutiny given that the plan was drafted by the very company that would build the powerlines, while the people who would be most affected by inadequate fire mitigations, namely Village of Oak Creek (VOC) homeowners, had no opportunity to assess the plan.

Suggested Remedy: Provide a reasonable time period for the public to assess the mitigation plan and provide input on whether the plan provides adequate fire mitigations for the VOC.

Issue 2:

Exacerbating issue 1 is the fact that after the 2022 comment period ended, the Forest Service published a **rating showing that the Village of Oak Creek is at "very high risk" of wildfire.** (The Forest Service website, <https://www.wildfirerisk.org>, generates maps and further information showing fire risks in communities near the project.) The project documents, presumably to include the Comprehensive Fire Mitigation Plan, did not consider this "very high risk" rating. In fact, in the "Response to Comments Received on the Draft Environmental Assessment," updated Jan. 15, 2025, the Forest Service states:

"Based on public comments, the Verde and Red Rock District Fire Management Officer completed a site-specific fire risk analysis to assess risk of fire ignition and risk of wildfire spread from such an ignition to the nearby community of Village of Oak Creek. The analysis concludes that due to factors including vegetation types, terrain, lack of continuity of fuels, fire history, and the location of the transmission line alignment primarily along main travelways, the proposed overhead transmission line results in a minimal risk of wildfire impacts to adjacent communities. This information has been updated in the Final EA."

This Forest Service "Fire and Fuels Management Report" is new information produced after the comment period. This response contradicts the Forest Service's own rating of VOC as being at very high risk of wildfire and is, therefore, now indefensible. Presumably that rating also took into account vegetation types, terrain, etc.

Suggested Remedy: Reassess the risk of the above-ground powerlines in light of the Forest Service's recent "very high risk" rating.

Issue 3:

Our third concern relates to the lack of an adequate range of alternatives in the Final Environmental Assessment, thereby violating the National Environmental Policy Act (NEPA). In particular, **underground power lines were not given due consideration** in Segments A to B to and C to D. The Final Environmental Assessment states:

"An assessment of the underground alternative is not considered in detail. Given there is no above ground equipment that could ignite a fire under this alternative, risk of ignition is not expected to change from the current condition...."

This argument is fallacious. It suggests the current risk is acceptable. We would counter that the existing power lines are already a significant threat to the community and should not have been placed above-ground in the first place. While the likelihood of a powerline causing a wildfire in VOC may be low, the impact could be catastrophic. Moreover, as our climate changes, the risk profile also changes – with an ever-increasing likelihood of wildfires. The notion that it's okay to leave the risk "as is" while refusing to even consider underground lines is unacceptable to us as homeowners.

Suggested Remedy: Require APS to consider in detail the alternative of underground lines in Segments A to B to and C to D and provide to the public an estimate of how much the increased cost would affect individual homeowner utility rates.

Issue 4:

Our fourth concern relates to **Arizona House Bill 2201**, which was introduced on January 23, 2025, after the comment period ended. This bill adds fuel to the fire, so to speak, to issue 3 by removing any incentive for APS to consider underground lines.

While the bill would require state utilities to submit wildfire mitigation plans, it would also **reduce the liability of utility companies** – making it harder for homeowners to sue the power company if their lines cause a wildfire. This means that individual homeowners would be responsible for costs of a fire (through higher insurance rates) – even when the power company is at fault!

APS supports passage of this bill. We obviously do not.

Whether the bill passes or not, we are concerned that APS's position is emblematic of its priorities: **revenue/profits/shareholders come first, while the welfare of the communities it serves is secondary.** The company's position suggests that dollars are the driving factor in APS decision-making and that the company dismissed the underground alternative solely because it would cost more.

The Forest Service, with its much greater clout than a small group of homeowners, was able to convince APS to bury certain sections of the lines on public land, so obviously the underground alternative is feasible. The fact that a small group of homeowners could not convince APS to even *consider* underground lines is abhorrent. APS's response to HB 2201 makes the company's motivations painfully apparent.

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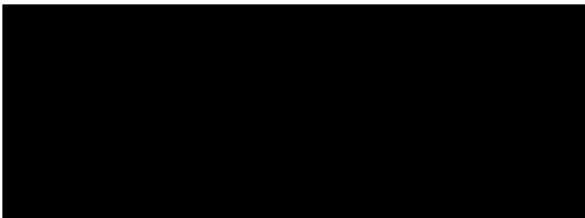
Suggested Remedy: Same as issue 3. Additionally, require APS to consider as part of its assessment expected revenue increases likely to occur as climate change increases homeowner demand for power. The additional revenue could potentially off-set some of the additional cost of underground lines. We believe this potential revenue off-set is missing from the existing documentation because the underground alternative was not assessed.

Issue 5:

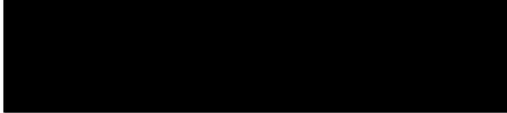
The final issue we would like to raise is the “Stewardship Agreement between the State of Arizona and the USDA Forest Service, Southwestern Region.” Although signed on October 10, 2024, nearly 3 years after the comment period, the project documents do not consider this important new agreement, in which the Forest Service agreed to new policy objectives with specific instructions such as, “Manage risk across broad landscapes for improved fire suppression prevention capabilities, **by helping communities in the wildland urban interface mitigate wildfire impact** through the three goals of the National Cohesive Wildland Fire Management Strategy to maintain resilient landscapes, create fire-adapted communities, and improve wildfire response. Authorities and programs that require prioritization of disadvantaged and vulnerable communities will be considered when managing these risks.” With the large population of senior citizens in the VOC and the “very high risk” of wildfires, our community is clearly vulnerable.

Suggested Remedy: Consider and explicitly address the new agreement in the project documents.

Thank you for your attention to this matter.



Karen Butler (lead objector) and Thomas Ardisana



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