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SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448

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APPLICATION OF LCRA
TRANSMISSION SERVICES
CORPORATION TO AMEND ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR THE
GILLSPEI TO NEWTON 345-KV
CREZ TRANSMISSION LINE IN
GILLESPIE, LLANO, SAN SABA,
BURNET AND LAMPASAS
COUNTIES

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BEFORE THE STATE OFFICE OF

OF

ADMINISTRATIVE HEARINGS

**CHANAS RANCH, LP'S RESPONSES TO STAFF'S
SECOND REQUESTS FOR INFORMATION**

COMES NOW Chanas Ranch, LP ("Chanas Ranch") and submits these Responses to Staff's Second Requests for Information ("RFIs").

WRITTEN REPONSES

Attached hereto and incorporated herein by reference are Chanas Ranch's written responses to the aforementioned RFIs. Each response is set forth on or attached to a separate page upon which request has been restated. Such responses are made in the spirit of cooperation without waiver of Chanas Ranch's right to contest the admissibility of any such matters upon hearing. Chanas Ranch hereby stipulates that these responses may be treated by all parties exactly as if they were filed under oath. In accordance with P.U.C. Proc. R. 22.144 (c) (1) and Order No. 1, these responses are timely filed within ten (10) calendar days of receipt.

Respectfully submitted,

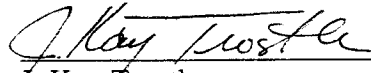
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By: J. Kay Trostle
J. Kay Trostle
State Bar No. 20238300

ATTORNEYS FOR CHANAS RANCH, LP.

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of December, 2009, a true and correct copy of the foregoing document is being served via electronic mail (email) to PUC Staff.



J. Kay Frostle

QUESTION NO. BA-1-1

Do you have a habitable structure (According to Subst. Rule 25.101, a habitable structure is a structure that is normally inhabited by humans or intended to be inhabited by humans on a daily or regular basis.) near one or more of the links of the proposed transmission line? If so, describe the structure, identify the link(s) and estimate how far the proposed line is from the habitable structure?

CHANAS RANCH RESPONSE:

On Tract C16-002, we are currently renovating a home that was originally built in 1907, and although Link C16 might be visible from the second floor balcony, that link appears to be about 1,000 feet west of this house. The habitable structures on the larger tracts that constitute Chanas Ranch are not within 500 feet of any Links.

QUESTION NO. BA-1-2

Will one or more of the links of the proposed transmission line cross your property? If so, identify the links and any features like a property line, pipeline, power line or road that the proposed transmission line will follow through your property.

CHANAS RANCH RESPONSE:

Yes, Links C13 and C14 cross the Chanas Ranch. LCRA has indicated that Link C14 will be located within the existing LCRA TSC T-267 69 kV ROW. Link C13 would cut across the northwest corner of Tract C13-002 and while it would not follow any observable ROW, if a route is approved that crosses Chanas Ranch, we would prefer it utilize C13 rather than C14.

QUESTION NO. BA-1-3

Have you discussed any modifications to the proposed transmission line route on your property with a representative of LCRA TSC? If so, what were the modifications to the proposed route that you suggested and what was the response of LCRA TSC?

CHANAS RANCH RESPONSE:

No.

QUESTION NO. BA-1-4

What are your specific concerns about the proposed transmission line?

CHANAS RANCH RESPONSE:

Chanas Ranch does not oppose the placement of the 345 kV line along C13 where it crosses the ranch because that link is near a corner of the ranch and does not bisect the property. We are opposed to the approval of any route that would utilize Link C14, which bisects the lower 10,000 acres of the Chanas Ranch in Llano County and which extends east from the ranch to the south end of Lake Buchanan, very near or over numerous habitable structures. The existing transmission line ROW that we understand C14 would utilize consists of wooden T-shaped structures much shorter than 115 to 185 feet.

Chanas Ranch has not had time to investigate nor has it attempted to catalog all of the various ways that the proposed transmission line will damage the Chanas Ranch if it is located on link C14. Accordingly, this response is not intended to nor should it be construed as an exhaustive list of the concerns raised by the proposed transmission line.

QUESTION NO. BA-1-5

Did you attend any open houses presented by the utility concerning this proposed transmission line? If so, when and where? Did you provide written comments to LCRA TSC at or after the open house?

CHANAS RANCH RESPONSE:

I did not attend any open houses, nor do I recall receiving notice from LCRA TSC about any open houses for this Project. I did not provide written comments to LCRA TSC.

QUESTION NO. BA-1-6

Are your property boundaries represented accurately on the maps provided by the utility? If not, please explain any discrepancies and provide a modified LCRA TSC map or drawing to indicate the discrepancies.

CHANAS RANCH RESPONSE:

To the extent we have been able to identify tracts on the maps supplied by LCRA TSC, Chanas Ranch owns tracts that LCRA has labeled as C16-002 and C13-002. C16-002 is north of the Llano River, and the 500 ft. "notice" area of the preferred route clips the corner of that tract. Chanas Ranch also owns the tract LCRA has labeled C13-002, south of the bend in the Llano River, although it is unclear if the boundaries accurately depict the full extent of the Ranch. However, the LCRA map does accurately show that tract would be crossed by two links: Link C13 of the preferred route cuts diagonally across a western corner, and C14 runs E-W across the entire 10,000 acres, following an existing, smaller, transmission line. Chanas Ranch owns other tracts in the study area, e.g., 6,000 acres near Blufton, that does not appear to be affected by any proposed links/routes and is not identified by LCRA on any maps.

QUESTION NO. BA-1-7

What is the primary use for your property and, in your opinion, will this use be impacted by the proposed transmission line?

CHANAS RANCH RESPONSE:

The Chanas Ranch has been owned by my family for more than 50 years. It is a working ranch and the primary use is grazing cattle, although we also incidentally lease it out for hunting. It is my intention that the ranch will remain in my family for my children and grandchildren's enjoyment and possible future development.

QUESTION NO. BA-1-9 (sic)

In your opinion, is there any feature about your land that you believe should be considered when routing a transmission line on your property? If so, please explain.

CHANAS RANCH RESPONSE:

As can be seen on the maps supplied by LCRA, we have considerable Llano River frontage. We own 9 miles of river frontage, of which 6 miles is on both sides of the river. While we would prefer that the proposed transmission line not cross the Llano River on our property, if the approved route crosses our property, we do strongly prefer it cross along Link C13, rather than Link C14. We have a wild game management and hunting operations on the ranch. We also participate in a land conservation project that is described in the attached LCRA Newsletter (July 2006). Finally, there is a nest along the Llano River and on my ranch, in which bald eagles have been returning to nest yearly from the end of October to the end of May each year. Each year the eagles produce hatchings. This nesting area draws such significant crowds of birdwatchers that TxDOT had to construct a viewing point from Hwy 29. This eagle nesting area is about 5 miles from Link C13.



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Chanas Ranch conservation project

At home on the range in Llano County

July 2006

By BOBBY HUMPHREY

LLANO — Deep in the heart of Texas, in Llano County that is, a hint of the Old West still lingers. Rodney Hooten, manager of the 16,000-acre Chanas Ranch starts his day much like the frontier cowboys of his past.

Atop his favorite horse, Hooten makes his way across the range to a 700-acre pasture — the job site. The goal this day is to gather a herd of cattle, and drive them across the ranch to “fresh ground” as part of a prescribed rotational grazing system.

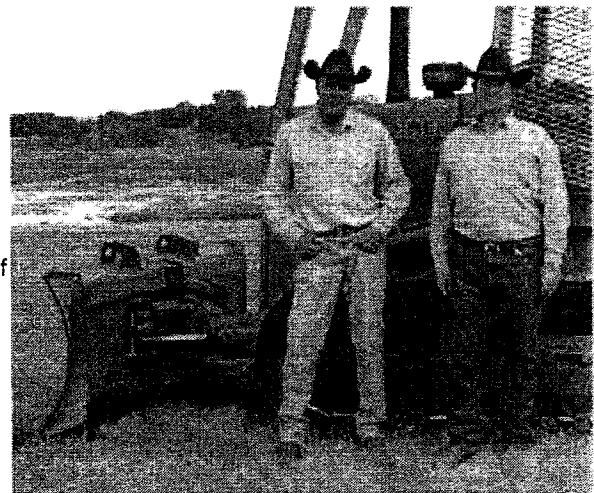
This is where the Old West meets the modern-day rancher. In the latter part of the 1800s, settlers began to use a new tool of the trade — barbed wire. Fencing provided a way for landowners to contain their livestock, cattle and goats, to keep them from destroying the crops they had planted. Confined within the fence boundaries, livestock would often graze one area continuously, ultimately leaving the ground bare and depleted.

The land that had once been a vast open range of grassland mixed with large stands of oaks began to undergo a dramatic change due to the “one pasture” grazing system. Invasive brush species such as Ashe juniper, also called cedar, had previously been limited to steep canyonlands that were naturally resistant to periodic wildfires. With overgrazing and repression of fire, the cedar began to encroach on the rangeland.

New tools of the trade

Today, cedar and other brush species, such as prickly pear and mesquite, are present where native grasses once thrived. Underneath this brush, the bare ground has become susceptible to heavy soil erosion and rapid rainfall runoff, contributing to sedimentation in nearby waterways. But today, Hooten, under the direction of Chanas Ranch owner, Richard McMillan, is using new “tools of the trade” to restore the land to what it once was. As often as Hooten can be found on the back of a horse, he can now be found selectively removing large areas of regrowth cedar and mesquite.

“This is just the first step in our plan to improve and restore this rangeland. The follow-up step of implementing a rotational grazing system and creating wildlife corridors is just as important,” McMillan said.



Chanas Ranch Foreman Rodney Hooten (left) and Richard McMillan, owner of the 16,000 acre Chanas Ranch, stand next to heavy equipment used at the ranch.



Editor's note: This is one of a series on landowners who are tapping an LCRA program to implement best management land conservation practices.

MORE STORIES

- ▶ San Saba County: Rancher setting soil conservation example
- ▶ Burnet County: Transplanted landowner taps program, local experts to make soil improvements
- ▶ Blanco County: Land conservation practices paying off for landowner

"The Chanas Ranch is participating in a new regional program to provide landowners with financial and technical assistance for land conservation projects," said Natural Resources Conservation Service District Conservationist Randy Ward.

The Lower Colorado River Authority (LCRA) and local soil and water conservation districts are administering the effort by tapping a federal Clean Water Act program designed to control agricultural nonpoint-source pollution caused by rainwater runoff. LCRA received a three-year, \$500,000 grant from the Texas State Soil and Water Conservation Board and the U.S. Environmental Protection Agency. The funding supports LCRA's Creekside Conservation Program, a 15-year-old effort to help farmers and ranchers in Central Texas reduce soil erosion and keep the precious topsoil on their land from washing into the waterways of the lower Colorado River basin.

Landowners who participate can receive a 50 percent reimbursement for such land conservation projects.

A comprehensive plan

"This project provides more than just a financial incentive for land improvement. It provides a comprehensive plan that is workable, technically sound, and reproducible for other landowners," said Kenneth Brandenberger, chairman of the Llano County Soil and Water Conservation District Board of Directors.

McMillan added, "It's not just about brush control, but making long-range conservation efforts that benefit wildlife, the land and livestock." McMillan said he plans to continue the ranching tradition on the Chanas Ranch, which is located about 10 miles east of Llano.

"What they're doing here is an example of proper land stewardship being put into practice and a demonstration of these land management practices to other landowners," said Rusty Ray, Conservation Services supervisor for LCRA.

"Over time, native vegetation will come back and thrive in these treated areas," said Hooten, as he mounts up and heads off once again into the sunset.

For more information on the LCRA's Creekside Conservation Program, contact Bobby Humphrey, conservation specialist, LCRA Conservation Services, at 1-800-776-5272, Ext. 7155.

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