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BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

BUCKET CONTROL

IN THE MATTER OF THE APPLICATION OF 311SV 8ME LLC, IN CONFORMANCE WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTES 40-360 ET. SEQ., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE CONSTRUCTION OF THE CATCLAW SOLAR 230-KV GENERATION INTERTIE PROJECT LOCATED IN BUCKEYE, MARICOPA COUNTY, ARIZONA.

Docket No. L-21242A-23-0103-00221

Case No. 221

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Arizona Corporation Commission

DOCKETED

JUN 22 2023

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A. INTRODUCTION

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held public hearings on June 7, 2023 and June 8, 2023, in Maricopa County, Arizona, in conformance with the requirements of the Arizona Revised Statutes ("A.R.S.") § 40-360 et seq. for the purpose of receiving evidence and deliberating on the April 24, 2023 Application of 311SV 8me LLC ("Applicant") for a Certificate of Environmental Compatibility ("Application") in the above-captioned case.

The following members and designees of members of the Committee were present at one or more of the hearing days for the evidentiary presentations, public comment, and/or for the deliberations:

- Adam Stafford Chairman, Designee for Arizona Attorney General Kris Mayes
Gabby Mercer Designee of the Chairman, Arizona Corporation Commission ("Commission")
Leonard Drago Designee for Director, Arizona Department of Environmental Quality

1 David French Designee for Director, Arizona Department of
2 Water Resources
3 David Kryder Appointed Member, representing agricultural interests
4 Roman Fontes Appointed Member, representing Counties

5 The Applicant was represented by Jason Y. Moyes of Moyes Sellers & Hendricks Ltd.
6 No parties requested intervention pursuant to A.R.S. § 40-360.05.

7 At the conclusion of the hearing, the Committee, after considering the (i) Application,
8 (ii) evidence, testimony, and exhibits presented by the Applicant, and (iii) comments of the
9 public, and being advised of the legal requirements of A.R.S. §§ 40-360 through 40-360.13,
10 upon motion duly made and seconded, voted 6 to 0 to grant the Applicant, its successors and
11 assigns, this Certificate of Environmental Compatibility (“CEC” or “Certificate”) for
12 construction of the Catclaw Solar 230kV Generation Intertie Project and associated substation
13 facilities (collectively, the “Project”) as described below.

14 **B. PROJECT DESCRIPTION**

15 The Project is a proposed 230kV alternating current overhead transmission line (“Gen-
16 tie”) and associated substation facilities (“Project Substation”) to interconnect the Applicant’s
17 planned 250 MW solar photovoltaic facility and 250 MW battery storage system to the Sun
18 Valley Substation owned by Arizona Public Service Company in Buckeye, Arizona. The
19 northern portion of the Project includes two alternate routes: Gen-tie Option A and Gen-tie
20 Option B.

21 Gen-Tie Option A originates at the Project Substation within the northeastern corner of
22 the future solar project approximately 0.25 mile west of Sun Valley Parkway, between
23 mileposts 114 and 115. From the Project Substation, Option A proceeds east for approximately
24 0.7 mile, spanning over Sun Valley Parkway before turning north. Option A then proceeds
25 north and northeast, parallel to and west of existing 500 kilovolt (kV) transmission lines, for
26 approximately 4.5 miles. Then, Option A turns northwest for approximately 1.2 miles,

1 spanning over Sun Valley Parkway a second time before turning north for approximately 0.4
2 mile. Finally, Option A runs directly west for approximately 0.2 mile before terminating at the
3 Sun Valley Substation.

4 Gen-Tie Option B originates at the Project Substation and follows the same alignment
5 as Option A described above for approximately 4.4 miles. Option B then proceeds northwest
6 for approximately 1.1 miles, spanning over Sun Valley Parkway before turning north. Option B
7 then runs directly north for approximately 0.75 mile before turning east for approximately 0.5
8 mile. Finally, Option B turns north for approximately 130 feet before rejoining to follow the
9 same alignment as Option A. Both Options are shown in **Exhibit A**.

10 At the beginning of the hearing, the Applicant withdrew Gen-tie Option A from
11 consideration. The Gen-tie and Project Substation will be located within the corridor shown on
12 **Exhibit B**. The right-of-way width for the Gen-tie will be 200 feet. This Certificate authorizes
13 construction of a single continuous Gen-tie and interconnection to the Sun Valley Substation,
14 utilizing Gen-tie Option B.

15 CONDITIONS

16 This Certificate is granted upon the following conditions:

17 1. This authorization to construct the Project shall expire ten (10) years from the
18 date this Certificate is approved by the Arizona Corporation Commission, with or without
19 modification. Construction of the Project shall be complete, such that the Project is in service
20 within this ten-year timeframe. However, prior to the expiration of the time period, the
21 Applicant may request that the Commission extend the time limitation.

22 2. In the event that the Project requires an extension of the term(s) of this CEC prior
23 to completion of construction, the Applicant shall file such time extension request at least one
24 hundred and eighty (180) days prior to the expiration of the Certificate. The Applicant shall use
25 reasonable means to promptly notify the City of Buckeye, the Board of Supervisors of
26 Maricopa County, all landowners and residents within a five (5) mile radius of the centerline of

1 the Project, all persons who made public comment at this proceeding who provided a mailing
2 or email address, and all parties to this proceeding. The notification provided will include the
3 request and the date, time, and place of the hearing or open meetings during which the
4 Commission will consider the request for extension. Notification shall be no more than three
5 (3) business days after the Applicant is made aware of the hearing date or the open meeting
6 date.

7 3. During the development, construction, operation, maintenance and reclamation
8 of the Project, the Applicant shall comply with all existing applicable air and water pollution
9 control standards and regulations, and with all existing applicable statutes, ordinances, master
10 plans and regulations of any governmental entity having jurisdiction, including, but not limited
11 to, the United States of America, the State of Arizona, Maricopa County, the City of Buckeye,
12 and their agencies and subdivisions, including but not limited to the following:

13 a. All applicable land use regulations;

14 b. All applicable zoning stipulations and conditions, including but not
15 limited to landscaping and dust control requirements;

16 c. All applicable water use, discharge and/or disposal requirements of the
17 Arizona Department of Water Resources and the Arizona Department of Environmental
18 Quality;

19 d. All applicable noise control standards; and

20 e. All applicable regulations governing storage and handling of hazardous
21 chemicals and petroleum products.

22 4. The Applicant shall obtain all approvals and permits necessary to construct,
23 operate and maintain the Project required by any governmental entity having jurisdiction
24 including, but not limited to, the United States of America, the State of Arizona, Maricopa
25 County, the City of Buckeye, and their agencies and subdivisions.

26 5. The Applicant shall comply with the Arizona Game and Fish Department

1 (“AGFD”) guidelines for handling protected animal species, should any be encountered during
2 construction and operation of the Project, and shall consult with AGFD or U.S. Fish and
3 Wildlife Service, as appropriate, on other issues concerning wildlife.

4 6. The Applicant shall design the Project’s interconnection facilities to incorporate
5 reasonable measures to minimize electrocution of and impacts to avian species in accordance
6 with the Applicant’s avian protection program. Such measures will be accomplished through
7 incorporation of Avian Power Line Interaction Committee guidelines set forth in the current
8 versions of Suggested Practices for Avian Protection on Power Lines and Reducing Avian
9 Collisions with Power Lines manuals.

10 7. The Applicant shall consult the State Historic Preservation Office (“SHPO”) with
11 respect to cultural resources. The Applicant has agreed to complete a Class III cultural
12 inventory of the portions of the Project Area that have not previously been adequately surveyed
13 to identify and evaluate the cultural resources that may be present. If any archaeological,
14 paleontological, or historical sites or any significant cultural objects are discovered during the
15 construction or operation of the Project, the Applicant or its representative in charge shall
16 promptly report the discovery to the Director of the Arizona State Museum (“ASM”), and in
17 consultation with the Director, shall immediately take all reasonable steps to secure and
18 maintain the preservation of the discovery as required by A.R.S. § 41-844.

19 8. The Applicant shall comply with the notice and salvage requirements of the
20 Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize
21 the destruction of native plants during the construction and operation of the Project.

22 9. The Applicant shall make every reasonable effort to promptly investigate,
23 identify and correct, on a case-specific basis, all complaints of interference with radio or
24 television signals from operation of the Project addressed in this Certificate and where such
25 interference is caused by the Project take reasonable measures to mitigate such interference.
26 The Applicant shall maintain written records for a period of five (5) years of all complaints of

1 radio or television interference attributable to operations, together with the corrective action
2 taken in response to each complaint. All complaints shall be recorded to include notation on
3 the corrective action taken. Complaints not leading to a specific action or for which there was
4 no resolution shall be noted and explained. Upon request, the written records shall be provided
5 to the Staff of the Commission. The Applicant shall respond to complaints and implement
6 appropriate mitigation measures. In addition, the Project shall be evaluated on a regular basis
7 so that damaged insulators or other line materials that could cause interference are repaired or
8 replaced in a timely manner.

9 10. If human remains and/or funerary objects are encountered during the course of
10 any ground-disturbing activities related to the construction or maintenance of the Project, the
11 Applicant shall cease work on the affected area of the Project and notify the Director of the
12 ASM as required by A.R.S. § 41-865 for private land, or as required by A.R.S. § 41-844 for
13 state, county, or municipal lands.

14 11. Within one hundred twenty (120) days of the Commission's decision approving
15 this Certificate, the Applicant shall post signs in or near public rights-of-way, to the extent
16 authorized by law, reasonably adjacent to the Project giving notice of the Project. Such
17 Signage shall be no smaller than a roadway sign. The signs shall advise:

- 18 a. Future site of the Project,
- 19 b. A phone number and website for public information regarding the Project;
- 20 and
- 21 c. Refer the Public to the Docket.

22 Such signs shall be inspected at least once annually and, if necessary, be repaired or
23 replaced, and removed at the completion of construction.

24 The Applicant shall make every reasonable effort to communicate the decision either
25 approving or disapproving the Certificate in digital media.

26 12. At least ninety (90) days before construction commences on the Project, the

1 Applicant shall provide the Board of Supervisors for Maricopa County, the City of Buckeye,
2 and known builders and developers who are building upon or developing land within one (1)
3 mile of the of the centerline of the Project with a written description, including the approximate
4 height and width measurements of all structure types, of the Project. The written description
5 shall identify the location of the Project and contain a pictorial depiction of the facilities being
6 constructed. The Applicant shall also encourage the developers and builders to include this
7 information in their disclosure statements. Upon approval of this Certificate by the
8 Commission, the Applicant may commence construction of the Project.

9 13. The Applicant shall use non-specular conductor and non-reflective surfaces for
10 the transmission line structures on the Project.

11 14. The Applicant shall be responsible for arranging that all field personnel involved
12 in the Project receive training as to proper ingress, egress, and on-site working protocol for
13 environmentally sensitive areas and activities. Contractors employing such field personnel
14 shall maintain records documenting that the personnel have received such training.

15 15. The Applicant shall follow the most current Western Electricity Coordinating
16 Council ("WECC") and North American Electric Reliability Corporation ("NERC") planning
17 standards, as approved by the Federal Energy Regulatory Commission ("FERC"), National
18 Electrical Safety Code ("NESC") standards, and Federal Aviation Administration ("FAA")
19 regulations.

20 16. The Applicant shall participate in good faith in state and regional transmission
21 study forums to coordinate transmission expansion plans related to the Project and to resolve
22 transmission constraints in a timely manner.

23 17. When Project facilities are located parallel to and within one hundred (100) feet
24 of any existing natural gas or hazardous pipeline, the Applicant shall:

25 a. Ensure grounding and cathodic protection studies are performed to show
26 that the Project's location parallel to and within one hundred (100) feet of such pipeline results

1 in no material adverse impacts to the pipeline or to public safety when both the pipeline and
2 the Project are in operation. The Applicant shall take appropriate steps to ensure that any
3 material adverse impacts are mitigated. The Applicant shall provide to Staff of the
4 Commission, and file with Docket Control, a copy of the studies performed and additional
5 mitigation, if any, that was implemented as part of its annual compliance-certification letter,
6 and

7 b. Ensure that studies are performed simulating an outage of the Project that
8 may be caused by the collocation of the Project parallel to and within one hundred (100) feet
9 of the existing natural gas or hazardous liquid pipeline. The studies should either: (a) show that
10 such simulated outage does not result in customer outages, or (b) include operating plans to
11 minimize any resulting customer outages. The Applicant shall provide a copy of the study
12 results to Staff of the Commission and file them with Docket Control as part of the Applicant's
13 annual compliance certification letter.

14 18. The designation of the corridor in this Certificate, as shown in **Exhibit B**, does
15 not authorize a right-of-way greater than 200 feet wide for the transmission line nor does it
16 grant the applicant exclusive rights within the corridor outside of the final designated
17 transmission right-of-way.

18 19. The Applicant shall submit a compliance certification letter annually, identifying
19 progress made with respect to each condition contained in this Certificate, including which
20 conditions have been met. The letter shall be submitted to Commission's Docket Control
21 commencing on September 1, 2024. Attached to each certification letter shall be
22 documentation explaining how compliance with each condition was achieved. Copies of each
23 letter, along with the corresponding documentation, shall be submitted to the Arizona Attorney
24 General's Office. With respect to the Project, the requirement for the compliance letter shall
25 expire on the date the Project is placed into operation. Notification of such filing with Docket
26 Control shall be made to the Board of Supervisors for Maricopa County, the City of Buckeye,

1 all parties to this Docket, and all parties who made a limited appearance in this Docket.

2 20. The Applicant shall provide a copy of this Certificate to the Board of Supervisors
3 for Maricopa County and the City of Buckeye.

4 21. Any transfer or assignment of this Certificate shall require the assignee or
5 successor to assume, in writing, all responsibilities of the Applicant listed in this Certificate
6 and its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of the Arizona
7 Administrative Code.

8 22. In the event the Applicant, its assignee, or successor, seeks to modify the
9 Certificate's terms at the Commission, it shall provide copies of such request to the Board of
10 Supervisors for Maricopa County, the City of Buckeye, all parties to this Docket, and all
11 parties who made a limited appearance in this Docket.

12 23. The Certificate Conditions shall be binding on the Applicant, its successors,
13 assignee(s) and transferees, and any affiliates, agents, or lessees of the Applicant who have a
14 contractual relationship with the Applicant concerning the construction, operation,
15 maintenance or reclamation of the Project. The Applicant shall provide in any agreement(s) or
16 lease(s) pertaining to the Project that the contracting parties and/or lessee(s) shall be
17 responsible for compliance with the Conditions set forth herein, and the Applicant's
18 responsibilities with respect to compliance with such Conditions shall not cease or be abated
19 by reason of the fact that the Applicant is not in control of or responsible for operation and
20 maintenance of the Project facilities.

21 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

22 This Certificate incorporates the following Findings of Fact and Conclusions of Law:

23 1. The Project aids the state and the southwest region of the United States in
24 meeting the need for an adequate, economical, and reliable supply of renewable electric power.

25 2. The Project aids the state, preserving a safe and reliable electric transmission
26 system within the operating requirements of the balancing authority and the contractual off-

1 taker.

2 3. During the course of the hearing, the Committee considered evidence on the
3 environmental compatibility of the Project as required by A.R.S. § 40-360 *et seq.*

4 4. The Project and the conditions placed on the Project in this Certificate effectively
5 minimize the impact of the Project on the environment and ecology of the state.

6 5. The conditions placed on the Project in this Certificate resolve matters
7 concerning balancing the need for the Project with its impact on the environment and ecology
8 of the state arising during the course of the proceedings, and, as such, serve as findings and
9 conclusions on such matters.

10 6. The Project is in the public interest because the Project's contribution to meeting
11 the need for an adequate, economical, and reliable supply of electric power outweighs the
12 minimized impact of the Project on the environment and ecology of the state.

13 DATED this 22 day of June, 2023

14 THE ARIZONA POWER PLANT AND
15 TRANSMISSION LINE SITING COMMITTEE

16
17 By: 

18 Adam Stafford, Chairman
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1 **CERTIFICATE OF MAILING**

2 Pursuant to A.A.C. R14-3-204, the **ORIGINAL** of the foregoing and 25 copies were
3 filed this 22 day of June, 2023 with:

4 **Utilities Division - Docket Control**
5 **Arizona Corporation Commission**
6 **1200 West Washington Street**
7 **Phoenix, AZ 85007**

8 **COPIES** of the above mailed this 22 day of June, 2023 to:

9 Robin Mitchell, General Counsel
10 Arizona Corporation Commission
11 1200 W. Washington Street
12 Phoenix, Arizona 85007
13 RMitchell@azcc.gov
14 *Counsel for Legal Division Staff*

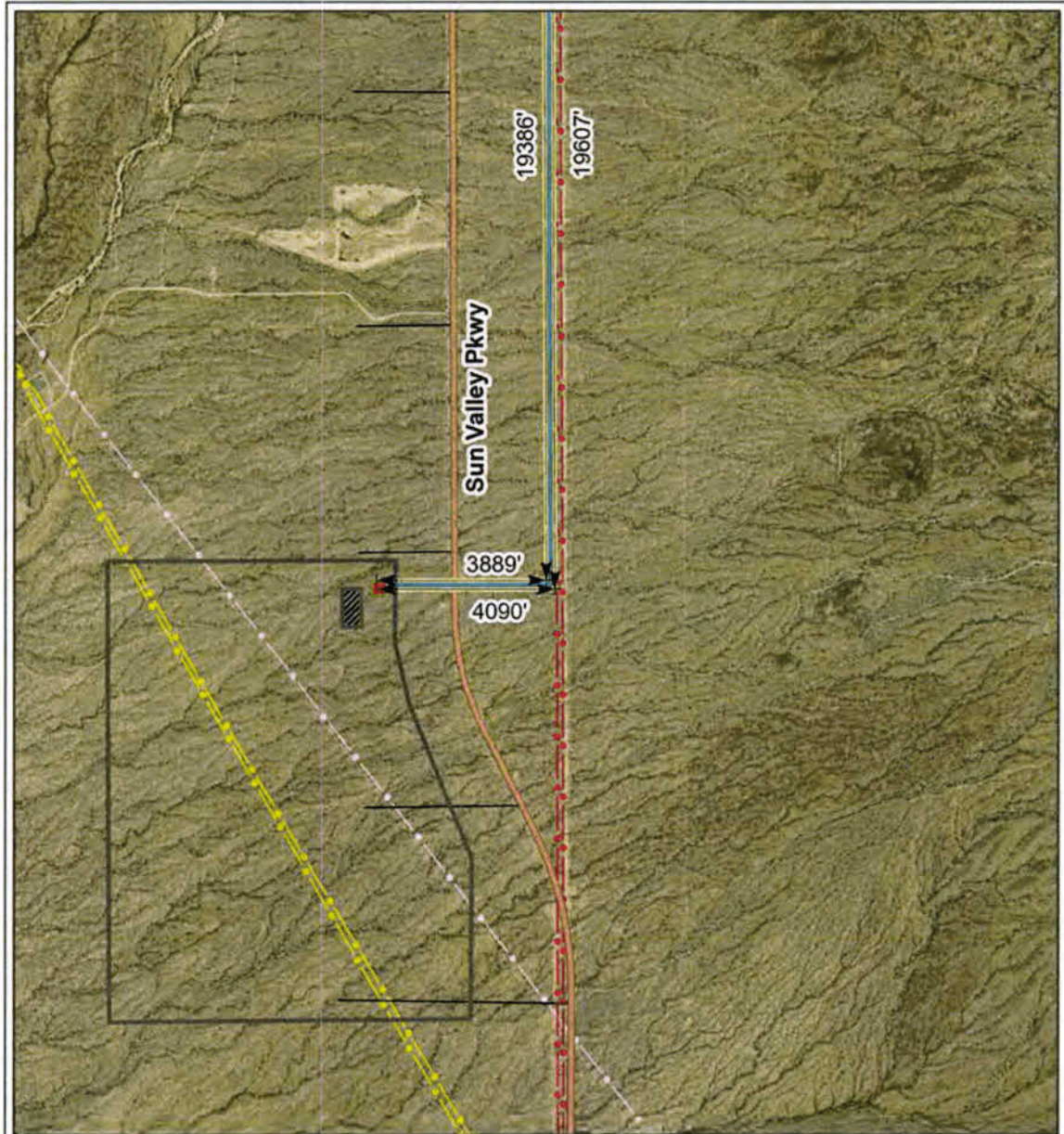
15 Elijah Abinah, Director
16 Utilities Division
17 Arizona Corporation Commission
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 Lisa L. Glennie
21 Glennie Reporting Services, LLC
22 1555 East Oranewood
23 Phoenix, Arizona 85020
24 admin@glennie-reporting.com
25 *Court Reporter*

26 Jason Y. Moyes
Moyes Sellers & Hendricks
1850 N. Central Ave., Suite 1100
Phoenix, AZ 85004
jasonmoyes@law-msh.com
Attorney for 311SV 8me LLC

By 

EXHIBIT A



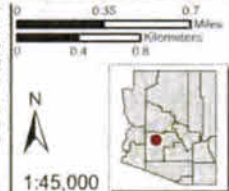
**Avantus
Catclaw
Solar
230kV
Generation
Intertie
Project**

Transmission Lines
 230 kV
 345 kV
 500 kV
 Roads
 Sun Valley Parkway

Project Features
 Catclaw Project Substation
 Catclaw Solar Project
 Catclaw BESS

CEC Features
 Catclaw Gen-Tie, Option A
 Project Corridor

Moripoca County, AZ
 USGS 7.5' Quadrangle:
 Daggs Tank, AZ, 33112-F6
 Wagner Wash Well, AZ, 33112-E6
 T4N R4W Sections: 29, 32, 33
 T3N R4W Sections:
 04, 05, 08, 17, 20, 29
 NAD 1983 UTM Zone 12N
 33.5799°N 112.6803°W



Base Map: ESRI ArcGIS Online
 accessed May 2023
 Updated: 04-2023
 Project No: 78828
 Layout: Catclaw Solar Corridor Map
 App: 78828_Catclaw_Solar

SWCA
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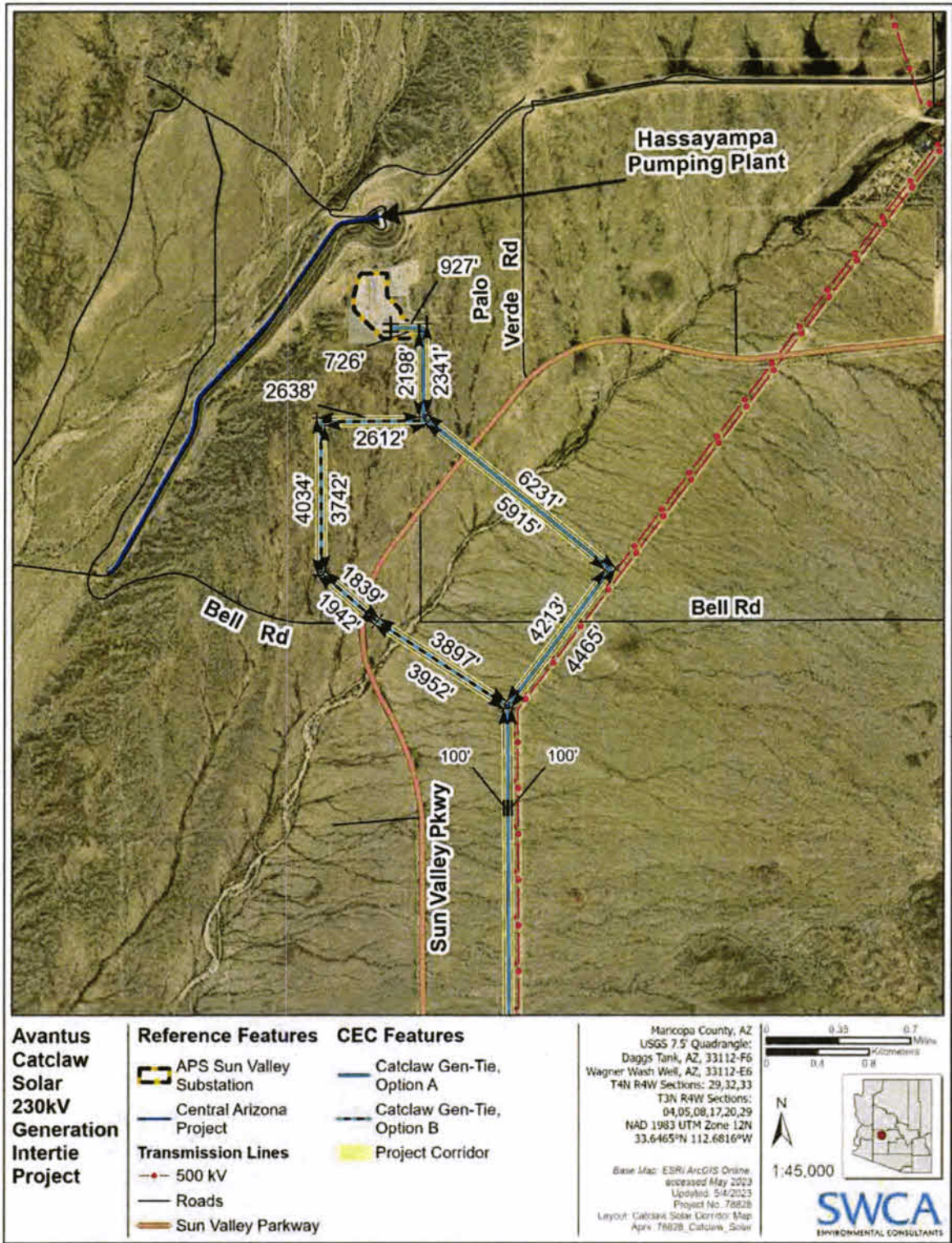
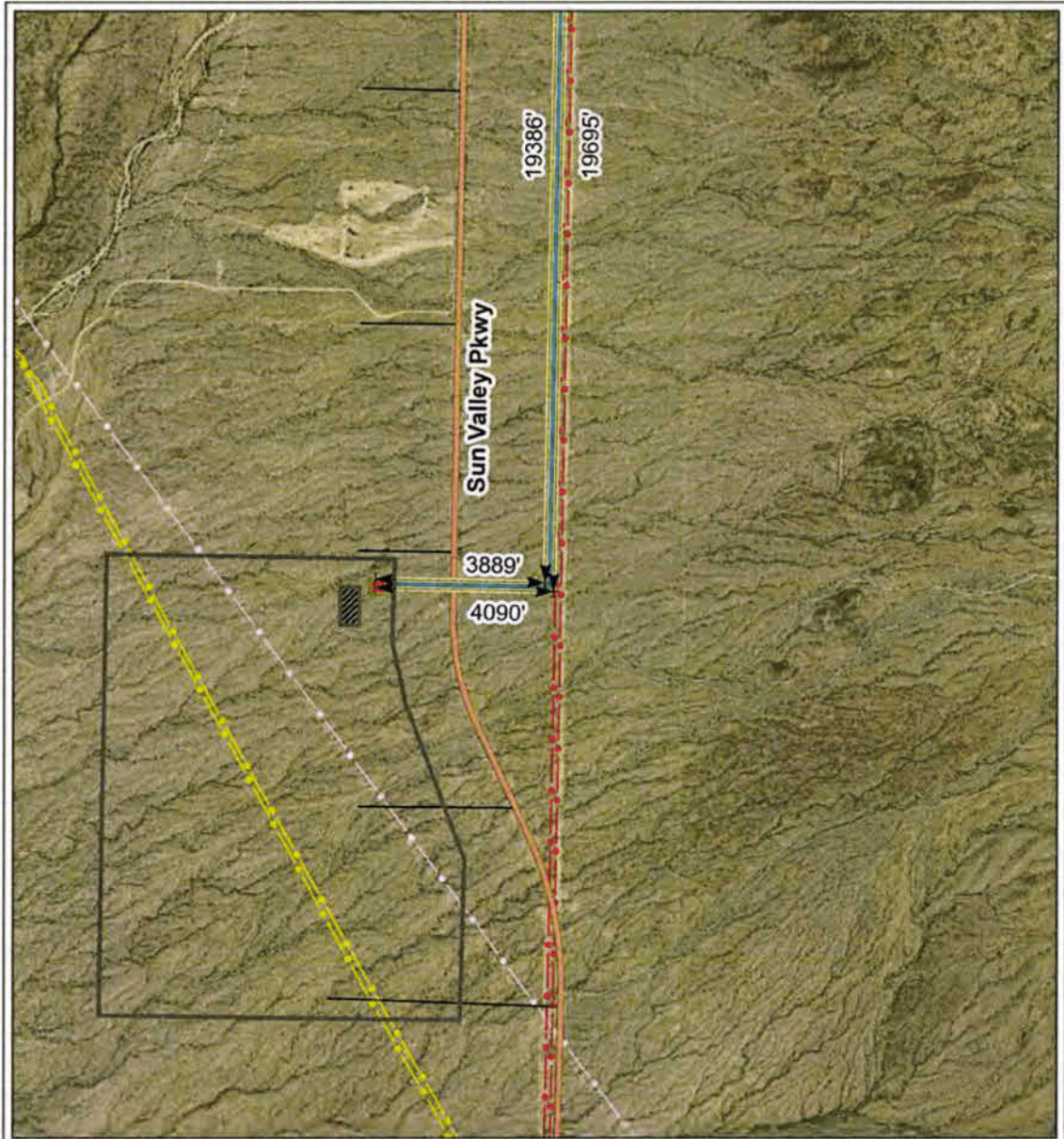


EXHIBIT B



**Avantus
Catclaw
Solar
230kV
Generation
Intertie
Project**

Reference Features

- Transmission Lines
 - 230 kV
 - 345 kV
 - 500 kV
- Roads
- Sun Valley Parkway

Project Features

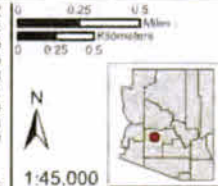
- Catclaw Project Substation
- Catclaw Solar Project
- Catclaw BESS

CEC Features

- Catclaw Gen-Tie, Option B
- Project Corridor

Mancopa County, AZ
 USGS 7.5' Quadrangle:
 Daggs Tank, AZ, 33112-F6
 Wagner Wash Well, AZ, 33112-E6
 T4N R4W Sections: 29,32,33
 T3N R4W Sections:
 04,05,08,17,20,29
 NAD 1983 UTM Zone 12N
 33.5799°N 112.6803°W

Base Map: ESRI ArcGIS Online,
 accessed June 2023
 Updated: 6/2/2023
 Project No. 79828
 Layout: Catclaw Solar Corridor Map
 Aprx 10828_Catclaw_Solar

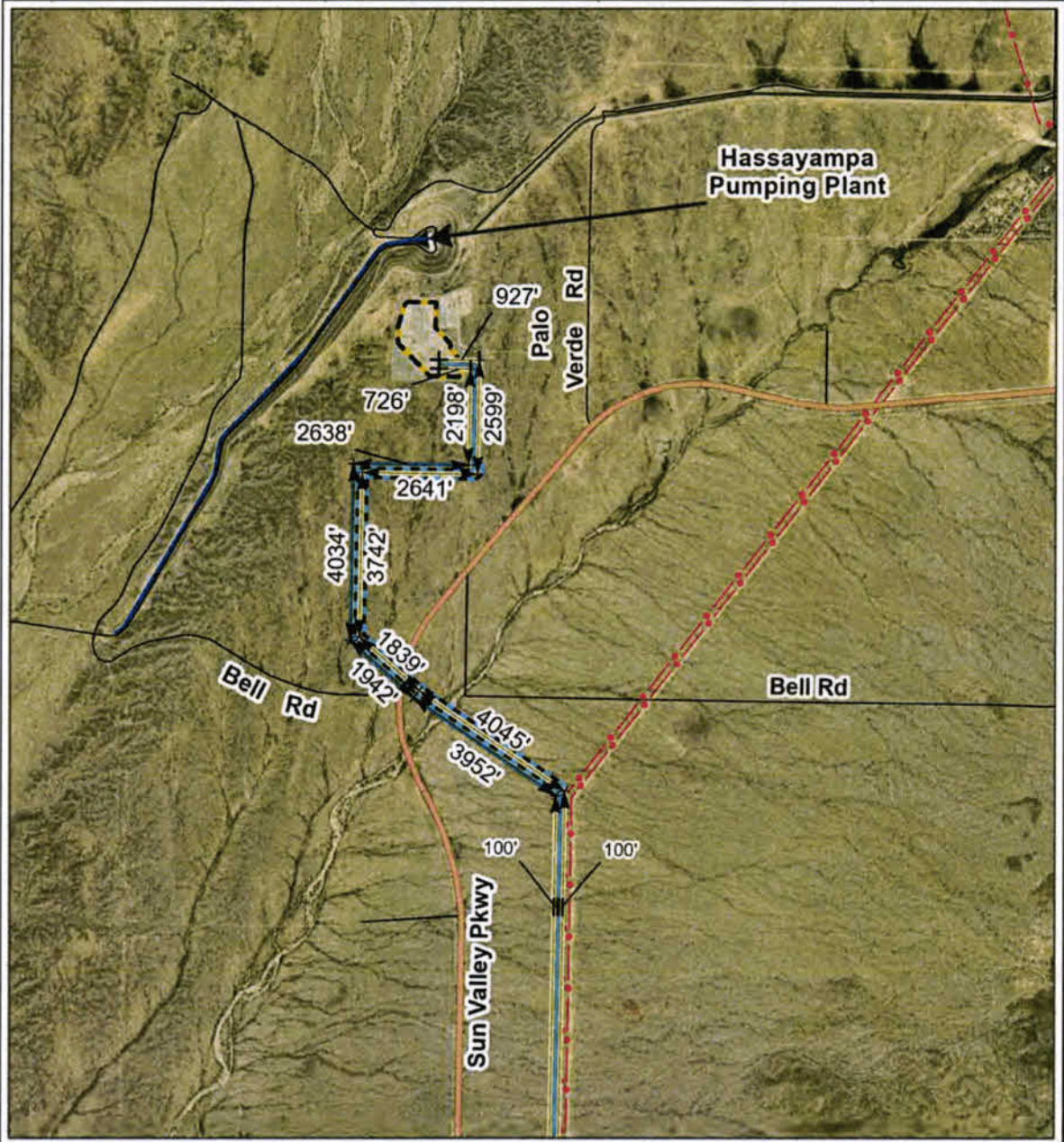


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**Avantus
Catclaw
Solar
230kV
Generation
Intertie
Project**

- | Reference Features | CEC Features |
|---------------------------|---------------------------|
| APS Sun Valley Substation | Catclaw Gen-Tie, Option B |
| Central Arizona Project | Project Corridor |
| Transmission Lines | |
| 500 kV | |
| Roads | |
| Sun Valley Parkway | |

Maricopa County, AZ
USGS 7.5' Quadrangle:
Daggs Tank, AZ, 33112-F6
Wagner Wash Well, AZ, 33112-E6
T4N R4W Sections: 29,32,33
T3N R4W Sections:
04,05,08,17,20,29
NAD 1983 UTM Zone 12N
33.6465°N 112.6816°W

Base Map: ESRI ArcGIS Online
acquired June 2023
Updated: 6/2/2023
Project No: 75825
1:45,000
April 78825_Catclaw_Solar

0 0.25 0.5
Kilometers
0 0.25 0.5
Miles

N

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